

**EXECUTIVE
21 MARCH 2023
5.00 - 6.06 PM**



Present:

Councillors Bettison OBE (Chair), Harrison, Mrs Hayes MBE, Heydon and Turrell

Present Virtually:

Councillors Dr Barnard (Vice-Chair), D Birch and Brunel-Walker

88. Declarations of Interest

Councillors Brunel-Walker and Heydon declared an affected interests in relation to item 17 being one of the Council's representatives on the Board overseeing the joint venture and would not participate in the item.

89. Minutes

RESOLVED that the minutes of the meeting of the Executive on 7 February 2023 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

90. Urgent Items of Business

There were no urgent items of business.

Executive Decisions and Decision Records

The Executive considered the following items. The decisions are recorded in the decision sheets attached to these minutes and summarised below:

91. Procurement of Microsoft M365 Licences

RESOLVED that the approved framework be accessed for Microsoft M365 licences via a direct award, to retain our current professional partnership with our current Microsoft Gold Partner, Phoenix Software Ltd.

92. Bracknell Forest Local Plan (Submission version) – consultation on Main Modifications

RESOLVED that

- i. the principle of making Proposed Main Modifications (outlined in Appendix A) to the Bracknell Forest Local Plan (Pre Submission version), and associated changes to the Policies Map be agreed.
- ii. the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning and Transport, agree the draft wording of the Proposed Main Modifications and any consequential changes together with associated changes to the Policies Map and supporting documents, prior to being submitted to the Inspectors for final agreement.

- iii. the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning and Transport, agree the wording of the schedule of Minor Modifications.
- iv. consultation on the Proposed Main Modifications to the Bracknell Forest Local Plan (Pre Submission version), consequential changes, amended Policies Map and supporting documents be agreed for a period of at least six weeks over the Summer of 2023.

93. **Highways & Transport Capital Programme 2023/24**

RESOLVED that the overall Highways and Transport Capital Programme for 2023/24 is approved.

94. **SANG capacity agreements between Bracknell Forest Council and Surrey Heath Borough Council**

RESOLVED that

- i. Executive agree to enter into an agreement with Surrey Heath Borough Council (SHBC) for land at Shepherd Meadows to serve as further SANG capacity for up to 500 homes in the Borough of Surrey Heath and,
- ii. the council apply SANG contributions at rates in line with the Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPA SPD) and any other subsequent versions, to be index linked from the date of publication of the SPD.

95. **School Places Plan & Capital Strategy 2023-2028**

RESOLVED that

- i. The Executive approve the School Places Plan and Capacity Strategy 2023-2028 and agree publication April 2023.
- ii. The Executive agree that this document can be further amended to incorporate feedback from Executive before publication.

96. **Local Authority Housing Fund**

RESOLVED that the Executive consider and approve the proposals for the Council to acquire 7 x three bedroom homes and to refurbish 2 x three bedroom properties in our existing stock to be made available for the scheme.

RECOMMENDED to Council to approve capital spend of up to a maximum of £3.4m to meet the total cost of acquiring the additional homes, to be funded from a combination of the LAHF grant and long-term borrowing.

97. **Quarter three Council Plan Overview Report**

RESOLVED that

- i. the performance of the council over the period from October-December 2022 highlighted in the Overview Report in Annex A be noted.

- ii. the process change for councillor review of the CPOR is approved, noting the retimetabling of the Overview and Scrutiny Commission for Q4 onwards.

98. **2023 Service Plans**

RESOLVED that

- i. the new service plans be endorsed and be published on the website in April 2023 following the final budget information being added.
- ii. authority be delegated to the Assistant Director: Chief Executive's Office for finalisation of the service plans.

99. **Exclusion of the Press and Public**

RESOLVED that pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, members of the public and press be excluded from the meeting for the consideration of items 14, 15, 16 and 17 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

(3) Information relating to the financial or business affairs of any particular person (including the authority).

