

## **NOTICE OF MEETING**

### **Overview and Scrutiny Commission**

**Thursday 12 July 2012, 7.30 pm**

**Council Chamber, Fourth Floor, Easthampstead House, Bracknell**

### **To: OVERVIEW AND SCRUTINY COMMISSION**

Councillor Leake (Chairman), Councillor Angell (Vice-Chairman), Councillors Mrs Angell, Mrs Birch, Ms Brown, Finnie, Gbadebo, Harrison, Heydon, McLean, Turrell and Virgo

#### **Children's Social Care Representative**

Ms C Mitchell

#### **Church Representative Members** (Voting in respect of Education matters only)

Mr D Moss and One Vacancy

#### **Parent Governor Representative Members** (Voting in respect of education matters only)

Ms S Cauchi and Mrs C Murray

#### **cc: Substitute Members of the Commission**

Councillors Allen, Baily, Kensall, Ms Miller, Mrs Temperton and Worrall

**There will be a private meeting for members of the Commission at 6.45pm in the Board Room, Easthampstead House**

ALISON SANDERS  
Director of Corporate Services

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**Overview and Scrutiny Commission**  
**Thursday 12 July 2012, 7.30 pm**  
**Council Chamber, Fourth Floor, Easthampstead House,**  
**Bracknell**

**AGENDA**

Page No

1. **Apologies for Absence/Substitute Members**

To receive apologies for absence and to note the attendance of any substitute members.

2. **Minutes and Matters Arising**

To approve as a correct record the minutes of the meetings of the Overview and Scrutiny Commission held on 3 and 16 May 2012.

1 - 12

3. **Declarations of Interest and Party Whip**

Members are asked to declare any personal or prejudicial interest and the nature of that interest, including the existence and nature of the party whip, in respect of any matter to be considered at this meeting.

4. **Urgent Items of Business**

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

5. **Public Participation**

To receive submissions from members of the public which have been submitted in advance in accordance with the Council's Public Participation Scheme for Overview and Scrutiny.

**Overview and Policy Development**

6. **Localism Act**

To receive a briefing on the implications of the Localism Act 2012 for the Council's corporate functions, and to contribute to the formulation of the Council's plans for the 'Community Right to Challenge'.

13 - 40

7. **Work Programme Update**

To note the progress against the Overview and Scrutiny Commission's work programme for 2012-13.

41 - 46

## 8. Updates From Panel Chairmen

To receive verbal updates from Overview and Scrutiny Panel Chairmen on each panel's progress against the work programme, drawing attention to any new major issues or changes needed to the programme:

- Adult Social Care and Housing: Councillor Turrell
- Children, Young People and Learning: Councillor Mrs Birch
- Environment, Culture and Communities: Councillor Finnie
- Health: Councillor Virgo

## Performance Monitoring

### 9. Quarterly Service Reports (QSR) 2011/12

To consider the latest trends, priorities and pressures in terms of departmental performance as reported in the QSRs for the fourth quarter of 2011/12 (January to March) relating to

- The Chief Executive's Office
- The Corporate Services Department

**Please bring the previously circulated Quarterly Service Report to the meeting. Copies are available on request and attached to this agenda if viewed online.**

*The Chairman has asked that any detailed questions arising from the Quarterly Service Reports should be referred to either the Assistant Chief Executive or Director of Corporate Services in advance and only raised in the meeting if you consider the issue requires wider discussion.*

### 10. Corporate Performance Overview Report (CPOR)

To consider the Chief Executive's Corporate Performance Overview Report for quarter four (January to March) of the 2011/12 financial year. 47 - 68

*The Chairman has asked that any detailed questions arising from the report should be referred to the Assistant Chief Executive in advance and only raised in the meeting if you consider the issue requires wider discussion.*

### 11. Service Plans 2012/13

To consider the 2012/13 Service Plans relating to 69 - 100

- The Chief Executive's Office
- The Corporate Services Department

## **Holding the Executive to Account**

### **12. Executive Forward Plan**

Forthcoming items on the Executive Forward Plan of a corporate nature are attached for consideration.

101 - 112

### **13. Date of Next Meeting**

The next planned meeting of the Overview and Scrutiny Commission will be on 13 September 2012



**OVERVIEW AND SCRUTINY COMMISSION  
3 MAY 2012  
7.30 - 10.05 PM**

**Present:**

Councillors Leake (Chairman), Angell (Vice-Chairman), Mrs Angell, Ms Brown, Finnie, Harrison, Heydon, Turrell, Virgo and Worrall

Ms S Cauchi, Parent Governor Representative

Mrs C Murray, Parent Governor Representative

**Executive Members:**

Councillors McCracken

**Apologies for absence were received from:**

Councillors Mrs Birch, McLean and Ms Whitbread

**In Attendance:**

Richard Beaumont, Head of Overview & Scrutiny

Ian Boswell, Community Safety Manager

Chief Inspector Simon Bowden, Thames Valley Police

Assistant Chief Constable John Campbell, Thames Valley Police

Khan Juna, Chairman, Thames Valley Police Authority

Victor Nicholls, Assistant Chief Executive

Timothy Wheadon, Chief Executive

**68. Apologies for Absence/Substitute Members**

The Commission noted the attendance of the following substitute member:

Councillor Worrall for Councillor Ms Whitbread

**69. Minutes and Matters Arising**

**RESOLVED** that the minutes of the meeting held on 29 March 2012 be approved as a correct record and signed by the Chairman.

Matters Arising

A Working Group made up of Councillors Leake, Gbadebo, Thompson and Wade had been established to examine the Communications Strategy; an initial meeting would be held on 10 May 2012.

Information relating to questions raised about School Improvement Officers, E+ card use in pay and display car parks and performance indicators relating to special educational needs had been circulated to Commission members following the meeting.

70. **Declarations of Interest and Party Whip**

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

71. **Urgent Items of Business**

There were no urgent items of business.

72. **Public Participation**

There were no items submitted under the Public Participation Scheme.

73. **Community Safety**

**RESOLVED** that Mr Juna Khan, Chairman of the Thames Valley Police Authority, be co-opted onto the membership of the Overview and Scrutiny Commission for this meeting.

Timothy Wheadon, Chairman of the Bracknell Forest Community Safety Partnership, summarised the partnership's structure and said that 2011/12 had been another successful year, with Bracknell Forest being one of the safest boroughs in Berkshire. Ian Boswell, Community Safety Manager, presented an update on the work and resourcing of the Community Safety Partnership. The update included an overview of crime statistics, notable successes and key challenges.

Community Safety Partnership

The Commission was informed that during 2011-12 the overall level of crime in Bracknell Forest had fallen by 17%. Across the whole of the Thames Valley Police area only Wokingham and Chilterns Police Areas had recorded more improved scores. During the same period Bracknell Forest had been the only Thames Valley Police area to record positively for both crime reduction and crime detection. The reduction of Serious Acquisitive Crime, a category that included burglary, vehicle crime and robbery, had been a notable success with a reduction of almost 30.4% when compared to the same period the previous year. A significantly better performance than any other area within the Thames Valley Police area, and a favourable performance compared to other boroughs in the Council's 'family group' nationally.

Following a year on year decline, levels of anti-social behaviour in the Borough over the past year had risen by 4.2% when compared to the previous year. Of particular concern was the number of assaults being reported by the Ambulance Service which had seen a significant increase in recent months and work was taking place with the Ambulance Service to try and identify the reasons why there had been such a marked increase and assess the reliability of this data.

