

**ENVIRONMENT, CULTURE AND
COMMUNITIES OVERVIEW & SCRUTINY
PANEL**

18 OCTOBER 2011

7.34 - 9.24 PM



Present:

Councillors Finnie (Chairman), McLean (Vice-Chairman), Brossard, Ms Brown, Gbadebo, Ms Miller, Porter and Mrs Ballin

Executive Members:

Councillors Mrs Ballin

Also Present:

Andrea Carr, Policy Officer

Mark Devon, Chief Officer: Leisure & Culture

Jane Eaton, Chief Performance & Resources Officer (Environment, Culture & Communities)

Simon Hendey, Chief Officer: Housing

Steve Loudoun, Chief Officer: Environment & Public Protection

Vincent Paliczka, Director of Environment, Culture & Communities

Sue Scott, Development Plan Team Leader

Emma Silverton, Democratic Services Officer

Apologies for absence were received from:

Councillor Finch

13. Minutes and Matters Arising

RESOLVED that the minutes of the Environment, Culture and Communities Overview and Scrutiny Panel held on 21 June 2011 be approved as a correct record, and signed by the Chairman.

There were no matters arising.

14. Declarations of Interest and Party Whip

There were no declarations of interest relating to any items on the agenda, nor any indications that members would be participating whilst under the party whip.

15. Urgent Items of Business

There were no urgent items of business.

16. Performance Monitoring Report

The Director of Environment, Culture and Communities gave a presentation in respect of departmental performance with reference to the Performance Monitoring Report (PMR) for the 1st quarter of 2011/12. The presentation outlined the Department's finances as at August 2011, highlighted major variances on revenue and gave an overview of Capital Finance. Staffing issues, key highlights and a forward look were also included.

The Panel noted that the current Gross Revenue budget was £86,329,000 with a predicted underspend of £68,000. Major variances on Revenue were the result of a reduction in fees for the Coroner's Service and a reduction in cost of the Safer Roads Partnership. It was reported that the same level of service was received from the Safer Roads Partnership and that the reduction in cost was the result of increased income and a more efficient service.

The Capital programme 2011-12 was £17,030 as at August 2011, with a predicted underspend of 0.04%. It was noted that there were no Capital Schemes identified for carry forwards.

The Panel was advised that the Department had an average vacancy factor of 8.22%. Overall, vacancies had decreased by 3 in the quarter. Staff turnover was low at 2.28% at the end of the quarter. The Panel noted that a small staff turnover could be a disadvantage if the level continued to be low as new ideas would not be brought in to the organisation from new members of staff.

Key highlights for the Department included: a new format PMR which would give a tighter focus on local priorities and performance highlights: Forestcare which had celebrated its twentieth birthday and now had almost 10,000 customers: and Lily Hill Park, Shepherds Meadow and Sandhurst Memorial Park had all received Green Flag Awards. Landscape Services had been restructured to provide a more efficient service, gas works on Crowthorne High Street had been completed and winter preparations were underway with a new salt barn at The Depot. The Panel noted that the Department would have a new responsibility in relation to Flood and Water Management from April 2012.

Arising from Members' questions and comments the following points were noted:

- The first phase of the South Hill Park restoration was now complete. Members requested that during an appropriate stage in the works, Members be invited to SHP to view the progress that had been made.
- The procurement process had begun for solar panels which would be installed on the roof of Bracknell Leisure Centre. Electricity generated would be used on site as this provided the best value for money.
- Forestcare had a number of corporate clients including other authorities who were charged for use of the service.

The Panel congratulated Forestcare on the excellent service provided to its customers and the work undertaken to ensure the service now made a profit.

The Panel expressed its thanks to officers for their excellent partnership work with the Gas Board during the work undertaken on Crowthorne High Street.

The Panel thanked the Director for his presentation and officers for their response to questions.

17. Local Development Framework - Update Report

The Panel received a report from Sue Scott, Team Leader Development Plan which provided the current position on the Local Development Framework (LDF).

The Local LDF set out policies and proposals for the development and use of land. The LDF comprised; Local Development Documents (LDDs), which included Development Plan Documents (DPDs), and Supplementary Planning Documents

(SPDs) which provided further interpretation of the implementation of policies set out in a DPD. The LDF also included the Statement of Community Involvement, the Local Development Scheme and the Annual Monitoring Report.

To date, one DPD had been adopted for Bracknell Forest. This was the Core Strategy, which set out the overarching strategy for the area including the level of housing growth. Documents currently under preparation for Bracknell Forest included: the Site Allocations DPD which would be out for public consultation from 16 January until 27 February, A Core Strategy Review which would begin in March 2012 and a Proposals Map.

Two Supplementary Planning Documents were under preparation. The first was the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy SPD which would be out for consultation from 24 October 2011 and the second was the Warfield SPD which provided further targeted consultation on a site agreed in principal in the Site Allocations DPD.