100. **Section 75 Agreement (NHS Act 2006) 2023 and Onwards**

RESOLVED that

- i. Approval is given to the Executive Director: People, on behalf of BFC, to agree and enter into a S75 agreement from 1 April 2023 effective for a period of 3 years, with added service schedule information for 1 April 2023 – 31 March 2024
- ii. the recommended model of future S75 agreements is agreed as illustrated in section 3.11 and 3.12 and appendix A and note proposed improvements in development with Frimley ICB to the current S75 Agreement.
- iii. Authority be delegated to the Executive Director: People and the Executive Member for Adult Services, Health and Housing to approve and sign off the core S75 Agreement and Schedules. Spend for these schedules will be determined by the Better Care Fund policy framework / budget and Adult Social Care budget.
- iv. The Better Care Fund Budget for 22/23 is noted, as £18,136,342 with the BFC contribution £10,132,342. In addition, the Adult Social Care Discharge Fund is reported through the Better Care Fund with a total value of £433,416.

101. **Household Support Fund (Phase four)**

RESOLVED that the Household Support Fund (phase four) be distributed through:

- i. Purchasing supermarket vouchers, or for opted schools to make equivalent arrangements, for children qualifying for Free School Meals in Bracknell Forest primary and secondary schools. Households will receive a £15 voucher per child per week of the holidays.

- ii. Purchasing pre-paid cards or supermarket vouchers to distribute to low income households receiving income-based council tax reduction or housing benefit but not the benefits, such as universal credit, which would
- iii. Enhancing the Local Welfare Scheme provision, allowing applications from households in hardship who would not otherwise automatically qualify for the support above.
- iv. Provide application-based grants to the voluntary, community and faith sector organisations to provide direct support to residents.

RESOLVED that the contract as per the strategic procurement plan (appendix A) using the Crown Commercial Framework RM6248. This would provide the required vouchers and payments set out in 2.1 of the report and the scope for further purchases, should additional grant funding be allocated.

102. **Joint Retender for Sexual and Reproductive health**

RESOLVED that

- i. the Strategic Procurement Plan for the provision of Sexual and Reproductive Health be approved with Bracknell Forest Council again acting as Host and lead on the procurement on behalf of all 3 councils.
- ii. the proposed contractual term be 5 years (3 +2) with a review of the provision in year 3.
- iii. authority for the contract award and subsequent contract extensions be delegated to the Director of Public Health.

103. **Joint Venture Business Plan Review**

RESOLVED that

- i. the progress made by Bracknell Forest Cambium Partnership for the period December 2021 to December 2022 be noted.
- ii. the annual refresh of the JV Business Plan 2020-2023 for the Bracknell Forest Cambium Partnership be supported as set out in Annex A and the financial budget and forecast as set out in Confidential Annex B and recommends these to Council for approval.
- iii. the Bracknell Forest Cambium Partnership enters into the Bond and Co-indemnities required to undertake the enabling works related to the sewer move which is required to prepare the councils owned land at Market Street for development, noting that there is no flow of liability to from this arrangement to the Council.
- iv. For future development sites where a similar arrangement is required by a statutory body, that authority be delegated to the Borough Solicitor to provide such approval on the Council's behalf.

CHAIRMAN

Bracknell Forest Council Record of Decision

Work Programme Reference	I113243
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1. **TITLE:** Procurement of Microsoft M365 Licences

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

To agree the procurement route for the Microsoft M365 licence arrangements.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that the approved framework be accessed for Microsoft M365 licences via a direct award, to retain our current professional partnership with our current Microsoft Gold Partner, Phoenix Software Ltd.

7. **REASON FOR DECISION**

- i. Utilising an existing framework allows the procurement to meet the timeframes required as well as enabling a direct award under the terms of Regulation 33(8)(a) of the Public Contracts Regulations 2015 (PCR 2015).
- ii. This procurement supports the ongoing delivery of the 'Collaborative working', 'Location independent working', 'Cloud computing', 'Information assets and data' and 'Robust and Reliable IT' strategic themes laid out in the Digital and IT Strategy 2021-24 that was approved by the Executive.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Further competition has been considered but as Microsoft have a monopoly on how licences are resold there is no financial benefit to this approach.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Delivery

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

Date Decision Made	Final Day of Call-in Period
21 March 2023	28 March 2023

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I113012
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1. **TITLE:** Bracknell Forest Local Plan (Submission version) – consultation on Main Modifications