The key challenges for the Community Safety Partnership for the coming year were:

- Continuing to reduce crime figures
- CCT and Automatic Number Plate Recognition
- Tackling public perceptions of crime
- The introduction of Police Commissioners

Members commended the Partnership on the reduction in crime achieved in 2011-12. Arising from Members' questions and comments the following points were noted:

- Every incident recorded on CADIS represents a case of anti-social behaviour as seen by the person who reported it, an inevitably there was a degree of error in the data
- The incidents of anti-social behaviour recorded on CADIS built up a picture of activity in an area and often provided useful intelligence of other more serious crimes for example information reported to CADIS has directly contributed to the identification and closure of five crack houses in the Borough, which in turn led to a 90% reduction in antisocial behaviour in those areas
- The police force in Bracknell Forest was split into three teams: Patrol teams, neighbourhood police teams and CID
- The Bracknell Forest Local Police Area was made up of 84 full time police officers, 22 PCSOs and 35 Special Constables
- The Special Constables each worked an average of 3 or 4 hours a week.
- The number of officers in CID stood at 17 however should additional CID resources be required additional CID officers could be brought in from other areas of the Thames Valley to support the local police area
- Criminal damage detection rates were relatively low. This was due to the nature of the incidents for example graffiti tagging and vandalism which were often done out of sight of any potential witnesses
- Compared to other police areas Bracknell Forest's detection rates for serious sexual assaults was relatively good. However a number of factors influenced successful detection statistics including: lack of witnesses, some victims being unwilling to work with the police and the Crown Prosecution Service occasionally declining to proceed with a case
- The Police worked closely with the Council's Drug and Alcohol Action Team however data sharing with three different hospital trusts complicated matters and work was taking place to improve the situation
- It was acknowledged that while the Health and Wellbeing Board could raise the matter of data sharing protocols with Hospital Trusts it was unable to dictate to the Trusts that they comply
- The Council's Drug and Alcohol Action Team were leading multi-agency work to tackle Methedrone use in the Borough. Four significant seizures of the drug had been made since Christmas and work was underway to establish a picture of the supply chain for the drug and build up a profile of the trade in the Borough. The increase in drug trafficking was seen by some members to be alarming
- Thames valley Police had some 35 police dogs, some of which were specialised drugs dogs. Additional resources were available from Hampshire Police dogs operation which was now combined with Thames valley Police's
- A number of intelligence led exercises had taken place with schools to tackle drug and knife crime including taking knife detection arches into the schools and working with security staff from the Coppid Beech Hotel to look for drugs
- Following the completion of a strategic needs assessment the refreshed Community Safety Plan contained three new priorities relating to tackling: metal theft, damage caused by fire and Class A and B drug use and distribution
- Burglary of non-dwellings was an increasingly common crime and included thefts from sheds, garages and business premises
- In budget decisions, Thames Valley Police had safeguarded front-line policing and it was acknowledged that visible police presence affected the levels of fear of crime
- Theft from person related to incidents of pick pocketing and purses being taken from shopping trolleys. Muggings were classified as a violent crime

- Anecdotal evidence from community groups suggested that hate crimes were at a higher level than that recorded and the police were working to encourage higher reporting levels. Efforts were also being made to reduce repeat incidents of domestic abuse, hot spots of anti-social behaviour and harassment incidents
- Members welcomed the long term initiative to counter domestic abuse and noted that most prolific offenders had previously had some experience with this

#### Designated Public Place Order

Thames Valley Police had asked the Borough Council to make a Designated Public Place Order (DPPO) for the Town Centre, as research showed there was a related issue with alcohol and anti-social behaviour. The order would give the police the power to seize alcohol from an individual in order to prevent anti-social behaviour. Consultation was taking place currently and to date the majority of responses had been supportive of the proposals.

The area proposed for coverage by the DPPO had been evidence based and if approved the DPPO would cover the whole of Bracknell town centre, extending northwards to cover Millenium Way, eastwards to cover the Met Office Roundabout, westwards to cover the Peel Centre and Arlington Business Park and south to the Station Roundabout.

The DPPO was a proactive power that the Police would use on a discretionary basis to prevent behaviour escalating to a level where arrests and anti-social behaviour orders might be required.

It was acknowledged that the DPPO might push disruptive behaviour to the areas immediately outside the DPPO area however these areas would be monitored closely and additional DPPOs to cover other areas would be applied for if necessary.

The nervousness around additional Police powers was recognised, and if people felt that they were being unfairly targeted under the DPPO then they would be eligible to lodge a complaint within the framework of the Police Complaints Procedure.

The frequency with which the DPPO was used would not be recorded in the figures reported statutorily to the Home Office however it would be recorded in CADIS and could be used as evidence to support further police actions for example applications for anti-social behaviour orders.

**RESOLVED** that the Crime and Disorder Committee endorse the adoption of a Designated Public Place Order in Bracknell town centre.

#### Police Crime Panels and the Police Commissioner

A key aspect of the Police Reform and Social Responsibility Act 2011 was the abolition of Police Authorities and the replacement of their functions with the elected Police and Crime Commissioners (PCC).

The PCC would assume responsibility for securing an efficient and effective police force in their area, set police and crime objectives for their area, appoint the Chief Constable, set the annual police budget, co-operate with the criminal justice system and work with partners and fund community safety activity to tackle crime and disorder.

Although secondary legislation relating to the election of PCCs was still awaited, they would take place on 15 November 2012 with the winner taking office on 22 November 2012.

The secretariat function of the Police Authority including the legal, financial and communications teams would be transferred across to the PCC however the PCC would be able to replace them if they so wished. A transition board would be established to oversee the change over between the Police Authority and the PCC.

PCCs would be held to account by Police and Crime Panels (PCP) who would have responsibility to scrutinise the PCC and support them in the exercise of their functions. Buckinghamshire County Council would host Thames Valley's Police and Crime Panel. A shadow PCP had been set up to oversee the work required in advance to the PCP coming into being in October, with Councillor McCracken representing the Council.

The Commission thanked Ian Boswell, Chief Inspector Simon Bowden and Assistant Chief Constable John Campbell for their update.

#### 74. **Executive Forward Plan**

The Commission considered items on the Executive Forward Plan relating to corporate issues and the following points were noted:

- The Service Plans were reviewed annually and detailed the actions that the Council would take over the coming year
- The Bracknell Town Centre Regeneration Committee was focusing on delivering the regeneration scheme. It was considered that the introduction of the new National Planning Policy Framework did not pose a significant risk to the scheme at the current time
- Discretionary rate relief decisions related to buildings used for charitable and community uses
- A fuller description of the purpose of decisions would assist in understanding

The Commission expressed concern about the lack of information about consultation processes and the purpose of the decision that many items displayed. It was agreed that these concerns would be fed back to the Corporate Management Team.

It was agreed that the suggestion of having a presentation on the Service Plan approval process at a future meeting of the Commission would be followed up by the Chairman.

#### 75. **Work Programme Update**

The Commission received a report setting out a summary of progress made against the Overview and Scrutiny Commission work programme for 2011-12.

The Commission was informed that the status of all the actions against the Environment, Culture and Communities Overview and Scrutiny Panel were on course for completion. Delays in the enactment of the Health and Social Care Bill had delayed the work of the Health Overview and Scrutiny Panel.

The Commission noted the report.

76. **Date of Next Meeting**

The Commission noted that, other than the annual meeting, the next meeting of the Overview and Scrutiny Commission would take place on 12 July 2012.

**CHAIRMAN**

**ACTIONS TAKEN: OVERVIEW AND SCRUTINY COMMISSION MEETING – 3  
MAY 2012**

<b><u>Minute Number</u></b>	<b><u>Action Required</u></b>	<b><u>Action Taken</u></b>
74	Convey to the Corporate Management Team the Commission's concern over the lack of information about consultation processes and the purpose of the decision, appearing in the Executive Forward Plan	The Assistant Chief Executive has conveyed the Commission's concerns to the Corporate Management Team
74	Information on the Service Plan approval process to be given at a future meeting of the Commission	This information is included in the report at item 11 on the agenda for the Commission's meeting on 12 July 2012

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**OVERVIEW AND SCRUTINY COMMISSION  
16 MAY 2012  
8.45 - 8.46 PM**



**Present:**

Councillors Leake (Chairman), Angell (Vice-Chairman), Mrs Angell, Mrs Birch, Ms Brown, Gbadebo, Harrison, Heydon, McLean, Turrell and Virgo

**Apologies for Absence were received from:**

Councillors Finnie

**1. Election of Chairman**

**RESOLVED** that Councillor Leake be elected Chairman of the Overview and Scrutiny Commission for the Municipal Year 2012/13.

