

TO: COUNCIL
30 APRIL 2014

EXECUTIVE REPORT TO COUNCIL
The Leader

1 PURPOSE OF REPORT

- 1.1 Since the Council meeting on 26 February 2014, the Executive has met once, on 11 March 2014. This report summarises decisions taken at that meeting by reference to the relevant portfolio within which they fall.
- 1.2 Updated Forward Plans are published every Friday and are available for public inspection at Easthampstead House in the usual way and online at www.bracknell-forest.gov.uk. Full details on the decisions taken by individual portfolio holders can also be accessed online through the Council's website.

2 SUPPORTING INFORMATION

Planning and Transport

2.1 Residents Parking Scheme

- 2.1.1 As the town centre expands through regeneration, the day-to-day need of residents in the surrounding area will also be a high priority. The Council must plan for the changes that come with a regenerated town centre, and this includes making sure residents living close to the town centre are protected from increased on-street parking pressures.
- 2.1.2 The Executive has therefore examined the results of its public consultation and has approved a Residents' Parking Scheme in a number of areas adjacent to the town centre on a 2 year trial basis.
- 2.1.3 In July 2013 a four week consultation was undertaken to seek residents' views on a scheme alongside information on their local needs and preferences. This involved 1600 properties in 48 roads with the distribution of leaflets, questionnaires and the consultation was also accessible via the Council's website. There were some clear conclusions drawn from the residents' responses to the consultation:
- Over half of respondents are reliant on on-street parking and the majority already experience parking pressures;
 - The vast majority of respondents are in favour of introducing an Residents' Parking scheme;
 - support for a scheme involving a permit charge is broadly split with a small majority opposing a charge;
 - The majority of respondents believe there should be some form of limit on the number of permits per property;
 - The majority of respondents believe a scheme should operate seven days a week.
- 2.1.4 Seven residential areas surrounding the town centre, where most residents have to park their vehicles on the road, would benefit most from the protection of a

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Residents' Parking Scheme. Experience from previous construction work in the town centre shows that workers had parked their vehicles in residential areas adding pressure to an already difficult situation. Without some action, as the regeneration of the town centre reaches the construction phase later this year it is highly likely that this pressure on parking residential areas will increase and it will become even more important to protect residents from these parking pressures. The aims of the scheme would be to:

- Protect residents from increased parking pressures;
- Be simple for residents to use;
- Be cost effective to operate and
- Be absolutely free of charge for families requiring no more than two permits whilst the scheme is evaluated over the next two years.

2.1.5 The Residents' Parking scheme will require a parking permit displayed in the window of vehicles parked in the streets affected. These permits would be for use by residents, their visitors or other legitimate users of the street. Any vehicles that are not exempt and are not displaying a permit during the schemes' operating hours could then be issued a parking fine.

2.1.6 The scheme will initially run for a two year trial period. This will allow for accurate scheme operating costs to be identified and the effectiveness of the permit eligibility criteria and scheme operating hours to be reviewed. The scheme will then be subject to further review and consultation before it would be made permanent as the regeneration nears completion.

2.1.7 The Council is currently consulting on the Traffic Regulation Orders required to implement the scheme.

2.2 Highways Maintenance Works Programme 2014-2015

2.2.1 To help meet the Council's Local Transport Targets and improve the condition of the Borough's highway network the Executive has approved the indicative Highway Maintenance Works Programme for 2014/15.

2.2.2 The 2014/15 budget includes £1.533million provided via the Local Transport Plan (LTP) capital allocation. An additional £228k from the Council's Capital Programme would be added for road maintenance and street lighting. In common with the national situation the level of maintenance required by the Borough's highways network far exceeds the budget available and spending plans on the road network have been prioritised according to an assessment of need.

Adult Social Care, Health and Housing

3.1 **Executive Response to the Health Overview & Scrutiny Panel Working Group report on 'Francis'**

3.1.1 The Executive has endorsed the following recommendation that arose from a report by a working group of the Health Overview and Scrutiny Panel:

The Executive Member for Adult Services, Health and Housing should carry out a stock take of all the Council's external positions on NHS bodies, and works with Members to ensure that all suitable opportunities are taken up.

The Executive also supports the recommendations set out in the report for other organisations and the way the Panel worked within available resources.

3.1.2 The Francis inquiry followed a series of investigations and reports, including an investigation by the Healthcare Commission in 2009 and an independent inquiry also conducted by Robert Francis QC. As a result of a public enquiry of the Mid Staffordshire NHS Foundation Trust a number of service failings were reported and recommendations were made to address the issues.