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

To seek approval to consult on Main Modifications to the Bracknell Forest Local Plan (Submission version) and associated documents for a statutory period of at least six weeks.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. the principle of making Proposed Main Modifications (outlined in Appendix A) to the Bracknell Forest Local Plan (Pre Submission version), and associated changes to the Policies Map be agreed.
- ii. the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning and Transport, agree the draft wording of the Proposed Main Modifications and any consequential changes together with associated changes to the Policies Map and supporting documents, prior to being submitted to the Inspectors for final agreement.
- iii. the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning and Transport, agree the wording of the schedule of Minor Modifications.
- iv. consultation on the Proposed Main Modifications to the Bracknell Forest Local Plan (Pre Submission version), consequential changes, amended Policies Map and supporting documents be agreed for a period of at least six weeks over the Summer of 2023.

7. **REASON FOR DECISION**

- i. As part of the examination process, the Inspectors must judge whether the BFLP is 'sound' as set out in paragraph 35 of the National Planning Policy Framework 2021 (positively prepared, justified, effective and consistent with national policy). The Inspectors' Post Hearings letter received on 19th January 2023 makes it clear that Main Modifications are required in order to make the the BFLP sound and ultimately ensure that the Council has an up to date and robust planning framework to guide development which reflects current national policy and guidance.
- ii. Any Proposed Main Modifications must be subject to public consultation before the

Inspectors can make recommendations on them. Whilst the the Policies Map is not a development plan document, it illustrates geographically the application of policies in the plan. As certain Proposed Main Modifications have geographical consequences, it will be necessary to show them on the Policies Map. To ensure fairness, such proposed changes need to be subject to consultation alongside the Proposed Main Modifications. Associated SA/SEA and HRA documents must also be subject to consultation. A Schedule of Minor Modifications will also be published for information.

8. ALTERNATIVE OPTIONS CONSIDERED

- i. The alternative options are to:
 - (i) reject some or all of the identified Proposed Main Modifications to the Plan; or
 - (ii) suggest different or more wide-ranging modifications, beyond those required for soundness.
- ii. The result of option (i) would almost certainly be that the Inspectors would find the Plan unsound and recommend non-adoption of the Plan. In practice, the Council would probably be asked to consider withdrawing the Plan before any such recommendation was made. This would mean reliance on policies in existing documents that are out of date, making it difficult to resist inappropriate development, and potentially resulting in planning by appeal.
- iii. Option (ii) would carry the significant risk of the Inspectors needing to re-open the hearings. As well as the resource and time implications, it is not possible to guarantee that different proposed main modifications would result in a sound plan. This could result in further delays to the process, leaving the Council without up to date policies for an extended period.

9. DOCUMENT CONSIDERED: Report of the Executive Director: Place, Planning & Regeneration

10. DECLARED CONFLICTS OF INTEREST: None

Date Decision Made	Final Day of Call-in Period
21 March 2023	28 March 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I113024
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1. **TITLE:** Highways & Transport Capital Programme 2023/24

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

To approve the Highways and Transport Capital Programme for 2023/24.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that the overall Highways and Transport Capital Programme for 2023/24 is approved.

7. **REASON FOR DECISION**

The proposals in this report seek to facilitate transport in line with the Council's Local Transport Plan 3 (LTP3) and ensure that the Council maintains the highway in as good a condition as resources allow, having due regard to the Council's intervention policy based on network condition.

8. **ALTERNATIVE OPTIONS CONSIDERED**

- i. Failure to approve the Highways and Transport Capital Programme would prevent the delivery of the Council's obligations as a Highway Authority and be contrary to the position set out in the Council's adopted Transport Policy (LPT3).
- ii. Given the demands placed upon highway maintenance funding levels in previous years, it would not be appropriate to allocate resources to anything other than the priorities identified through methodical and objective needs assessments.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Place, Planning & Regeneration

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

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I110981
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1. **TITLE:** SANG capacity agreements between Bracknell Forest Council and Surrey Heath Borough Council

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

There is an existing agreement for BFC to share up to 500 dwellings SANG capacity from Shepherd Meadows SANG in Bracknell Forest with SHBC. The majority of this SANG capacity has been used up. The intention is to bring this agreement to an end with SHBC paying BFC the balance for the remaining SANG capacity. A new agreement will then be set up to allocate further SANG capacity at Shepherd Meadows SANG to SHBC to mitigate further developments in the emerging Surrey Heath Local Plan.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. Executive agree to enter into an agreement with Surrey Heath Borough Council (SHBC) for land at Shepherd Meadows to serve as further SANG capacity for up to 500 homes in the Borough of Surrey Heath and,
- ii. the council apply SANG contributions at rates in line with the Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPA SPD) and any other subsequent versions, to be index linked from the date of publication of the SPD.