**COUNCILLOR LEAKE IN THE CHAIR**

**2. Appointment of Vice-Chairman**

**RESOLVED** that Councillor Angell be appointed Vice-Chairman of the Overview and Scrutiny Commission for the Municipal Year 2012/13.

**3. Appointment of Overview and Scrutiny Panels**

**RESOLVED** that the following Overview and Scrutiny Panels be appointed:

**(a) Adult Social Care & Housing Overview & Scrutiny Panel**

**Conservative**

Allen  
Baily  
Blatchford  
Brossard  
Harrison (Vice-Chairman elect)  
Turrell (Chairman elect)  
Virgo  
Miss Wilson

**Labour**

Mrs Temperton

**Substitute Members**

**Conservative**

Finch  
Kensall  
Mrs McCracken

**Labour**

Ms Brown

**(b) Children, Young People and Learning Overview & Scrutiny Panel**

**Conservative**

Mrs Birch (Chairman elect)

Brossard

Gbadebo

Ms Hayes

Heydon

Kensall

Mrs McCracken

Ms Whitbread (Vice-Chairman elect)

**Labour**

Mrs Temperton

**Substitute Members**

**Conservative**

Allen

Dudley

Thompson

Virgo

**Labour**

Ms Brown

**Church Representatives**

Mr D Moss (voting)

Vacancy (voting)

**Parent Governor Representatives**

Mrs C Murray (voting)

Mrs S Cauchi (voting)

**Teacher Representatives**

Miss V Richardson (non-voting)

**Social Care Representatives**

Catriona Mitchell (non voting)

**(c) Environment, Culture and Communities Overview & Scrutiny Panel**

**Conservative**

Mrs Angell

Brossard

Finch

Finnie (Chairman elect)

Gbadebo

McLean (Vice-Chairman elect)

Ms Miller

Porter

**Labour**

Ms Brown

**Substitute Members**

**Conservative**

Angell

Mrs Barnard

Harrison

Mrs McCracken

**Labour**

Mrs Temperton

**(d) Health Overview & Scrutiny Panel**

**Conservative**

Mrs Angell (Vice-Chairman elect)

Baily

Finch

Kensall

Mrs McCracken

Thompson

Virgo (Chairman elect)

Miss Wilson

**Labour**

Mrs Temperton

**Substitute Members**

**Conservative**

Allen

Brossard

Davison

Heydon

**Labour**

Ms Brown

**Co – optees (1)**

Terry Pearce (Appointment to cease on abolition of LINK organisations)

**CHAIRMAN**

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**TO: OVERVIEW AND SCRUTINY COMMISSION  
DATE OF MEETING 12 JULY 2012**

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**Localism Act 2011  
Director of Corporate Services - Legal**

## **1 INTRODUCTION**

1.1 The Localism Act received Royal Assent on 15 November 2011 and is being brought into effect in separate stages on dates to be specified. The Act covers broadly the following topics:-

- A general power of competence
- Transfer and delegation of “local public functions”
- Governance arrangements
- Members standards and predetermination
- “pay accountability”
- EU financial sanctions
- Amendments to the non-domestic rates legislation
- Council Tax referenda
- “Community Right to Challenge”
- Assets of Community Value
- Major amendments to Town and Country planning legislation
- Significant amendments to Housing legislation

## **2 SUPPORTING INFORMATION**

2.1 Sections of the Act to give effect to the matters listed above have by now been brought into force, with the exception of those sections relating to Assets of Community value, which are only partly in force.

2.2 All members have received a briefing note from the Borough Solicitor on the Act which for ease of reference is attached to this report as Annexe A.

2.3 Members have indicated that they have a particular interest in the new Community Right to Challenge which is contained in the Act and which was brought into force on 27 June 2012. A briefing note which sets out the principal features of this Right and of the statutory guidance that has been issued by DCLG relating to it is attached as Annexe B

**3 EQUALITIES IMPACT ASSESSMENT**

3.1 Not relevant for the purposes of this information report

**4 STRATEGIC RISK MANAGEMENT ISSUES**

4.1 As discussed in the corresponding section in the attached briefing note at Annexe B

Background Papers

Contact for further information

Simon Heard – Assistant Borough Solicitor:

01344 353107

Simon.heard@bracknell-forest.gov.uk

## Annexe A

### THE LOCALISM ACT 2011

#### 1. INTRODUCTION

1.1 The Localism Act 2011 (“the Act”) received Royal Assent on 15<sup>th</sup> November. A few of the provisions of the Act came into force on the date on which it was enacted but the majority of sections will come into force on dates to be specified in regulations. The commencement provisions for relevant parts of the Act are indicated in the following sections of this note.

1.2 The Act covers, broadly, the following topics:-

- a general power of competence
- transfer and delegation of “local public functions”
- governance arrangements
- Members standards and predetermination
- “pay accountability”
- EU financial sanctions
- amendments to the non-domestic rates legislation
- Council Tax Referendums
- “Community Right to Challenge”
- “Assets of Community Value”
- major amendments to Town and Country Planning legislation
- significant amendments to Housing legislation

Each of those topic areas is considered in detail below.

#### 2. GENERAL POWER OF COMPETENCE

2.1 It is a fundamental tenet of local government law that a local authority only has those powers which are expressly conferred upon them by legislation (or which by implication are conferred upon them by such express powers). That has led to the development of the “ultra vires” doctrine whereby an action of a local authority may be quashed or deemed to be of no effect if there is no statutory power (“vires”) for the action. Throughout the decades there have been a number of high profile cases where local authority decisions were quashed through lack of vires. Perhaps the high watermark of those cases was the era of particular tension between central and local government in the 1980’s, which gave rise to cases such as the quashing of the GLC’s “Fares Fair” policy. However, there have continued to be a number of incidences where Council decisions have been struck down through a lack of statutory powers.

2.2 In recent years central government has attempted to mitigate the harshness of the ultra vires doctrine. In particular, the Local Government Act 2000 introduced a power of “well being” which allowed Councils to do those things which they considered to be in the “economic, environmental or social well being” of the local authority area or its inhabitants. However, the well being power was subject to a number of caveats (one of which is quite similar to a caveat to the general power of competence) and was rather narrowly

interpreted by the Courts in a case against Brent LBC concerning the establishment of a mutual insurance company by a consortium of London local authorities (the LAML case).

2.3 The general power of competence is expressed in the following terms:-

“A local authority has power to do anything that individuals generally may do”.

The general power applies to things that an individual may do even though “they are in nature, extent or otherwise –

- unlike anything the Council may do otherwise,
- unlike anything that other public bodies may do”

The power includes the power to do something in any way whatever including the:-

- power to do the thing in the UK or elsewhere
- power to do the thing for a commercial purpose or otherwise for a charge/without a charge
- power to do it for or otherwise than for the benefit of the Council, the Borough or persons resident or present in the Borough.

The power is stated to be not limited by the existence of any other power of the Council which overlaps the general power (but see below).

2.4 There are, however, boundaries to the general power. Those boundaries are:-

- (a) the general power of competence is limited to things “that individuals generally may do”. If the Council wishes to do a thing which an individual may not do then the general power of competence is of no assistance. For example, an individual cannot make an Order prohibiting certain types of behaviour or closing roads.
- (b) if a power set out in earlier legislation is subject to restrictions then those restrictions apply also to the general power of competence.
- (c) the general power of competence does not override “pre-commencement limitations”. That term is defined to mean a prohibition, restriction or other limitation expressly imposed by a statute enacted before the end of the current session of Parliament (i.e. contained in earlier legislation or legislation enacted during the same Parliamentary session as the Localism Act was passed).
- (d) subsequent legislation may expressly contain limitations on the general power.
- (e) the general power does not cover the Council’s governance or delegation arrangements.
- (f) the general power does not extend to contracting out functions (so, for example, the general power does not allow the Council to pass on its power to determine planning applications to an external contractor).

