

**EXECUTIVE
10 FEBRUARY 2015
5.00 - 6.00 PM**



Present:

Councillors Bettison (Chairman), Ward (Vice-Chairman), Dr Barnard, Birch, Brunel-Walker, Mrs Hayes, McCracken and Turrell

32. Declarations of Interest

There were no declarations of interest.

33. Minutes

RESOLVED that the minutes of the meeting of the Executive on 27 January 2015 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

34. Executive Decisions

The Executive considered the reports submitted on the items listed below and the decisions taken are recorded in the decision sheets attached to these minutes and summarised below:

Item 5: Capital Budget 2015/16

RESOLVED that the Executive:

- 1 Recommends to the Council
 - a) General Fund capital funding of £16.798m for 2015/16 in respect of those schemes listed in Annexes A – E.
 - b) The inclusion of an additional budget of £1m for Invest to Save schemes.
 - c) The inclusion of £2.219m of expenditure to be funded from S106 as outlined in paragraph 5.25.
 - d) That those schemes that attract external grant funding are included within the Capital Programme at the level of funding received.
 - e) To bring forward funding of £20k for Superfast Broadband from 2015/16 into 2014/15.
 - f) To approve as a supplementary capital approval funding in 2014/15 of £0.447m for Binfield Learning Village at Blue Mountain, as outlined in the Funding Model agreed by the Executive in October 2014.

- 2 Agrees that capital schemes that require external funding can only proceed once the Council is certain of receiving the grant.
- 3 Reviews the indicative programme for 2016/17 and 2017/18 in the light of resources available and spending priorities in December 2015.

Item 6: Revenue Budget 2015/16

RESOLVED that the Executive, in recommending to Council a budget and Council Tax level for 2015/16:

- 1 Confirms the original budget proposals, subject to the revisions in section 7.4 and those decisions to be taken elsewhere on this agenda on the capital programme;
- 2 Agrees the provision for inflation of £1.511m (section 7.2);
- 3 Agrees the additional budget proposals as set out in Annexe A and Annexe D and in sections 6.2, 6.3 and 7.3;
- 4 Agrees that the Council should fund the Schools budgets at the level set out in section 8.1 subject to any amendments made by the Executive Member for Children, Young People and Learning following the receipt of definitive funding allocations for Early Years and High Needs pupils;
- 5 Includes a general contingency of £2.000m, use of which is to be authorised by the Chief Executive in consultation with the Borough Treasurer in accordance with the delegations included in the Council's constitution (section 9.6);
- 6 Subject to the above recommendations, confirms the draft budget proposals;
- 7 Approves the Net Revenue Budget before allowance for loss of interest from any use of balances as set out in Annexe G;
- 8 Agree a contribution of £0.932m from General Reserves and £3.988m from the Business Rates Equalisation Reserve (before loss of interest on use of balances) to support revenue expenditure;
- 9 Recommends that the Council Tax requirement, excluding Parish and Town Council precepts, be set as £46.706m;
- 10 Recommends no change in the Council Tax for the Council's services. The Valuation Bands therefore remain as follows:

Band	Tax Level Relative to Band D	£
A	6/9	729.30
B	7/9	850.85
C	8/9	972.40
D	9/9	1,093.95
E	11/9	1,337.05
F	13/9	1,580.15
G	15/9	1,823.25
H	18/9	2,187.90

- 11 Recommends that the Council approves the following indicators, limits, strategies and policies included in Annexe E:
- The Prudential Indicators and Limits for 2015/16 to 2017/18 contained within Annexe E(i);
 - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
 - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
 - The Authorised Limit Prudential Indicator in Annexe E(iii);
 - The Investment Strategy 2015/16 to 2017/18 and Treasury Management Limits on Activity contained in Annexe E(iv);
- 12 Approves the virements relating to the 2014/15 budget as set out in Annexe H and recommends those that are over £0.100m for approval by Council.
- 13 Approves the release of the £0.490m of funds from the Schools SEN Resource Units Reserve from January 2015 to finance start-up costs at Rise@Garth (section 8.1).
- 14 Approves the medium term budget plan for Rise@Garth, subject to annual review (Annexe I).

A revised recommendation at 2.8 and revised Annex G was considered and endorsed by the Executive at the meeting.

Item 7: Approval of the Bracknell Forest Community Infrastructure Levy Charging Schedule 2015, the CIL Instalment Policy and the CIL Regulation 123 Infrastructure List and adoption of the Bracknell Forest Planning Obligations Supplementary Planning Document.