7. **REASON FOR DECISION**

- i. The saved South East Plan Policy NRM6 Thames Basin Heaths Special Protection Area states that 'authorities should cooperate and work jointly to implement mitigation measures. These may include, inter alia, assistance to those authorities with insufficient SANG land within their own boundaries...'
- ii. BFC has an existing agreement with SHBC to provide up to 500 dwellings SANG capacity to mitigate developments in Surrey Heath in the current plan period. This was approved by the Executive in 2015. Up to the end of December 2022, Shepherd Meadows SANG had mitigated 387 dwellings in Surrey Heath with a further 113 dwellings capacity still available. It is proposed to end this agreement during 2023 with SHBC paying the outstanding amount for the remaining SANG capacity.
- iii. In 2022 SHBC approached BFC to request further SANG capacity to mitigate residential developments that are being planned through its emerging Local Plan. Given there is SANG capacity still available for Shepherd Meadows SANG and in

other SANGs in the southern half of Bracknell Forest, it is considered that BFC can offer up to 500 dwellings capacity through a new agreement, without affecting capacity needs in Bracknell Forest.

- iv. As set out in Appendix 3 of the SPA SPD (March 2018), Shepherd Meadows SANG has the potential to provide SPA mitigation for approximately 1,594 dwellings. The table below shows SANG capacity of Shepherd Meadows, capacity already taken up by developments in Bracknell Forest to the end of December 2022 (including capacity safeguarded for allocations in the emerging Bracknell Forest Local Plan which will be delivered in the next plan period) SANG capacity allocated to SHBC through the existing agreement and capacity remaining if a further 500 dwellings were allocated to developments in Surrey Heath.
- v. It can be seen that, even by allocating SANG capacity for up to 500 dwellings in Surrey Heath, there is still a large amount of SANG capacity available in the southern half of the borough equivalent to 1,143 dwellings. This is in addition to SANG capacity remaining in the SANGs in the north of the borough. Please note the figures are approximate and minimum as they include developments that have been allocated SANG capacity which may not be permitted or implemented.
- vi. The SPA SPD (March 2018) sets out current SANG contributions. The level of contributions listed for Prior Approval applications are relevant for this proposal as these include all the SANG costs. For market and affordable dwellings in BFC part of the SANG contribution comes from the Community Infrastructure Levy (CIL). The current levels of SANG contributions that would be applied are shown in the table below and depend on the size of dwellings. It is proposed to index link these financial contributions from the date of publication of the SPD.
- vii. The proposed improvements for Shepherd Meadows SANG are summarised in an Open Space Management Plan published on the BFC website.

8. ALTERNATIVE OPTIONS CONSIDERED

- i. To agree that BFC enter into an agreement with SHBC to provide a lower level of SANG capacity at Shepherd Meadows to provide SPA avoidance measures for residential development in the west of the Borough of Surrey Heath. This option was discounted because it is considered that there is sufficient SANG capacity in BFC to meet SHBC's need for SANG capacity as well as those in Bracknell Forest.
- ii. Not to enter into an agreement with SHBC. This option was discounted as it would go against the retained South East Plan policy outlined.

9. DOCUMENT CONSIDERED: Report of the Executive Director: Place, Planning & Regeneration

10. DECLARED CONFLICTS OF INTEREST: None

Date Decision Made	Final Day of Call-in Period
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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I110076
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1. **TITLE:** School Places Plan & Capital Strategy 2023-2028

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To seek approval to the School Places Plan

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. The Executive approve the School Places Plan and Capacity Strategy 2023-2028 and agree publication April 2023.
- ii. The Executive agree that this document can be further amended to incorporate feedback from Executive before publication.