- (g) if the Council is providing a service to a person “otherwise than for a commercial purpose” and that service is or could be provided in exercise of the general power of competence then the general power of competence only allows charging for the service if the service is discretionary, the recipient has agreed to the provision of the service and there is no other power to charge. If a charge is levied then there is a duty to secure that, taking one financial year with another, the income from the charges does not exceed the cost of provision. These provisions are complex and a careful analysis will be required before any decision is taken to levy charges under the general power of competence.
- (h) where the general power is used to do things for a commercial purpose it must be done through a company.
- (i) the Council may not provide a service to a person for a commercial purpose if there is a mandatory obligation upon the Council to provide the service

2.5 As noted above, there are significant limitations on the general power of competence contained in the Act itself. In addition to those express restrictions it is likely that the Courts will also constrain the exercise of the general power by a requirement that local authorities must act rationally and that local authorities owe a fiduciary duty to their Council Tax payers and ratepayers. In this latter connection it is worth noting that the fiduciary duty recently resurfaced in a case involving North Cornwall District Council.

2.6 The provisions of the Act relating to the general power of competence came into force on 18<sup>th</sup> February 2012.

### 3. **TRANSFER AND DELEGATION OF FUNCTIONS**

3.1 The Secretary of State is empowered to make regulations transferring a “Local Public Function” from the public authority whose function it is to a “Permitted Authority” (i.e. a District Council, a County Council or an Economic Prosperity Board). “Local Public Function” means a public function insofar as it relates to the Borough or persons living, working or carrying on activities in the Borough.

3.2 Such regulations cannot be made unless the Secretary of State considers that it is likely that making them will “permit economic development or wealth creation” or “increase local accountability in relation to the function”. In addition, the transfer of function cannot occur unless the Permitted Authority agrees.

3.3 Ministers are empowered to delegate functions to Permitted Authorities but again the consent of the Permitted Authority is required. The Secretary of State must consider a request from a Permitted Authority for the transfer to it of a function from another public authority or a Minister.

3.4 The provisions of the Act relating to the transfer and delegation of public functions came into force on 15<sup>th</sup> January 2012.

#### 4. **GOVERNANCE ARRANGEMENTS**

4.1 Governance arrangements must take one of the three following forms:-

- Executive Arrangements (either a directly Elected Mayor and Cabinet or the Leader plus Cabinet Model).
- a Committee System
- prescribed (i.e. by the Secretary of State) arrangements.

The Council may propose to the Secretary of State that he make regulations authorising a form of prescribed arrangements. To make such a proposal the Council must be satisfied:-

- the operation by the Council of the proposed arrangements would be an improvement on the existing arrangements which the Council has in place
- that the operation of the proposed arrangements would ensure that the decisions of the Council are taken in an efficient, transparent and accountable way, and
- that the arrangements would be appropriate for all local authorities or any particular description of local authorities

4.2 The Council may move to a different form of governance (e.g. it may move from a form of Executive Arrangements to a Committee System). In order to do so a resolution of the Council is required. As soon as practicable after passing such a resolution the Council must ensure that a document setting out the new arrangements is available for public inspection and give public notice by way of a local advertisement. If the Council does change its form of governance then it cannot make a further change within five years (unless the Secretary of State requires a referendum to be held on a directly Elected Mayor). The new form of governance will take effect from a "Relevant Change Time" which is defined to mean either the first Annual Meeting of the Council after the resolution is passed or a later Annual Meeting of the Council specified in the resolution. No referendum will be required for this Council to move to a different form of governance arrangements.

4.3 The legislation relating to the Leader plus Cabinet Model of Executive Arrangements is essentially retained. One change which has been made is that the requirement brought in under the Local Government and Public Involvement in Health Act 2007 that the term of office of the Leader should be for four years has been removed. Instead, the amended legislation simply provides that the Council's Executive Arrangements may include provision with respect to the term of office of the Leader.

4.4 A Committee System would essentially operate within the legislative framework which existed before the Local Government Act 2000 introduced Executive Arrangements (i.e. under the Local Government Act 1972 which provided for a pyramid structure whereby the Council could delegate to Committees, Sub-Committees and Officers). However, the Secretary of State may in regulations specify functions which cannot be delegated (i.e. therefore must be exercised by full Council). The Act also envisages that a Committee System may permit the Council to appoint Overview and Scrutiny Committees and regulations made by the Secretary of State may make provision about the appointment, functions, composition and procedure of such Committees.

If the Council does move to a Committee System then there must be a mechanism for reviewing and scrutinising the exercise by “Risk Management Authorities” (as defined by the Flood and Water Management Act 2010) of flood risk management functions.

- 4.5 The provisions in the Local Democracy, Economic Development and Construction Act 2009 relating to petitions are repealed (with effect from 1<sup>st</sup> April 2012). That means that the Council will be able to dispense with the convoluted arrangements relating to petitions which have recently been incorporated into the Constitution. The duty to promote democracy also contained in the 2009 Act will similarly be repealed.
- 4.6 The provisions of the Act relating to governance have come into force in so far as they permit a Council to move to a different form of governance arrangements.

## **5. STANDARDS AND PRE-DETERMINATION**

- 5.1 The “New Ethical Framework” introduced by the Local Government Act 2000 comprised the following main elements:-
- the Standards Board for England which had overarching responsibility for the standards regime
  - a nationally prescribed model Code of Conduct for Members which each Council (including Parish Councils) was required to adopt.
  - the appointment by each principal Council of a Standards Committees (including independent Members one of whom should be Chairman) which adjudicated upon complaints against Members
  - an elaborate, lengthy and bureaucratic process set out in regulations for the investigation and adjudication of complaints as to breaches of the Code of Conduct for Members, and
  - the availability of a wide range of sanctions, extending up to five years disqualification, for breach of the Code
- 5.2 The Act abolishes the existing regime. The new regime applies (with some modifications) to Parish Councils as well as principal Councils.
- 5.3 There is an overarching duty placed upon local authorities to “promote and maintain high standards of conduct by Members and Co-opted Members of the authority”. In particular, each Council must adopt a Code dealing with the conduct that is expected of Members and Co-opted Members when they are acting in that capacity. It should be noted that unlike the confusing situation with the current legislation there is no question of the Code extending to a Member acting in a private capacity. A Parish Council may comply with the obligation to have a Code by adopting the Code of the Borough Council. A Code of Conduct “when viewed as a whole” must conform with the following principles:-
- selflessness
  - integrity
  - objectivity
  - accountability
  - openness
  - honesty

- leadership

The Code must include provision for the registration and disclosure of pecuniary interests (as to which see below) and non-pecuniary interests. The Act specifies, helpfully, that a decision taken by the Council will not be invalid just because something occurred during the decision making process which was a breach of the Code.