The Localism Bill was making a number of changes to the planning system including the abolition of regional strategies and the housing targets they contained, in addition to the introduction of Neighbourhood Development Plans. The Localism Bill proposed to retain LDFs in the form of a local plan however, SPDs would remain only where they were justified in bringing forward sustainable development. A duty to monitor the implementation of planning policies was also included.

It was explained that the additional targeted consultation of the Warfield SPD during November 2011 looked at a revised concept plan and would be focussed specifically on those living in the Warfield area. The Panel expressed concern in relation to the winter consultations, which they felt could discourage people from participating due to bad weather and dark evenings. It was suggested that the progress of the consultation be monitored and reviewed if necessary.

RESOLVED that the documents that currently form part of the Bracknell Forest Borough LDF and the stage reached in the preparation of other documents that would eventually form part of the Bracknell Forest Borough LDF on adoption be noted.

18. **Community Infrastructure Levy**

The Panel considered a report presented by Vincent Paliczka, Director of Environment, Culture and Communities, which gave a summary of the Community Infrastructure Levy (CIL) which would replace, in part, the use of s.106 agreements for infrastructure delivery as part of new development proposals. The report also set out how the Council was preparing for its introduction.

It was explained that CIL was a standardised tariff system for collecting contributions towards infrastructure provision from developers of residential and commercial development. It was up to the Council whether or not to introduce a CIL however, if it did not, then by April 2014, the Council would not be able to continue the system of s.106 planning obligations for pooled contributions.

CIL payments would be calculated by applying a tariff rate to the floor area resulting from a development. The rate would be based on a schedule that could set different levels of charge for different land uses and for different geographic areas.

The Panel noted that a Government consultation was currently being undertaken on guidance for local authorities on how to develop CILs. A copy of the consultation had been circulated to the Chairman of the Panel.

A project board had been established to steer the development of the CIL system in Bracknell Forest with the intention to establish a CIL regime by summer of 2013. At present, officers were undertaking technical work relating to the scheme. Once the draft regime had been completed the CIL would be available for consultation. It was agreed that once the draft regime had been to the Executive it would be brought to the Panel for comment.

Arising from Members' questions and comments the following points were noted:

- The CIL tariff was more flexible than the previous s.106 regime. Once the funds had been collected there was no specific plan stating what the funding was to be spent on or where.
- It would not be appropriate to set the CIL tariff based on market forces as a robust local evidence base would be required to justify the tariff.
- As CIL was a new system it would be important to ensure a robust process was in place for the governance of the regime.
- A meaningful proportion of the CIL from a development would be given directly to Parish and Town Councils.
- In relation to the CIL in Bracknell Forest the terms neighbourhood and local communities referred to the Parish and Town Council areas.
- The CIL was in place to mitigate the infrastructure impacts of a new development. Whilst the funding was allocated to projects in the local area where appropriate, for some projects the funding would be spent on improvement works that were not in the immediate area, but that best mitigated the developments impact.

The Panel expressed its wish to be regularly updated of progress made in relation to the development of the CIL and to be involved in consultation when appropriate.

The Panel noted the proposed CIL and how the Council was preparing for its introduction.

19. **A322 Bagshot Road Resurfacing Project**

Steve Loudoun, Chief Officer: Environment and Public Protection, presented an update report with regards to the A322 Bagshot Road Resurfacing Project. The report included details of the cause of the failed resurfacing, work undertaken to resolve the problem and learning points that arose from the failure.

Essential resurfacing works undertaken during June on the A332 Bagshot Road had failed due to significant failure of the primary and secondary aggregates used on the site. The contractor had accepted liability and agreed to rectify the defective road surface.

It was reported that there had been no cost to the Council in repairing the road, with the Contractor replacing the surface with a product which was superior to that which the Council had originally specified for the road. It was expected that the new surface would last several years and considerably longer than the original surface with no problems being reported since completion of the repair.

There was no guarantee on how long the new surface would last as this depended on many factors, including volume of traffic however, it was noted that had the original surface not been replaced it was likely that the entire road surface would have needed replacing within the next couple of years.

It was noted that significant inconvenience had been caused to local residents due to the closure of the road and that warnings in relation to road closures, diversions and speed limits could have been clearer. Officers noted that this was a learning point and would consider this in the future however, the Panel noted that whilst officers worked hard to liaise and share intelligence it was often difficult to take in to account all local circumstances when a road needed to be closed at short notice.

A Member of the Panel expressed concern regarding cracks in the surface of the road along the newly resurfaced stretch of road and further along the A332. No issues had been reported to officers regarding the road and it was agreed that further discussion would be undertaken outside of the meeting.