3.1.3 The Executive thanked the Working Group on a thorough piece of work looking at the impact and context of the department's work in Applying the Lessons of the Francis Report.

3.2 Fixed Civil Penalties in relation to changes of circumstance for benefit claims

3.2.1 The Social Security (Civil Penalty) Regulations 2012 came into force on the 1 October 2013 which provided councils with the ability to impose a fixed penalty of £50 if failure to notify the Council of a change in circumstances leads to an overpayment of benefit. The Executive has therefore agreed that a scheme be introduced from 1 April 2014 to impose a fixed civil penalty of £50 for overpayment of Housing Benefit that exceeds £250, due the claimant negligently not informing the Council of a change of circumstances, or failing to inform the Council without any reasonable excuse.

3.2.2 The Department of Work and Pensions has recommended that fixed penalties could be applied for overpayments of £65. However, in Bracknell Forest this sum can equate to less than one week's housing benefit payment. Consequently the Executive has set the level of overpayment at £250 to make it extremely unlikely that an individual could inadvertently over claim by that amount.

3.2.3 Even with this level, the fixed penalty will only be applied if there is clear evidence that the claimant has negligently failed to tell the Council or has no reasonable excuse for not telling the Council where a change of circumstance has led to an overpayment of benefit.

3.3 Learning Disabilities Commissioning Strategy 2014-2019

3.3.1 The Executive has approved the Joint Commissioning Strategy for People with Learning Disabilities 2014-19. The Strategy set the framework for supporting people with learning disabilities and their families and continues to reflect:

- the needs and wishes of the people concerned
- national direction
- recognised best practice.

3.3.2 Significant developments have been made since the last strategy (2008-13) so that people with learning disabilities and their families could have more choice and control over their lives, be active participants in their local area and feel and be safe within their local community. The development of the strategy was led and supported by Bracknell Learning Disability Partnership Board ensuring that people with learning disabilities, families, carers, staff and stakeholders have been involved in the process and to give their views.

3.3.3 As part of the process to develop the strategy a twelve week consultation took place with people with learning disabilities, their families, and people that work with people

with learning disabilities, to find out what could be developed. Key areas identified for development were:

- **Fulfilling Lives** - Having even more flexible support which helps people and their carers live their lives in the way they choose
- **Housing** - Having affordable and suitable accommodation
- **Economic Wellbeing** – Having control of money, access to jobs and money for activities
- **People with Complex Needs** – Helping people to have more choice and control
- **Learning Disability Awareness Training** – To do more work with children and young adults in schools and colleges to promote inclusion of people with learning disabilities
- **People Approaching Adulthood** – Support for young people into adulthood

3.3.4 An action plan will be developed to help deliver the intentions of the strategy and performance and progress will be measured against the priorities.

Children, Young People and Learning

4.1 Bracknell Forest Strategy for ‘Narrowing the Gap’ – Guidance on the use of the Pupil Premium

- 4.1.1 The Executive has approved a strategy ‘Narrowing the Gap’, which aims to narrow the gap in performance between pupils eligible for the Pupil Premium and those that are not.
- 4.1.2 The Pupil Premium is an additional amount given to schools to support the learning needs of each pupil eligible for a free school meal or who is a looked after child, an adopted child or a child with guardians. There is also a Service Premium for children who come from a service family.
- 4.1.3 The Councils’ vision for education is to ensure that all pupils, irrespective of their home circumstances make good progress in school. The educational achievement of disadvantaged groups, including those eligible for a free school meal is an important factor in determining whether a school is a ‘good’ school, better school or one where improvement is needed.
- 4.1.4 The Strategy sets out the Council’s priorities to address the gap in performance of pupils eligible for the Pupil Premium resources and includes suggestions for measures for schools to adopt and an action plan.

Council Strategy and Community Cohesion

5.1 Service Plans 2014/15

- 5.1.1 The Executive has approved a set of Key Actions to be contained in the Service Plans for the Council for 2014-15.
- 5.1.2 The Councils’ Medium Term Objectives and the key actions to deliver them are reviewed annually to ensure that they remain relevant and reflect any changes in circumstances affecting the Borough’s residents and businesses.

5.2 Corporate Performance Overview Report

The Executive has received the Corporate Performance Overview Report for the third quarter of 2013/14 (October - December 2013). At the end of this quarter the Council

continues to perform well. Of the 256 actions 242 were either complete or on target and data relating to the key performance indicators show that 62 (84%) were classified as being green (on target), 3 (4%) were amber, with only 9 (12%) being red.