- 5.4 The Council must put in place arrangements under which allegations can be investigated and determined. The arrangements made by the Council for the investigation and determination of complaints must include provision for the appointment of at least one independent person. The views of the independent person must be sought and taken into account before any decision is made on an allegation which the Council has decided to investigate; it does not appear as though the views of the independent person are required to be sought in deciding whether or not there should be an investigation. The views of the independent person **may** be sought by a Member if he is the subject of an allegation (this latter provision applies to Members of Parish Councils as well as the Borough Council). Because of the way in which the Act has defined who an independent person is none of the existing independent members of our Standards Committee can be appointed as the independent person. The vacancy for an independent person has to be advertised and the person appointed has to submit an application, which application must be approved by a majority of the Members of the Council.
- 5.5 The arrangements which the Borough Council puts in place for the investigation and determination of complaints will apply to Parish Councillors (although it should be noted that if there is a finding that a Parish Councillor has contravened the Code it will be for the Parish Council to decide whether or not any sanction should be imposed).
- 5.6 If a Member is found to be in breach of the Code of Conduct the Council may have regard to that failure in deciding whether or not to take any action in relation to the Member and if so what action should be taken. The Act does not confer any power to impose specific sanctions upon the Member and in the absence of any such power it appears that the only sanctions available to the Council will be censure, a recommendation that the Councillor be removed from a Committee (though in the latter case the agreement of the Party Group of the Member would be required for such removal to be effective), that Council provided equipment will be withdrawn or that access to Council premises be restricted.
- 5.7 The Secretary of State is given power to specify "Disclosable Pecuniary Interests". A Member will have a Disclosable Pecuniary Interest if it falls within the description specified in regulations and either it is the interest of the Member, his spouse/civil partner, a person with whom the Member is living as husband and wife or as a civil partner and the Member is aware that the other person has the interest. The Monitoring Officer is required to establish and maintain a register of interests which must be kept available for public inspection and be published on the Council's web-site. The register for a Parish Council must be kept for inspection at the Borough Council and published on the Borough's web-site although if a Parish Council has a web-site then it must be published there too. Members and Co-opted Members must within 28 days of taking office notify the Monitoring Officer of any disclosable interest for him/her to enter on the register. There is no duty upon

Members to keep the Register up-to-date although they are required to notify the Monitoring Officer of any Disclosable Pecuniary Interest which is disclosed at a meeting or which they have to disclose as an Executive Member dealing with the matter to which the interest relates (see below).

- 5.8 If a Member is present at a meeting of the Council, a Committee, a Sub-Committee or the Executive and he/she has a Disclosable Pecuniary Interest in any matter to be considered at the meeting then, unless the interest has been registered or the Member has given the Monitoring Officer notice of the interest for him/her to register, he/she must disclose the interest. Unless the Member has been granted a dispensation (as to which see below) the Member may not participate in discussion and may not vote. There is no requirement in the Act for the Member to vacate the meeting room but Standing Orders **may** provide for the exclusion of the Member.
- 5.9 If an Executive Member responsible for making a decision in relation to a matter (i.e. it falls within their portfolio) has a Disclosable Pecuniary Interest in the matter they must disclose it to the Monitoring Officer and must not take any steps in relation to the matter except to arrange for the matter to be dealt with by another person.
- 5.10 There is a very broad power to grant dispensations. The dispensation must be requested by the Member/Co-opted Member. The dispensation may be given to allow the Member either to participate in discussion and/or to vote. The grounds for making a dispensation are:-
- without the dispensation the number of Members prohibited from participating on the item would be so great a proportion of the Council/Committee/Sub-Committee/Executive as to impede the transaction of the business.
  - without the dispensation the political balance would be so changed as to alter the likely outcome of the vote
  - the granting of the dispensation would be “in the interest of persons living in the Authority’s area”
  - each Member of the Executive would be prohibited from participating on an item of business at the Executive, or
  - “it is otherwise appropriate to grant a dispensation”.

The dispensation must be given for a specified period not exceeding four years. Surprisingly, there appears to be no limitation as to who may grant the dispensation so it could be given by the Council, a Sub-Committee or indeed an officer. Parish Councils may grant dispensations to their own Members.

- 5.11 It is a criminal offence for a Member/Co-opted Member to fail without reasonable excuse to:-
- fail to register a Disclosable Pecuniary Interest,
  - fail to disclose an interest to a meeting (if the interest is relevant)
  - participate or vote when he/she has a Disclosable Pecuniary Interest (provided that there is no dispensation)
  - if the matter falls within an Executive Member’s portfolio to take any steps in relation to the matter except for the purpose of enabling it to be dealt with by another person

5.12 It will be apparent from the foregoing that the Act does not make any express provision for the appointment of a Standards Committee. It will, though, be an option for the Council to retain a Standards Committee, but if independent Members are appointed to the Committee they will be unable to vote unless the Standards Committee is constituted as an advisory Committee i.e. a Committee which advises full Council (or another committee) as to whether or not there has been a breach of the Code of Conduct and if so whether there should be any sanction.

5.13 One of the most difficult issues for Monitoring Officers to advise upon has been that of “pre-determination”. The concept of a decision being rendered unlawful as a consequence of the decision makers pre-determination does not arise from statute or from the Code of Conduct for Members but from case law. There have been a not insignificant number of occasions when Monitoring Officers have had to advise Members that although they do not have a Prejudicial Interest in the matter they nevertheless should not participate because of the case law around pre-determination. This has had the effect of precluding Members from participating in decision making when they have campaigned for or against a particular outcome in relation to the matter. Many Members have expressed the view that following such advice effectively disenfranchises their constituents in relation to issues of significant concern for their ward. Ironically, in recent years the previous severe and perhaps unworldly stance of the Courts in relation to pre-determination in respect of local authority decision making has been significantly relaxed in case law. For the last two to three years at least the Courts have taken a more pragmatic approach and it is only in the most blatant of cases that a Member will be found to have pre-determined a decision in such a fashion as to render his or her participation in the decision unlawful. However, the government has responded to the pressure to ameliorate the law on pre-determination. Unfortunately, the wording of the section in relation to pre-determination is somewhat enigmatic. It does not abolish the rule of law that decisions are likely to be quashed if the person involved in the decision making process has pre-determined the matter. The Act stipulates that a Member is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because:-

(a) he/she had previously done anything that directly or indirectly indicated what view he/she took or would or might take in relation to the matter, and

(b) the matter was relevant to the decision.

The meaning and scope of the Act’s wording has been the subject of some debate in legal circles. It is likely that in the fullness of time there will be litigation on the subject.

5.14 The power to grant dispensations to allow officers in politically restricted posts to engage in restricted activities is transferred from Standards Committees to the Head of Paid Service (i.e. the Chief Executive).

5.15 The provisions of the Act relating to pre-determination came into effect on 15<sup>th</sup> January 2012, Standards for England (formerly the Standards Board) will be abolished with effect from 31<sup>st</sup> March 2012. The other provisions relating to standards will come into effect on a date to be specified by the Secretary of

State in regulations though the indications are that they will come into effect on 1<sup>st</sup> July.

## **6 PAY ACCOUNTABILITY**

6.1 For each financial year from 2012-2013 the Council must prepare and publish a "Pay Policy Statement". The first Pay Policy Statement must be published on or before 31<sup>st</sup> March 2012 and subsequent Pay Policy Statements must be approved before 31<sup>st</sup> March in following years.

6.2 A Pay Policy Statement must set out the Council's policies relating to the remuneration of its Chief Officers, the remuneration of its lowest paid employees and the relationship between the remuneration of Chief Officers and employees who are not Chief Officers. The statement is required to set out the definition of "lowest paid employees" and the reasons for adopting that definition. The statement must further include the Council's policies relating to:-

- the level and elements of remuneration for each Chief Officer
- remuneration of Chief Officers on recruitment
- increases and additions to remuneration for each Chief Officer
- the use of performance related pay for Chief Officers
- the use of bonuses for Chief Officers
- the approach to the payment of Chief Officers on their ceasing to be employed by the Council
- the publication of and access to information relating to Chief Officers remuneration
- policies relating to the other terms and conditions of Chief Officers employment

6.3 Once approved the statement has to be published as soon as reasonably practical, including publishing on the Council's web-site. The Council is required to comply with the statement although the statement can be amended. In preparing the statement the Council is required to have regard to any guidance which may be issued by the Secretary of State. The approval of the Pay Policy Statement is reserved to full Council.

6.4 There is a wide definition of "Remuneration" which includes enhancement of pension and amounts payable on ceasing to hold office. The definition of what constitutes a "Chief Officer" follows that given in earlier legislation and includes not only Directors but also those who report directly to Directors (i.e. in this Council, Chief Officers).