7. **REASON FOR DECISION**

The Council has the statutory duty to provide sufficient school places and an agreed vision and approach to doing this will be key tools in achieving this going forward.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None

9. **DOCUMENT CONSIDERED:** Report of the

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

Date Decision Made	Final Day of Call-in Period
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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I113564
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1. **TITLE:** Local Authority Housing Fund

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

Consider and approve the proposals for the Council to acquire 7 x three bedroom homes and to refurbish 2 x three bedroom properties in our existing stock to be made available for the scheme and to purchase 1 x four bedroom property

Recommend to the Council to approve capital spend of up to a maximum of £3.4m to meet the total cost of acquiring the additional homes, to be funded from a combination of the LAHF grant and long-term borrowing

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that the Executive consider and approve the proposals for the Council to acquire 7 x three bedroom homes and to refurbish 2 x three bedroom properties in our existing stock to be made available for the scheme.

RECOMMENDED to Council to approve capital spend of up to a maximum of £3.4m to meet the total cost of acquiring the additional homes, to be funded from a combination of the LAHF grant and long-term borrowing.

7. **REASON FOR DECISION**

- i. There is an opportunity to acquire additional three bedroom temporary accommodation to help alleviate current and anticipated pressure on the housing service for larger family homes due to the additional demand from Ukrainian households in the area as well as Afghan households placed in the borough.
- ii. The Council's current temporary accommodation is predominately two bedroom homes, with a need to increase larger family homes due to current and anticipated demand.
- iii. Any units acquired will be owned and managed by the Council and will be available for use by the housing service as required, including but not limited to Ukrainian and Afghan households in the Borough. The exception to this will be for the four bedroom unit which will need to be provided to a household in bridging accommodation and will become available to the service when no longer required for this purpose.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Detailed within the report.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

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

Date Decision Made	Final Day of Call-in Period
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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I109191
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1. **TITLE:** Quarter three Council Plan Overview Report

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

To provide the Executive with an update on the delivery of the objectives set out in the council plan

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. the performance of the council over the period from October-December 2022 highlighted in the Overview Report in Annex A be noted.
- ii. the process change for councillor review of the CPOR is approved, noting the retimetabling of the Overview and Scrutiny Commission for Q4 onwards.

7. **REASON FOR DECISION**

To brief the Executive on the council's performance, highlighting key areas, so that appropriate action can be taken if needed.

8. **ALTERNATIVE OPTIONS CONSIDERED**

N/A

9. **DOCUMENT CONSIDERED:** Report of the Chief Executive

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

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I110637
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1. **TITLE:** 2023 Service Plans
2. **SERVICE AREA:** Chief Executive's Office
3. **PURPOSE OF DECISION**

To present the directorate service plans for 2023, setting out key priorities to achieve the council's strategic aims.

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

RESOLVED that

- i. the new service plans be endorsed and be published on the website in April 2023 following the final budget information being added.
- ii. authority be delegated to the Assistant Director: Chief Executive's Office for finalisation of the service plans.

7. **REASON FOR DECISION**

Departmental Service Plans describe how directorates are working towards the delivery of the Council Plan and form a key part of the Council's overall local performance framework. It demonstrates the work of services in delivering the objectives set out in the Council Plan and provides the basis for the quarterly service reports and the council plan overview report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None considered

9. **DOCUMENT CONSIDERED:** Report of the Chief Executive
10. **DECLARED CONFLICTS OF INTEREST:** None

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I111501
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1. **TITLE:** Section 75 Agreement (NHS Act 2006) 2023 and Onwards

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To approve the Section 75 Arrangements effective from April 2023.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. Approval is given to the Executive Director: People, on behalf of BFC, to agree and enter into a S75 agreement from 1 April 2023 effective for a period of 3 years, with added service schedule information for 1 April 2023 – 31 March 2024
- ii. the recommended model of future S75 agreements is agreed as illustrated in section 3.11 and 3.12 and appendix A and note proposed improvements in development with Frimley ICB to the current S75 Agreement.
- iii. Authority be delegated to the Executive Director: People and the Executive Member for Adult Services, Health and Housing to approve and sign off the core S75 Agreement and Schedules. Spend for these schedules will be determined by the Better Care Fund policy framework / budget and Adult Social Care budget.
- iv. The Better Care Fund Budget for 22/23 is noted, as £18,136,342 with the BFC contribution £10,132,342. In addition, the Adult Social Care Discharge Fund is reported through the Better Care Fund with a total value of £433,416.