The Panel expressed concern that the Contractor had not incurred a financial penalty for the significant failure to compensate for consuming officers' time and for the inconvenience to residents. It was explained that there was no provision in the contract for any such penalty. The cost to the Contractor in repairing the road had run to six figure sums. Although it was a significant failure no other problems had been experienced in the Contractors previous work. The Panel suggested that a financial penalty be considered when agreeing future contracts.

20. Schools Energy Management - Briefing Note

The Director of Environment, Culture and Communities presented the report which gave an update on Schools Energy Management in Bracknell Forest.

It was reported that a board had been established by the Executive Member for Education to take forward projects that would raise awareness of energy consumption in local schools.

Projects undertaken by schools included:

- Automatic Meter Readers which had been fitted to approximately two thirds of all gas and electricity meters in schools to provide more accurate and detailed data on energy consumption for use in energy management.
- Edgbarrow and Sandhurst Schools were to be subject to works which would provide Voltage Optimisation which was intended to reduce overall electricity consumption.
- Easthampstead Park, Wooden Hill and Brakenhale schools would be subject of works to install intelligent lighting controls to reduce consumption.
- Kennel Lane Special School would be provided with a thermal cover for the swimming pool to reduce heat loss.
- Meadow Vale school would be the subject of insulation works to reduce heat loss.
- Holly Spring Infant school had received a new plant room which was built large enough to accommodate a heating plant sufficient to run both the infant and junior schools rather than operating with separate boilers in separate plant rooms.
- A Ground Source Heat Pump was installed at Edgbarrow Secondary School.

- A biomass boiler, as an alternative to the gas fired heating system had been installed at Garth Hill College.

The Panel noted that excellent progress had been made in schools and requested that projects undertaken at each school be listed in a report and circulated to all Members so that Ward Councillors would be able to encourage their local schools to continue undertaking energy management projects.

21. **Supporting People Strategy**

Simon Hendey, Chief Officer: Housing presented the draft Supporting People Strategy and eligibility criteria. The Supporting People programme funded the provision of housing related support, to help people keep their homes and prevent them from moving into less independent and more costly housing provision.

Over the next four years the new Strategy needed to be flexible to support residents across tenure and contribute to new initiatives, effectively target support to meet essential needs and create opportunities for joint commissioning with neighbouring authorities. Areas of focus in the new Strategy would be provision for older people and prevention of homelessness.

The draft Strategy moved towards providing support for individuals rather than the previous system of providing support through service provision. Key models to support this would be: two floating support contracts, one for the homeless client groups and one for older people; and hub and spoke services, where existing housing schemes in the borough would be used as accommodation hubs, from which services could be delivered to residents in the wider community.

It was noted that the draft Supporting People Strategy was currently in a 12 week consultation. It was expected that responses would be reported to the Executive in January 2012 with new services in place by August 2012.

The Panel expressed concern in relation to fuel poverty and noted that this issue was seen as important and was addressed within the new Strategy. The Panel noted that many people wished to remain in their own homes and needed support to assist them with matters such as gardening and repairs. It was noted that residents could be signposted to services that would be available to assist them and that if they were tenants the housing association should be able to assist them with maintenance tasks.

RESOLVED that the draft Supporting People Strategy and eligibility criteria be noted.

22. **Working Group Update Report**

The Panel noted a report providing an update on the Panel's Working Groups. It was reported that the Highways Maintenance Working Group was due to meet soon and that work was ongoing with the Panel's Working Groups on the Site Allocations Development Plan Document and Commercial Sponsorship.

23. **Overview and Scrutiny Work Programme 2011/12 and Proposed New Powers**

The Panel received the agreed work programme for O&S in 2011/12 and a report which gave details of a proposed procedural change to reduce pressure on the Overview and Scrutiny Commission by greater empowerment of the Panels.

It was suggested that the Panel form a working group to look at the development of the CIL regime when resources became available.

RESOLVED that:

- a) the Environment, Culture and Communities O&S Panel's work programme for O&S in 2011/12 be noted, and
- b) a proposed amendment to the Constitution to extend to the O&S Panels the O&S Commission's power to adopt O&S reports, the making of recommendations to the Executive, full Council and other organisations, and the consideration of responses to O&S reports be noted.

24. Overview and Scrutiny Progress Report

The Panel considered a report which outlined the activities of the Council's Overview and Scrutiny Panels and the Overview and Scrutiny Commission during the period March to August 2011 and summarised national developments in overview and scrutiny.

RESOLVED that:

- a) Overview and Scrutiny activity over the period March to August 2011, set out in section 5 and Appendices 1 and 2 be noted, and
- b) the developments in Overview and Scrutiny set out in section 6 be noted.

25. Executive Forward Plan

The Executive Forward Plan items relating to Environment, Culture and Communities were noted.

26. Date of Next Meeting

The next meeting of the Environment, Culture and Communities Overview and Scrutiny Panel would be held on Tuesday 10 January 2012 at 7.30pm in the Council Chamber, Easthampstead House.

CHAIRMAN

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