## **7. EU FINANCIAL SANCTIONS**

7.1 Under the Treaty on the Functioning of the European Union if the European Court of Justice finds that the UK has failed to fulfil a Treaty obligation the UK can be ordered by the Court to take the necessary measures to comply with the Court judgement. If the European Commission subsequently considers that the UK has not taken the necessary measures to comply with the judgement of the Court it may bring the matter back before the Court which may impose a penalty payment upon the UK. The Act sets out a framework which allows the UK government to require a local authority to make payments to central government in respect of such E.U. financial sanctions.

7.2 The process for requiring payment is complex but the essential elements are:-

- the Minister may “designate” a local authority, identifying the relevant EU financial sanction and the activities of the Council covered by the designation.
- the establishment of an independent panel which must be consulted by the Minister before he issues a “Warning Notice”.
- the issue of a Warning Notice which (inter alia) states that a Minister considers that acts of the Council may have caused or contributed to the infraction of EU law, identifies the total amount of the financial sanction and invites the authority to make representations on the contents of the notice.
- consideration by the independent panel of representations made by the Council in response to the Warning Notice
- the issue of a “Final Notice” specifying the amount of the sanction payable by the Council

7.3 The provisions of the Act relating to EU financial sanctions will come into effect on a date specified by the Secretary of State in regulations.

## **8. NON-DOMESTIC RATES ETC**

8.1 The Business Rate Supplements Act 2009 conferred upon the Council a discretionary power to levy a supplement on the national business rate. If such a supplement were imposed the revenue it generated would be used to invest in additional projects aimed at promoting the economic development of the Borough. The Act amends the 2009 to require that all proposals for the imposition of a business rates supplement require the approval by a ballot of all persons eligible to vote (as opposed to the original position where a ballot was only required if the BRS is to fund more than one-third of the total cost of the project which the BRS relates). This provision came into force on 15<sup>th</sup> January 2012.

8.2 The Act amends the Local Government Finance Act 1988 relating to discretionary rate relief. The existing conditions for such relief are replaced by a power to grant relief in any circumstances subject to the condition that, except in specified limited circumstances, the Council may only grant relief if it would be reasonable to do so having regard to the interest of persons liable to pay Council Tax in its area. Also, the Council is required to have regard to any guidance issued by the Secretary of State when deciding whether to grant such relief. The Act further amends the 1988 Act to enable the Secretary of State to make provision for a new small business rate relief scheme which does not require rate payers to apply for small business rate relief in some or all cases. A power is conferred upon the Secretary of State to prescribe in regulations conditions for the cancellation of certain backdated non-domestic rates, but only where a property is shown in a local or non-domestic rating list compiled on 1<sup>st</sup> April 2005 as a result of an alteration of the list made after the list was compiled. This provision will come into force on 1<sup>st</sup> April 2012.

## **9. COUNCIL TAX REFERENDUMS**

- 9.1 Billing Authorities are required to determine whether the “relevant basic amount of Council Tax” (i.e. the amount of Council Tax after stripping out precepts) for a financial year is excessive. A similar duty applies in relation to major and local precepting authorities in relation to their precept. If the amount is “excessive” then there is a duty to hold a referendum. The determination as to whether or not a relevant basic amount of Council Tax (or a precept) is excessive is to be determined in accordance with principles determined by the Secretary of State. Those principles must be set out in a report which is put before the House of Commons. The principles can be formulated for all local authorities or for categories of local authorities. If no principles are laid before the House of Commons then no amount of Council Tax (or precept) can be considered to be excessive. The Secretary of State no longer has power to cap Council Tax increases.
- 9.2 There is a power for the Secretary of State to specify an “alternative notional amount” in relation to any year. The specified notional amount replaces the actual current Council Tax in determining whether an increase is excessive. Alternative notional amounts must be approved by the House of Commons.
- 9.3 If the billing authority or precepting authority determines in accordance with the Secretary of State’s principles that their proposed increase in Council Tax is excessive then they must make a substitute calculation for a non-excessive amount. The excessive and non-excessive amount must be put before the relevant electorate in the referendum. The referendum must be held not later than the first Thursday in May or such other date as the Secretary of State may specify. Registered voters are entitled to vote. The local authority has to notify the Secretary of State of the result of the referendum. If the referendum approves the excessive amount then that is the Council Tax, if not it is the substitute calculation. If the local authority defaults in holding a referendum then the Council Tax will be the substitute calculation. If no substitute calculation has been made then the local authority is prohibited from transferring any money from the collection fund to the general fund during “the period of restriction”. “The period of restriction” is the period from the last date on which a referendum could have been held until the substitute calculation is made.
- 9.4 Major and local precepting authorities have to give notice to the billing authority if their precepts are excessive. It is for the billing authority to arrange for a referendum. The billing authority may recover the expenses of holding such a referendum from the precepting authority unless the Secretary of State provides otherwise in regulations.
- 9.5 The Secretary of State may make regulations as to the conduct of referendums, including as to the question to be asked.
- 9.6 The Secretary of State can make a direction exempting a local authority from conducting a referendum if it appears to him that unless an excessive amount is set:-
- the authority will be unable to discharge its functions in an effective manner, or
  - the authority will be unable to meet its financial obligations

The direction must state the amount that is to be the amount of the authority's Council Tax requirements for the financial year.

- 9.7 The Act amends the calculations which billing authorities, major precepting authorities and local precepting authorities must make to determine their basic amounts of Council Tax for a financial year. The principal effect of the clauses is to replace the obligation to calculate a budget requirement for a financial year with an obligation to calculate a Council Tax requirement. Under existing legislation a Council's budget requirement for a financial year is the amount that the authority requires from Council Tax, revenue support grant, redistributed non-domestic rates and certain other income sources in order to finance its budget for the year. Annual Alteration of Requisite Calculations Regulations are made, the purpose of which is to ensure that the requisite calculations operate appropriately each financial year. In particular, the regulations ensure that the correct items are taken into account in the respective calculations of a Council's budget requirement and its basic amount of Council Tax. The amendments made are intended to place local authority requisite calculations on a simpler footing and to avoid the need for regulations each financial year. An authority's Council Tax requirement for a financial year will be the amount that the authority requires from Council Tax alone in order to finance its budget for the year and that amount is used to calculate the Council's basic amount of Council Tax. That approach simplifies the Council Tax calculations since it avoids the need to deduct revenue support grant, redistributed and non-domestic rates and the other income sources from the Council's budget requirement before the Council's Council Tax is calculated. The new provisions also make explicit reference to "proper practices" which are the accounting practices that govern the preparation of local authority's annual accounts.
- 9.8 The part of the Act relating to Council Tax referendums and the amendments to the calculation of Council Tax came into force on 3<sup>rd</sup> December 2011.

## **10. COMMUNITY RIGHT TO CHALLENGE**

- 10.1 Essentially, the purpose of this part of the Act is to allow certain specified persons/bodies to bid to provide Council services.
- 10.2 The Council must consider an expression of interest in providing a Relevant Service if:-

- it is submitted by a "Relevant Body", and
- it is made in writing and complies with requirements specified by the Secretary of State in regulations

The "Relevant Service" is a service provided by or on behalf of the Council but excludes services specified in regulations made by the Secretary of State. The following are a "Relevant Body":-

- a voluntary or community body
- a body of persons or a Trust established for charity purposes
- Parish Councils
- 2 or more employees of the Council
- such persons as may be prescribed in regulations

- 10.3 The Council will be able to specify periods during which expressions of interest may be submitted to it in respect of a particular service (e.g to avoid somebody expressing an interest in providing a service after a contract for the service has just been awarded). The Council is required to publicise such periods and that includes publicising on the Council's web-site. The Council may refuse to consider an expression of interest received outside of the specified period.
- 10.4 The Council is required to either accept or reject an expression of interest. An expression of interest can only be rejected on grounds which are to be specified by the Secretary of State in regulations. In considering an expression of interest the Council must consider whether accepting would "promote or improve the social, economic or environmental well being of the Borough". If the expression is accepted then the Council must conduct a procurement exercise in relation to the service. The procurement exercise must be such as is appropriate having regard to the value and nature of the contract that is likely to be awarded. There is no requirement that the person expressing an interest should be awarded the contract (or indeed that they should be invited to tender).
- 10.5 The Council must specify a maximum period for making a decision on an expression of interest and the period within which it expects to notify the requesting person/body of the decision. Notification of that period should be given within 30 days of receipt of the expression of interest.
- 10.6 The provisions of the Act relating to the Community Right to Challenge will come into force on a date to be specified in regulations.

