

**OVERVIEW AND SCRUTINY COMMISSION –
ADVISORY MEETING
4 NOVEMBER 2021
6.30 - 8.30 PM**



Present:

Councillors Angell (Chair), Virgo (Vice-Chairman), Mrs Birch, Brossard, Gbadebo, MJ Gibson, Mrs Mattick, Mossom and Temperton

Apologies for absence were received from:

Councillors Mrs McKenzie-Boyle, McLean and Porter

Executive Members present:

Councillor Heydon, Executive Member for Transformation and Finance

Councillor Mrs Hayes MBE, Executive Member for Environment

In attendance:

Councillor Brown

Also Present:

Kevin Gibbs, Executive Director: Delivery

Stuart McKellar, Executive Director: Resources

Ann Moore, Head of Democratic and Registration Services

Hash Patel, Services and Energy Manager

39. Minutes

The minutes for the meeting of the Overview and Scrutiny Commission held on 7 October 2021 were not available for consideration. They would be circulated to Commission members with approval deferred to the next Commission meeting.

40. Declarations of Interest and Party Whip

There were no declarations of interest.

There were no indications that members would be participating while under the party whip.

41. Urgent Items of Business

There were no items of urgent business.

42. Public Participation

No submissions had been made by members of the public under the Council's Public Participation Scheme for Overview and Scrutiny.

43. Context for budget proposal consultation for 2022/2023

The Commission had invited Stuart McKellar, Executive Director: Resources and Councillor Heydon, Executive Member for Transformation and Finance to address the meeting before considering key issues and discussing how to prepare for the upcoming budget proposal consultation.

Stuart McKellar, Executive Director: Resources, provided the Commission with an update on the in-year budget monitoring as well as impact of the Spending Review delivered on 27 October 2021.

Arising from questions and discussion, the following points were noted:

- Not enough highways maintenance schemes had been identified to date during the year that could be considered large enough to classify as capital. It was explained that more work would be done to identify options to mitigate the risk to the revenue budget throughout the year.
- A predicted overspend for Mental Health Services of £832,000 was reported, mostly due to an increase of demand for services bought on by the pandemic. The Executive Director: Resources agreed to participate in the Mental Health Review panel regarding funding for this area.
- There was an increase in the costs of supporting children with Special Educational Needs and Disabilities (SEND) within schools. The scale of the overspend within the current year was predicted to be approximately £8million. This deficit is currently ringfenced and underwritten by the Department for Education.
- Concerns were raised that, as reported in the national press, these SEND services were in great demand have driven up provider prices. It was acknowledged that this was not something that local authorities had control over, and solutions were being considered at a national level that would not penalise local authorities.
- The Executive Director: Resources agreed to provide budget information for home to school transport for SEND students for consideration by the SEND review.
- It was explained that funding from the New Homes Bonus scheme was based on the number of new homes built and occupied from one year to the next and this was unaffected by the local plans, which set the future context.
- The Executive Director: Resources confirmed that as Section 151 officer he would recommend increasing council tax as this is the only significant, controllable income source.
- The cost of agency staff, particularly within the People directorate, was identified as an ongoing issue. Work was ongoing to increase direct recruitment in key services areas, led by Pamela Moffat, Head of OD, working closely with the Executive Director: people and her departmental management team.

Hash Patel, Services and Energy Manager answered the Commission's queries on the briefing note provided on issues affecting current costs of energy:

- The Council's energy requirement for 2021-2022 had already been purchased, allowing for a fixed price rate up to March 2022. 80% of energy had also been purchased for 2022-2023.
- The increase in energy costs was directly linked to the price of gas, as the production of energy was still reliant on gas.
- It was anticipated that the market would have stabilised before more energy would be purchased, and that further projections for pricing would be evaluated closer to 2023-2024.

Kevin Gibbs, Executive Director: Delivery updated the Commission on the staffing cost of supporting overview and scrutiny function noting that whilst the full-time equivalent resources had remained consistent the output from the Commission and its Panels had increased significantly.

The Chair of the Commission thanked all the contributors for their detailed reports and answering councillors' questions.

44. **Education, Skills and Growth O&S Panel review on Community Infrastructure Levy**

The Statutory Scrutiny Officer's report confirmed that the Panel had followed a good process to conduct this review.

The Chair of the Education, Skills and Growth Overview and Scrutiny Panel introduced the Community Infrastructure Levy (CIL) review report. Panel members wanted to explore and understand barriers that prevent Parish and Town Councils from spending CIL funding locally.

During the review Panel members found:

- the survey of parish and town councils found that:
 - five out of six engage with their residents in some way over CIL funding;
 - all six councils have some strategy in place on how to spend CIL funding; and
 - two of the councils had worked with Bracknell Forest Council to enhance the local area using CIL funding.
- the main themes the Panel addressed during this review included:
 - CIL rates across the borough;
 - unspent CIL funding;
 - clarity about what CIL could be spent on;
 - parish/town councils' communication with residents.
- the Panel found a difference in the way parish and town councils can spend CIL money, which borough and district councils cannot. The draft report would be corrected in this point, in particular the infographic, and was an example of how important clear guidance was.
- Foxes Den Café in Binfield and Crowthorne's Morgan Recreation Ground were both highlighted as projects of good practice using CIL funding.

Members scrutinised the review report. Arising from the discussion the following points were made:

- the impact of the review would be assessed by reviewing the recommendations after a year.
- although the legislation allowed for borough Councils to claw back unspent CIL funding it was not a widespread current custom and practice. Bedford Council was an example given who had a clawback policy for CIL funding in place.

The Commission endorsed the recommendations within the Community Infrastructure Levy review report for submission to the Executive on 14 December 2021 and agreed to review the implementation of these recommendations after a year.

45. **Work Programme Update**

Each Panel Chair provided a verbal update on work programme progress.

Education, Skills and Growth

The Special Educational Needs and Disabilities (SEND) review scope was still being drafted and would be circulated to the Commission when available.

Health and Care

A minor amendment to the Mental Health review scope had been made, switching the focus from eating disorders and drug and alcohol services to primary care and early intervention.

The Commission agreed that the proposed scope for the Integrated Enforcement review be approved and the review commissioned.

46. **Forward plan and decisions taken**

Members were reminded where information on decisions and the forward plan can be found.

CHAIRMAN