7. **REASON FOR DECISION**

- i. The current S75 Agreement expires 31 March 2023. Existing and new services that are jointly commissioned and/or funded through a pooled budget need to be covered through a S75 Agreement in order to be compliant with the NHS Act 2006 and have a clear working protocol between Frimley ICB and Bracknell Forest Council.
- ii. The current S75 Agreement requires a refresh in the context of the devolution of all CCG's and the formation of Integrated Care Boards. Further opportunity exists to review our joint working approach in the context of inflation, joint uplift processes and renewal timeframes.
- iii. In addition, the Better Care Fund Schedule and Heathlands Schedule will require updating to reflect current practice / service delivery

- iv. The Better Care Fund (BCF) is one of the government's national vehicles for driving health and social care integration. It requires integrated care boards (ICBs) and local government to agree a joint plan, owned by the Health and Wellbeing Board (HWB). The joint plans utilise pooled budgets to support integration and is governed by an agreement under section 75 of the NHS Act (2006).
- v. The Better Care Fund policy framework is published each year and outlines national conditions and metrics. Local Health and Wellbeing Boards are able to set their own priorities driven by local need. Stringent joint planning and review activity is undertaken throughout the year to ensure an integrated approach to providing joined up care.
- vi. Once developed, the Better Care Fund plan is signed off by both the Executive Director: People and the ICB Place Convenor for Bracknell before being presented to the HWB for sign off by the HWB Chair.
- vii. Monthly integrated Delivery Group and Strategic Group meetings take place throughout the year to inform and develop the BCF in order to support the above planning process.
- viii. In order to assist in prioritisation and assurance of the 2023-2025 planning cycle a full review of the current BCF plan has recently been undertaken. Please see Appendix B for the review details. Each scheme is highlighted in detail along with an outline of the metrics and locally agreed priorities.
- ix. It is prudent to undertake the above planning activities in anticipation of the publication of the policy frameworks as publication occurs most often partway through the financial period we are required to plan for. For this reason, The Executive is asked to retrospectively note the budget for the BCF 2022/2023.. The Executive approved the S75 extension paper in March 2022 (Appendix C) At this stage, the 2022/2023 policy framework and ICB minimum contributions had yet to be published. In addition, the Adult Social Care Discharge Fund, published in Autumn 2022 is to be included in the BCF 2022/2023 budget retrospectively. Please see Appendix D for the current S75 2021/2022 which was extended March 2022 as above.
- x. In the quest for best practice, Bracknell Forest Council, Frimley ICB and Berkshire Healthcare Foundation Trust agree that a wider scope of current joint services across Adult Social Care should also be reflected as schedules within the S75 Agreement
- xi. Ongoing discussions with our ICB colleagues in leadership and governance have been positive and yielded an agreed approach to:
 - 3.11.1 A streamlined efficient model
 - 3.11.2 A refresh of our joint approach to inflation, uplifts and risk sharing forming the 'core' element of the S75 Agreement – valid for a period of 3 years subject to legislation change
 - 3.11.3 The joint development of a suite of Schedules which report jointly agreed governance, reporting arrangements, spend, impact and outcomes. These schedules will need to be reviewed on an annual basis to reflect current service provision and / or budgetary adjustments.

With reference to 3.11.2 The Executive is asked to note that the Executive Director : Resources will be consulted in relation to inflation and risk share arrangements.

Together the Executive Director: People and Executive Director: Resources will provide effective governance across the broad remit of the S75 and BCF Plan 2023-2025.

xii. Streamlined approach may lead as an example across the other geographical areas of the Frimley Integrated Care System.