## **11. ASSETS OF COMMUNITY VALUE**

- 11.1 The Council is required to maintain a list of land which is of community value. Land may only be included on the list in response to a "community nomination" or if permitted by regulations made by the Secretary of State. A "community nomination" is a nomination made by a Parish Council or by a voluntary or community body with a local connection.
- 11.2 A building or other land is only land of community value if in the opinion of the Council:-
- (a) an actual current use of the building/land furthers the social well being or social interest of the local community, and
  - (b) it is realistic to think that there can continue to be use of a building/land which will further (whether or not in the same way) the social well being or social interest of the local community.

### **OR**

- (a) there is a time in the recent past when an actual use of a building/land furthered the social well being or interest of the local community, and
- (b) it is realistic to think that there is a time in the next five years when there could be use of a building/land that would further (whether or not

in the same way as before) the social well being or social interest of the local community

The Secretary of State is empowered to make regulations excluding types of land from being land of community land.

- 11.3 If a community nomination is made the Council is required to consider the nomination and must accept it if the land is land of community value. If unsuccessful, reasons must be given to the nominating body. If the land is included on the list notice must be given to the owner, the occupier, the nominator and persons specified in regulations. The owner may ask the Council to review the decision to include the land in the list. If such a request is made then there has to be a review. Regulations will make provision as to the reviews.
- 11.4 A list of unsuccessful community nominations must be maintained by the Council. The list must be published and a copy provided free of charge if requested. If a nomination is successful then (subject to any review) the land stays in the list of land of community value for five years.
- 11.5 The consequence of land being included in the list of land of community value is, essentially, that before the landowner can dispose of the land they have to fulfil certain conditions i.e a moratorium is imposed on the disposal until the conditions are fulfilled. The conditions are:-
- A - the Council has been notified in writing of the owner's wish to enter into a "relevant disposal" (i.e a disposal of a freehold or a leasehold interest of 25 years or more).
  - B - the "interim moratorium period" (six weeks from the date on which notification was given to the Council) has ended without the Council having received a written request from any community interest group for it to be treated as a potential bidder OR the "full moratorium period" (three months from the date on which initial notice of wishing to dispose was given to the Council) has ended, and
  - C the "protected period" (i.e. the period of 18 months from the date on which notice was given by the owner to the Council) has not ended. (The purpose of this "protected period" is to allow the owner to complete a disposal of the land within 15 months of the full moratorium period expiring without his/her having to give a further notice to the Council triggering the whole re-run of the procedure).
- 11.6 If the Council does receive a notice of wish to dispose from the owner the Council must enter that notice on the register, give notice to the person who made the nomination and publicise the notice. If during the interim moratorium period (i.e. six weeks) the Council receives a written request from a community interest group that it wishes to bid the Council must pass on the request to the owner as soon as it is practicable.
- 11.7 Certain disposals are exempt from the requirement to give notice (i.e. the land may be disposed of without following the procedure alluded to above), namely:-
- gifts

- disposals under a Will or intestacy or by Trustees
- disposal between family members
- certain disposals where part of the land is within the list and part is not
- a business is carried on upon the land and the business is to be disposed of to the same person
- if the disposal is occasioned by a person ceasing to be a business partner
- as prescribed in regulations made by the Secretary of State

11.8 The provisions of the Act relating to Assets of Community Value will come into force on a date to be specified in regulations.

## **12. PLANNING**

### **Strategic Planning**

12.1 The legislation relating to Regional Strategies is repealed. The Secretary of State is empowered to revoke the existing Regional Strategies.

12.2 There is a duty to co-operate placed upon local planning authorities, County Councils and bodies to be prescribed by regulation. So far as they relate to a “Strategic Matter” those bodies must co-operate to maximise the effectiveness with which the following are undertaken:-

- the preparation of Local Development Framework documents
- activities that prepare the way for the preparation of Local Development Framework documents
- activities that support the above

“Strategic Matters” are defined as:-

- (i) sustainable development or the use of land that has or would have a significant impact on at least two planning areas, in particular sustainable development or the use of land for or in connection with infrastructure that is strategic and has/would have a significant impact on at least two planning areas.
- (ii) sustainable development or use of land in a two-tier area if the development/use is a County matter or has or would have a significant impact on a County matter. “County matter” means, essentially minerals or waste development.

The duty to co-operate involves in particular an obligation to consider whether Local Development Framework documents should be jointly prepared. In carrying out the duty the bodies must have regard to guidance issued by the Secretary of State. The independent examination into development plan documents will consider whether the local planning authority has complied with the duties.

12.3 Under the legislation relating to Local Development Frameworks each local planning authority is required to produce a Local Development Scheme which sets out the development plan documents and Supplementary Planning Documents it intends to produce and the timetable for their preparation. The legislative requirements relating to Local Development Schemes are relaxed so that requirements to produce such a scheme in accordance with

prescribed requirements and to submit to the Secretary of State are repealed. To bring a Local Development Scheme into effect the local planning authority must resolve that the scheme is to have effect and specify the date from which it is to take effect. The scheme and up-to-date information showing compliance or non-compliance must be made available to the public.

- 12.4 The Act amends the process for adoption of a Development Plan Document (i.e. a document prepared by the Local Planning Authority which is to become part of the statutory Development Plan). If the person conducting the examination in public into the DPD concludes that the draft document complies with the statutory requirements, that it is sound and that the LPA has complied with the duty to co-operate then he/she **must** recommend that the DPD be adopted. If he/she cannot recommend adoption then he/she must recommend non-adoption. If the person conducting the examination in public concludes that the LPA has complied with the duty to co-operate but is unable to recommend adoption then if asked by the Local Planning Authority the Inspector must recommend modifications to the DPD such that it would comply with the statutory requirements and would be sound. The LPA may then adopt “with the main modifications” or with the main modifications and additional modifications if the additional modifications do not materially alter the draft with the main modifications. If the Inspector recommends adoption the LPA may adopt the DPD as it is or “with modifications that (taken together) do not materially affect the policies set out in it”. After a DPD has been submitted to the Secretary of State for independent examination it can be withdrawn by the LPA without the consent of the examiner.

### **Community Infrastructure Levy (“CIL”)**

- 12.5 CIL is effectively a tax on new development (excluding changes of use) the amount of which will be calculated according to the floor space. The Council intends to implement CIL in the Borough in 2013/14. The amount of CIL payable is to be set out in a “Charging Schedule”. The Act requires the LPA to use “appropriate available evidence” to inform the preparation of the charging schedule. The Secretary of State is empowered to make regulations regarding such evidence. Before CIL can be implemented an Inspector has to conduct an examination in public into the Charging Schedule. The Act amends what recommendations the Inspector may make consequent upon the examination in public. There are three possible scenarios:-
- (i) if the Inspector finds that there is any respect in which the legislative provisions regarding the drafting of Charging Schedules has not been complied with **and** the failure to comply cannot be remedied by modifications then the Inspector must recommend that the draft be rejected. In that event the LPA will not be able to adopt.
  - (ii) if there is a respect in which the drafting requirements have not been complied with but could be remedied by modifications to the draft Charging Schedule the examiner must specify in what respect the requirements have not been met, recommend modifications sufficient and necessary to remedy the non-compliance and recommend that the draft be approved with those modifications or other modifications sufficient and necessary to remedy the non-compliance. In that event the LPA can adopt in accordance with the Inspector’s

recommendation or with modifications sufficient and necessary to remedy the non-compliance.