RESOLVED that the Executive:

- (i) recommends to Council publication of the Charging Schedule at Appendix A;
- (ii) recommends to Council the commencement of CIL charging in Bracknell Forest on 6th April 2015;
- (iii) approved the 'Regulation 123' List of Infrastructure Projects for which CIL will be charged at Appendix B for publication on the Council's website;
- (iv) approved the CIL Instalment Policy at Appendix C for publication on the Council's website;
- (v) approved the adoption of the Planning Obligations Supplementary Planning Document at Appendix D with effect from 6th April 2015; and,
- (vi) approved the withdrawal of the Limiting the Impact of Development Supplementary Planning Document (July 2007) with effect from 6th April 2015.

Item 8: The Blue Mountain Programme- Delegation of Award of Contract

RESOLVED that

- 1 The addendum to the Learning Village Procurement Plan in Appendix 2 to create an option for combining the procurement of the refurbishment works to the existing club house building earmarked for community facilities with the previously approved procurement plan authorising the use of the Improvement Efficiency South East (IESE) framework for the Learning Village be approved.
 - a) waive contract standing orders such as to permit the decision for the award of the contracts for pre-construction services and the main contract (including enabling works) in relation to Binfield Learning Village at Blue Mountain to be taken by an Executive Committee.
 - b) requests the Leader to delegate the decision to be taken by the Executive Committee.
- 2 The decisions be reported to the next available meeting of the Care Portfolio Review Group .

Item 9: Local Government Ombudsman Decision - Code for Sustainable Homes

RESOLVED that

- 1 The report of the Executive to be prepared pursuant to Section 5A of the Local Government and Housing Act 1989 specify:-
 - (a) that no action has been taken or is proposed to be taken in response to this report, and
 - (b) that no action has been or is required to be taken as the pilot consultancy service which was the subject of the Ombudsman's decision has been discontinued.
- 2 The draft report of the Executive attached as Annex A to the Executive report be approved.

Bracknell Forest Council Record of Decision

Work Programme Reference	I046447
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1. **TITLE:** Capital Budget 2015/16
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To recommend to Council the annual budget.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive:

2.1 Recommends to the Council

- a) General Fund capital funding of £16.798m for 2015/16 in respect of those schemes listed in Annexes A – E.
- b) The inclusion of an additional budget of £1m for Invest to Save schemes.
- c) The inclusion of £2.219m of expenditure to be funded from S106 as outlined in paragraph 5.25.
- d) That those schemes that attract external grant funding are included within the Capital Programme at the level of funding received.
- e) To bring forward funding of £20k for Superfast Broadband from 2015/16 into 2014/15.
- f) To approve as a supplementary capital approval funding in 2014/15 of £0.447m for Binfield Learning Village at Blue Mountain, as outlined in the Funding Model agreed by the Executive in October 2014.

2.2 Agrees that capital schemes that require external funding can only proceed once the Council is certain of receiving the grant.

2.3 Reviews the indicative programme for 2016/17 and 2017/18 in the light of resources available and spending priorities in December 2015.

7. **REASON FOR DECISION**

The reasons for the recommendations are set out in the Executive report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative options are set out in the Executive report.

9. **PRINCIPAL GROUPS CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Schools Forum, Parish Councils and voluntary organisations. In addition, this report and all the supporting information will be publicly available to any individual or group who wish to comment on any proposal included within it. Internal consultation is via officers, members and more specifically the Overview & Scrutiny Commission and its panels.
10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
10 February 2015	18 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046352
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1. **TITLE:** Revenue Budget 2015/16
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To recommend to Council the annual budget

- 4 **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive
6. **DECISION:**

That the Executive, in recommending to Council a budget and Council Tax level for 2015/16:

- 1 Confirms the original budget proposals, subject to the revisions in section 7.4 and those decisions to be taken elsewhere on this agenda on the capital programme;
- 2 Agrees the provision for inflation of £1.511m (section 7.2);
- 3 Agrees the additional budget proposals as set out in Annexe A and Annexe D and in sections 6.2, 6.3 and 7.3;
- 4 Agrees that the Council should fund the Schools budgets at the level set out in section 8.1 subject to any amendments made by the Executive Member for Children, Young People and Learning following the receipt of definitive funding allocations for Early Years and High Needs pupils;
- 5 Includes a general contingency of £2.000m, use of which is to be authorised by the Chief Executive in consultation with the Borough Treasurer in accordance with the delegations included in the Council's constitution (section 9.6);
- 6 Subject to the above recommendations, confirms the draft budget proposals;
- 7 Approves the Net Revenue Budget before allowance for loss of interest from any use of balances as set out in Annexe G;
- 8 Agree a contribution of £0.932m from General Reserves and £3.988m from the Business Rates Equalisation Reserve (before loss of interest on use of balances) to support revenue expenditure;
- 9 Recommends that the Council Tax requirement, excluding Parish and Town Council precepts, be set as £46.706m;

- 10 Recommends no change in the Council Tax for the Council's services. The Valuation Bands therefore remain as follows:

Band	Tax Level Relative to Band D	£
A	6/9	729.30
B	7/9	850.85
C	8/9	972.40
D	9/9	1,093.95
E	11/9	1,337.05
F	13/9	1,580.15
G	15/9	1,823.25
H	18/9	2,187.90

- 11 Recommends that the Council approves the following indicators, limits, strategies and policies included in Annexe E:
- The Prudential Indicators and Limits for 2015/16 to 2017/18 contained within Annexe E(i);
 - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
 - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
 - The Authorised Limit Prudential Indicator in Annexe E(iii);
 - The Investment Strategy 2015/16 to 2017/18 and Treasury Management Limits on Activity contained in Annexe E(iv);
- 12 Approves the virements relating to the 2014/15 budget as set out in Annexe H and recommends those that are over £0.100m for approval by Council.
- 13 Approves the release of the £0.490m of funds from the Schools SEN Resource Units Reserve from January 2015 to finance start-up costs at Rise@Garth (section 8.1).
- 14 Approves the medium term budget plan for Rise@Garth, subject to annual review (Annexe I).

A revised recommendation at 2.8 and revised Annex G was considered and endorsed by the Executive at the meeting.

7. REASON FOR DECISION

The recommendations are designed to enable the Executive to propose a revenue budget and Council Tax level for approval by Council on 25 February.

8. ALTERNATIVE OPTIONS CONSIDERED

Background information relating to the options considered is included in the report.

9. **PRINCIPAL GROUPS CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Schools Forum, Parish Councils and voluntary organisations. In addition, this report and all the supporting information will be publicly available to any individual or

group who wish to comment on any proposal included within it. Internal consultation is via officers, members and more specifically the Overview & Scrutiny Commission and its panels.

- 10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services
- 11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
10 February 2015	18 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050700
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1. **TITLE:** Approval of the Bracknell Forest Community Infrastructure Levy Charging Schedule 2015, the CIL Instalment Policy and the CIL Regulation 123 Infrastructure List and adoption of the Bracknell Forest Planning Obligations Supplementary Planning Document.

2. **SERVICE AREA:** Environment, Culture & Communities

3. **PURPOSE OF DECISION**

To seek Council's approval of the Community Infrastructure Levy Charging Schedule for implementation from 6th April 2015 and for the Executive to approve the instalments policy and list of infrastructure for which CIL will be levied and the adoption of an updated Planning Obligations Supplementary Planning Document (SPD) and the withdrawal of the existing Limiting the Impact of Development Supplementary Planning Document.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive:

- (i) recommends to Council publication of the Charging Schedule at Appendix A;
- (ii) recommends to Council the commencement of CIL charging in Bracknell Forest on 6th April 2015;
- (iii) approved the 'Regulation 123' List of Infrastructure Projects for which CIL will be charged at Appendix B for publication on the Council's website;
- (iv) approved the CIL Instalment Policy at Appendix C for publication on the Council's website;
- (v) approved the adoption of the Planning Obligations Supplementary Planning Document at Appendix D with effect from 6th April 2015; and,
- (vi) approved the withdrawal of the Limiting the Impact of Development Supplementary Planning Document (July 2007) with effect from 6th April 2015.

7. **REASON FOR DECISION**

The Community Infrastructure Levy (CIL) will become an important mechanism by which the Council will secure money to create new and improve existing infrastructure to support growth in the Development Plan. It is important that the Borough introduces CIL charging by 6th April 2015 as after this date there will be major limitations on the Council's ability to fund major infrastructure through Section 106 contributions.