8. ALTERNATIVE OPTIONS CONSIDERED

- i. Other options such as extending the existing S75 Agreement or not renewing the S75 Agreement are not feasible options as would lead us to be non-compliant.
- ii. An alternative approach to developing a separate S75 agreement for each individual joint service has been considered but there is joint agreement that this approach is not efficient, time and resource heavy and would lead to repetition across the various S75's.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

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

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I111749
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1. **TITLE:** Household Support Fund (Phase four)

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To set out the proposals for distributing the fourth phase of the Household Support Fund, provided by the Department for Work & Pensions. It must be used between 1 April 2023 and 31 March 2024.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that the Household Support Fund (phase four) be distributed through:

- i. Purchasing supermarket vouchers, or for opted schools to make equivalent arrangements, for children qualifying for Free School Meals in Bracknell Forest primary and secondary schools. Households will receive a £15 voucher per child per week of the holidays.
- ii. Purchasing pre-paid cards or supermarket vouchers to distribute to lowincome households receiving income-based council tax reduction or housing benefit but not the benefits, such as universal credit, which would
- iii. Enhancing the Local Welfare Scheme provision, allowing applications from households in hardship who would not otherwise automatically qualify for the support above.
- iv. Provide application-based grants to the voluntary, community and faith sector organisations to provide direct support to residents.

RESOLVED that the contract as per the strategic procurement plan (appendix A) using the Crown Commercial Framework RM6248. This would provide the required vouchers and payments set out in 2.1 of the report and the scope for further purchases, should additional grant funding be allocated.

7. **REASON FOR DECISION**

- i. The Household Support Fund (HSF) is provided by the Department for Work and Pensions (DWP), but local authorities must determine how it is spent within the scope of the guidance issued. The local authority is required by the DWP to create a local eligibility framework to disburse the funding.
- ii. Recommendations have been established based on learning from how the previous equivalent Covid Winter Grant, Covid Local Support Grant and Household Support

Fund was spent.

8. ALTERNATIVE OPTIONS CONSIDERED

The financial hardship officers' group and Members welfare steering group considered a range of options for spending the HSF. It was concluded that these other options would not be as effective as those recommended in terms of efficiently disbursing funds to those most in need, whilst keeping within the guidelines set out by DWP. The proposals follow the previously agreed mechanism in distributing preceding tranches of funding, accounting for the learning from these. Discussions with other councils also show that many are continuing to fund supermarket vouchers and boosting existing support mechanisms such as welfare funds.

9. DOCUMENT CONSIDERED: Report of the Executive Director: People

10. DECLARED CONFLICTS OF INTEREST: None

Date Decision Made	Final Day of Call-in Period
21 March 2023	28 March 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I113315
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1. **TITLE:** Joint Retender for Sexual and Reproductive health

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

Permission sought for the retender of the Joint Sexual and Reproductive health service

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. the Strategic Procurement Plan for the provision of Sexual and Reproductive Health be approved with Bracknell Forest Council again acting as Host and lead on the procurement on behalf of all 3 councils.
- ii. the proposed contractual term be 5 years (3 +2) with a review of the provision in year 3.
- iii. authority for the contract award and subsequent contract extensions be delegated to the Director of Public Health.

7. **REASON FOR DECISION**

- i. To fulfil statutory duties.
- ii. The proposed procurement, through a competitive tender process will help maximise tender opportunities that will generate value for money and a high-quality Integrated Sexual and Reproductive health Service.
- iii. Bracknell Forest Council in partnership with Slough Borough Council and the Royal Borough of Windsor and Maidenhead wish to deliver an effective and integrated sexual and reproductive health service provision, in line their statutory functions, and in support of the key objectives in their respective Health and Wellbeing strategies, and Boards, Joint Strategic Needs assessments and the Sexual Health, Health Needs assessment.
- iv. To be compliant with Public Contract Regulations 2015 and the councils' respective Contract Standing Orders, and for timely completion of the tender, award, and mobilisation phases in time for the contract to commence as of July 2024.

8. **ALTERNATIVE OPTIONS CONSIDERED**

- i. Do nothing: The current contract and associated obligations will lapse, and there

would be no Sexual Health service available across Berkshire East, which would be a breach of mandated Public Health legislation.