Transformation and Finance

6.1 Corporate Asset Management Plan

The Executive has approved the Corporate Asset Management (AMP) 2014-15 which sets out the overarching framework and objectives of the Council in its management of its property assets. The Plan is supported by robust data and evidence and by detailed departmental plans and the Council's Office Accommodation Strategy. The Council's aim for Asset Management is to deliver its statutory and frontline services for its residents in a financially prudent manner making the most cost effective use of its assets.

6.2 Facilities Management Category Strategy

6.2.1 The Executive has approved the Facilities Management Category Strategy which includes recommendations to improve the value for money of property maintenance and facilities management.

6.2.2 Category Management is a strategic approach to procurement which looks at a whole category of spend across the Council. It is a procurement methodology established and proven to help identify improvements and efficiencies as well as providing value for money for the Council.

Planning and Transport/Environment

7.1 Public Realm Contract Awards

7.1.1 The Executive has approved the award of contracts in respect of Highways Maintenance and Works, Street Cleansing and Grounds Maintenance.

7.1.2 To enable the provision of high quality services, rigorous assessment procedures were carried out to choose the recommended contractors. Detailed evaluations of all bids were undertaken by an experienced senior management team from Environment, Culture and Communities Department, with significant support from the Corporate Procurement team. Meetings were also held with all contractors to scrutinise the proposals to ensure that the tenders were sustainable in quality and price terms. All were rigorous but particular attention was given to grounds maintenance given the quality of the current in-house provision. In all lots the evaluation team believed that the recommended contractors have all produced sustainable bids that offer value for money to the council.

Urgent Decision

8.1 Department of Energy and Climate Change, Green Deal Communities Fund

8.1.1 The Council's Constitution includes a requirement that decisions made as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

8.1.2 In order to ensure that the Borough Treasurer was properly authorised to sign a Memorandum of Understanding with the Department of Energy and Climate Change (DECC) within the timescale set by the Department, it has been necessary to use the

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urgency procedure. In accordance with the Constitution, the Mayor agreed to the use of the procedure.

- 8.1.3 The Council successfully bid for £1.8 million of funding from the DECC Green Deal Communities Fund. DECC had invited bids for energy improvements to properties that could be made on a street by street basis rather than the needs of individual properties. This was intended to provide economies of scale and establish momentum within targeted concentrations of properties.
- 8.1.4 The Council bid was for the external cladding of solid-wall construction homes. The areas with the highest concentrations of such properties where the street by street approach stipulated by DECC could be achieved were identified and submitted to the Department. The award was announced by the Minister on 4 March and the formal offer letter was received on 28 March. The offer letter set a deadline of 14 April for the Memorandum of Understanding to be signed.
- 8.1.5 Failure to provide a signed Memorandum of Understanding would have jeopardised the payment of the fund monies to the Council. Given the need for the money to be spent within the 2014/15 financial year, and the size of the award, it is important that spending commences as early as possible. As no provision is currently made in the Budget for this funding, the concurrence of the Chairman of the Overview and Scrutiny Commission was also sought and secured to make this decision without the normal notice period, subject to further consideration being given to the properties included within the proposed works.

Appointments and Delegations by the Leader of the Council

- 9.1 The Leader has delegated to the Borough Treasurer the decision to vary the term of the loan to Warfield Parish Council in respect of the Brownlow Hall.
- 9.2 The Leader has determined that, a) the powers of Executive Members are limited such that they cannot make decisions contrary to Director recommendations and (b) the Executive is given the power to make decisions where the Executive Member has been unable to do so because of the limitation under (a)
- 9.3 The Leader has determined the authority to take decisions where the Executive Member has requested that a matter should be determined by the full Executive.
- 9.4 The Leader has delegated to the Chief Officer: Housing the authority to exercise the power provided by SI 2006 No 2968 electronic communications - housing benefit and council tax benefit (Electronic Communications) Order 2006.
- 9.5 The Leader has delegated authority, to sign a non-disclosure agreement with Peterborough City Council and other related non-disclosure agreements associated with the relevant project, for duration of the relevant project, to the Director of Environment, Culture and Communities.

10. **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 10.1 The Borough Solicitor's comments on each item referred to in the annex can be found in the reports presented to the Executive.

Borough Treasurer

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- 10.2 The Borough Treasurer's comments on each item referred to in the annex can be found in the reports presented to the Executive.

Equalities Impact Assessment

- 10.3 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

Strategic Risk Management Issues

- 10.4 Any strategic risks have been identified in the reports to the Executive.

Background Papers

Executive Agenda – 11 March 2014

Contact for further information

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