8. ALTERNATIVE OPTIONS CONSIDERED

The option of not introducing CIL has been considered and rejected at previous stages in the process. The main reason for this is that the government has introduced legislation that prevents local planning authorities from pooling contributions from more than five S106 Agreements towards any infrastructure type or project. This means that without CIL it would be very difficult for the Council to secure development related funding towards the cost of major infrastructure items such as the proposed learning village at Blue Mountain, Binfield.

9. PRINCIPAL GROUPS CONSULTED: Public consultation and targeted consultation with landowners, developers and town and parish councils.

10. DOCUMENT CONSIDERED: Report of the Director of Environment, Culture & Communities

11. DECLARED CONFLICTS OF INTEREST: None.

Date Decision Made	Final Day of Call-in Period
10 February 2015	18 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051129
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1. **TITLE:** The Blue Mountain Programme- Delegation of Award of Contract

2. **SERVICE AREA:** Children, Young People and Learning

3. **PURPOSE OF DECISION**

To seek approval from the Executive for a waiver of Contract Standing Orders for awarding the pre-construction services and main works contracts for the Blue Mountain programme.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the addendum to the Learning Village Procurement Plan in Appendix 2 to create an option for combining the procurement of the refurbishment works to the existing club house building earmarked for community facilities with the previously approved procurement plan authorising the use of the Improvement Efficiency South East (IESE) framework for the Learning Village be approved.

a) waive contract standing orders such as to permit the decision for the award of the contracts for pre-construction services and the main contract (including enabling works) in relation to Binfield Learning Village at Blue Mountain to be taken by an Executive Committee.

b) requests the Leader to delegate the decision to be taken by the Executive Committee.

2 That the decisions be reported to the next available meeting of the Care Portfolio Review Group .

7. **REASON FOR DECISION**

The Binfield Learning Village at Blue Mountain is a priority for Bracknell Forest Council. The programme will deliver statutory school places required in the Borough alongside meeting the need for new housing and the associated community facilities.

The development of the Blue Mountain site in accordance with the Site Allocation Local Plan has been previously approved through the Executive process, which included a full Council consultation.

The new Learning Village is due to commence from September 2017, which means that the current timetable has very limited contingency. The programme also has several external dependencies, which could negatively impact the programme delivery.

The scope, timetable, funding model and the procurement plan for the Learning Village was

approved by the Executive in October 2014. An addendum to the procurement plan to include the use of the same procurement process for the refurbishment design and main works for providing community facilities requires Executive approval.

Following the decision taken by the Executive on 21 October 2014 to use the IESE Framework, the next decision to appoint a contractor using the IESE framework for pre-construction services is required in April 2015. The procurement evaluation activities will continue into early April 2015. This will not leave sufficient time for a report to be taken to the full Executive due to the timings of the Executive meetings in 2015; hence it is recommended for the Executive to waive the Contract Standing Orders and for the Leader to delegate the decision to award contracts to an Executive Committee.

8. ALTERNATIVE OPTIONS CONSIDERED

A decision to award the contract for pre-construction services and main works (including enabling works) could be taken by the Executive after it reconvenes in June 2015, which would lead to a significant delay to the delivery of the programme. As a result, the new Learning Village would most likely open a year later in September 2018. Over and above, external dependencies could further delay the programme delivery. The cost of delivering the programme would also increase during this period due to inflation. In addition, there would be the added risk of not being able to use the current IESE framework rates, which are due for renewal in July 2015 and are likely to increase as a result of the current market situation.

The Executive could convene a special meeting to approve the contract awards within the timescale constraints of the programme. However, this approach may be difficult to achieve due to the restrictions around the election period.

9. **PRINCIPAL GROUPS CONSULTED:** Blue Mountain Programme Steering Group
Blue Mountain Programme Board

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

11. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
10 February 2015	18 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051472
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1. **TITLE:** Local Government Ombudsman Decision - Code for Sustainable Homes
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To determine the Council's response, if any, to a decision of the Local Government Ombudsman.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the report of the Executive to be prepared pursuant to Section 5A of the Local Government and Housing Act 1989 specify:-
 - (a) that no action has been taken or is proposed to be taken in response to this report, and
 - (b) that no action has been or is required to be taken as the pilot consultancy service which was the subject of the Ombudsman's decision has been discontinued.
2. That the draft report of the Executive attached as Annex A to the Executive report be approved.

7. **REASON FOR DECISION**

As apparent from Section 5 of the executive report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None.

9. **PRINCIPAL GROUPS CONSULTED:** None.

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
10 February 2015	18 February 2015