- ii. Extending: Extending the existing contract is possible via a direct award, however the current joint contract arrangements requires that any extension be agreed by all 3 Authorities. This process was initiated but due to the Section 114 issued by Slough Borough Council (SBC) and following internal discussions by the Deputy Director of Public Health at SBC within the council, it was advised that the likelihood of sign off for an extension to carry out a HNA was very low and therefore the risk / benefit of requesting the extension was not balanced.
 - iii. In housing: as Sexual and Reproductive Services are a specialist clinical provision; this is not possible.
 - iv. Provider Selection Regime or Section 75 agreement: at the moment the legislation is not in place for the delivery of a Provider Selection Regime process, in partnership with the Integrated Care Board, and the timeframe for the development of such, or for a Section 75 agreement would require an extension to current provision, to make deliverable, which has already been ruled out as an option, at this time. During the course of the ensuing contract period, this would be reviewed as a way forward once the PSR legislative process completes and receives royal assent.
 - v. Transfer of Contract to NHS terms and conditions: this was considered but excluded at this time, due to the requirement to retain the NHS contract terms and conditions in their entirety, which could prevent the application of HNA changes to the current service and which would undermine the integrity of the process. However, this is considered to be a possible option in future once the service specification is adapted to the findings of the HNA.
9. **DOCUMENT CONSIDERED:** Report of the Director of Public Health, Executive Director: Place, Planning & Regeneration
10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
21 March 2023	28 March 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I111615
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1. **TITLE:** Joint Venture Business Plan Review

2. **SERVICE AREA:** Resources

3. **PURPOSE OF DECISION**

To review progress made by Bracknell Forest Cambium Partnership 2022- 2023 and to agree and changes to the business plan for 2023-2024

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. the progress made by Bracknell Forest Cambium Partnership for the period December 2021 to December 2022 be noted.
- ii. the annual refresh of the JV Business Plan 2020-2023 for the Bracknell Forest Cambium Partnership be supported as set out in Annex A and the financial budget and forecast as set out in Confidential Annex B and recommends these to Council for approval.
- iii. the Bracknell Forest Cambium Partnership enters into the Bond and Co-indemnities required to undertake the enabling works related to the sewer move which is required to prepare the councils owned land at Market Street for development, noting that there is no flow of liability to from this arrangement to the Council.
- iv. For future development sites where a similar arrangement is required by a statutory body, that authority be delegated to the Borough Solicitor to provide such approval on the Council's behalf.

7. **REASON FOR DECISION**

- i. The recommendations 2.1 and 2.2 support the fulfilment of Bracknell Forest Cambium Partnership's objectives and aligns with the legal agreements entered into by the partners, which require the agreed JV Business Plan to be formally reviewed each year.
- ii. The JV Business Plan has not changed materially, although the Jubilee Gardens site will now be considered as part of a wider master planning of secondary sites, such as the Southern Gateway and Eastern Gateway Development area, that has been commissioned by the Council. There is no obligation for the Council to enter any exclusivity arrangements on additional sites and each site will be subject to Executive approval prior to any initial site development proposal (ISDP) being put to the Council

for consideration. The Executive has agreed to offer surplus land at the Depot site to the JV under a 12-month exclusivity agreement, ending October 2023.

- iii. Under the delegation's policy of the JV, the granting of a "guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person" is a decision which is reserved to each individual party. Since any such guarantee would be provided by the JV and not the Council directly, it is recommended that consideration of such matters arising directly through fulfilment of previously approved site development plans or on a case-by-case basis where a site development plan has not been approved, is delegated to the Borough Solicitor to review against relevant legislation prior to any agreement being entered into by the Bracknell Forest Cambium Partnership. Should the Borough Solicitor consider that any such arrangement would potentially expose the Council itself to material risk that had not been foreseen when the site development plan was approved, he would bring the matter to the Executive for formal consideration.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Members could choose not to endorse the refreshed Business Plan and instruct the Partnership to rework any parts that cause concern. However, as there are no proposed significant amendments to the Business Plan 2020-23 that have not previously been considered and endorsed by Members, it is felt that this would not be easily justified.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Resources
10. **DECLARED CONFLICTS OF INTEREST:** Councillors Brunel-Walker and Heydon declared an affected interests being one of the Council's representatives on the Board overseeing the joint venture.

Date Decision Made	Final Day of Call-in Period
21 March 2023	28 March 2023