(iii) that the draft Charging Schedule be approved

12.6 As originally enacted the LPA could only use CIL funds for “Funding Infrastructure”. That has now broadened to “supporting development by funding the provision, improvement, operation or maintenance of Infrastructure”.

12.7 CIL regulations may require that a proportion of CIL be passed on to someone else. The money must be used by that person for:-

- the provision, improvement, replacement, operation or maintenance of infrastructure, or
- anything else that is concerned with addressing demands that development places on an area.

It is widely anticipated that the power will be used to require local planning authorities to pass on a proportion of CIL to Parish Councils.

### **Neighbourhood Planning**

12.8 The Act introduces Neighbourhood Development Orders (“NDOs”). An NDO is an Order which grants planning permission in a neighbourhood area for development or a class of development specified in the Order. In Parished areas the process must be initiated by the Parish Council. The NDO will apply to a “Neighbourhood Area” which is an area designated by the LPA on application by the Parish Council. The LPA must have regard to (inter alia) the desirability of designating the whole of the Parish as a neighbourhood area. Whenever an LPA designates a neighbourhood area they must consider whether they should also designate the area as a “Business Area”. An area can only be designated as a Business Area if, having regard to matters prescribed by the Secretary of State, the LPA consider that the area is wholly or predominantly business in nature. There is a complex process leading to the adoption of an NDO which involves an examination in public and at least one referendum (if the neighbourhood area is also designated as a Business Area then there must be two referendums). The purpose of the examination in public is to consider whether the NDO is appropriate having regard to national policies, the making of the Order would contribute to the achievement of sustainable development and the Order is in conformity with the strategic policies contained in the development plan. An NDO cannot grant planning permission for minerals development, waste development, various major types of development for which an Environmental Impact Assessment is required and nationally significant infrastructure.

12.9 The Act also introduces “Community Right to Build Orders” (“CRTBO”). These are a particular type of Neighbourhood Development Order but they are made pursuant to a proposal made by a “Community Organisation” and grant planning permission for specified development on a specific site. A “Community Organisation” is a body corporate established for the express purpose of furthering the social, economic and environmental well being of individuals living or wanting to live in a particular area, meet the prescribed conditions (i.e. prescribed by the Secretary of State) in relation to their establishment or constitution and more than half of whose members live in

the neighbourhood area. The process for a CRTBO is similar to that for an NDO but the LPA has less discretion in deciding whether or not to proceed with the CRTBO.

- 12.10 The final part of the neighbourhood planning jigsaw is “Neighbourhood Development Plans”. A Neighbourhood Development Plan is a plan which sets out policies in relation to the development and use of land in the whole or part of a neighbourhood area. The process for putting in place an NDP is essentially the same as for an NDO (i.e. the Parish Council prepares the proposals which are then subject to an examination in public and a referendum). Once adopted an NDP becomes part of the statutory development plan.
- 12.11 The Secretary of State may make regulations providing for the expenses incurred by the LPA in connection with neighbourhood planning to be recouped in whole or in part by charges payable on the commencement of development authorised by an NDO.

### **Development Control and Enforcement**

- 12.12 The Act introduces requirements for an applicant for planning permission for certain types of development (to be specified in regulations but anticipated to be development of significant scale) to carry out pre-application consultations. An application for development to which the requirements apply must be preceded by publicising of the proposed application. The applicant must have regard to consultation responses in deciding whether the application made should be the same as that proposed.
- 12.13 The Act permits LPA’s to take a tougher line in response to “retrospective” applications for Planning Permission. An LPA may decline to determine an application for planning permission which seeks planning permission for something which is already the subject of an Enforcement Notice.
- 12.14 In general, under existing legislation a local planning authority cannot take enforcement action against operational development more than 4 years after substantial completion of the development and neither can it take enforcement action against a change of use after ten years has expired from the change of use. In recent years there have been a couple of high profile cases where individuals have concealed the construction of dwellings (by constructing the exterior as an agricultural building or hiding them behind bales of hay!). The Courts have actually taken a surprisingly hard line against such activities and have declined to follow the literal wording of the legislation in cases where there has been outrageous deception. Nevertheless, the government has felt it appropriate to legislate for such cases and the Act therefore introduces “Planning Enforcement Orders”. Such an Order effectively extends the period during which the LPA can take enforcement action. An application may be made to the Magistrates Court for a Planning Enforcement Order and the Court will make the Order if:-
- the breach of the planning control has been (to any extent) deliberately concealed, and
  - the Court considers it just to make the Order having regard to all the circumstances

The application has to be made by the LPA within 6 months beginning with the date on which the LPA had knowledge of evidence of the breach of planning control. If an Order is made then the LPA has a further year (starting with 22 days from the date of the Order) in which to take enforcement action. The Act also contains provisions to extend the time limits within which a prosecution for a breach of a TPO or a breach of an advertisement control may be commenced.

12.15 The Act confers additional powers for LPA's to take action in respect of and to remove:-

- “display structures” (i.e. structures used for the display of advertisements in breach of advertisement control)
- the unauthorised display of advertisements on a surface of any building, wall, fence, structure, erection, apparatus or plant
- signs on surfaces (normally graffiti) which the LPA consider to be detrimental to the amenity of the area or offensive

12.16 Importantly, the Act allows the LPA to take into account “local finance considerations” in determining planning applications. “Local Finance Considerations” are defined as:-

- a grant or other financial assistance that has been/will be (could be) provided by a Minister (e.g. the New Homes Bonus), or
- sums that the Council has received/will receive/could receive in payment of CIL.

12.17 There has long been concern about the time which it takes to secure planning and other consents required to progress nationally significant infrastructure projects. In order to address that problem the Planning Act 2008 introduced a new regime for such projects. The regime created the Infrastructure Planning Commission which granted consent for most large scale significant infrastructure projects. The Act abolishes the Infrastructure Planning Commission. Instead the Secretary of State will approve such projects.

12.18 The duty to co-operate came into force on 15<sup>th</sup> November 2011. The amendments of existing legislation relating to Local Development Schemes, the adoption of Development Plan Documents, taking into account local finance considerations and the use of CIL came into force on 15<sup>th</sup> January 2012. The provisions relating to Neighbourhood Planning and Planning Enforcement will come into force on 6<sup>th</sup> April 2012.

### **13. HOUSING**

13.1 The Housing Act 1996 introduced requirements relating to the “Allocation” of housing accommodation. In particular, the 1996 Act requires Local Housing Authorities to allocate in accordance with an Allocation Scheme. For these purposes “Allocation” includes nomination for a person to be a tenant of a Registered Provider. The Act provides that those requirements will only apply to an existing social housing tenant in respect of the allocation of housing accommodation if the person concerned is to be given reasonable preference (i.e. persons who are homeless, living in unsatisfactory housing conditions, who need to move on medical or welfare grounds or would suffer hardship if they did not move to a particular locality).

- 13.2 The Local Housing Authority is given a greater discretion as to whom they may allocate housing to (“Qualifying Persons”). Subject to regulations which may be made by the Secretary of State the LHA may decide what classes of persons are, or are not, Qualifying Persons. In preparing or modifying their allocation scheme the LHA must have regard to their current homelessness strategy and the current Tenancy Strategy (as to which see below).
- 13.3 The Act enables a Local Housing Authority to fully discharge their main homelessness duty to secure accommodation with an offer of suitable accommodation from a private landlord without requiring the applicant’s agreement. Tenancies must be for a minimum fixed term of 12 months. The main homeless duty will recur, regardless of whether the applicant has a priority need for accommodation, if the applicant becomes unintentionally homeless again within 2 years of accepting a private sector offer and re-applies for accommodation.
- 13.4 Each local housing authority is required to prepare and publish a Tenancy Strategy setting out the matters to which Registered Providers of social housing in the district are to have regard to in formulating policies relating to:-
- the kinds of tenancies they grant
  - the circumstances in which they will grant a tenancy of a particular kind
  - where they grant tenancies for set lengths, the length of tenancies
  - the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy

The first Tenancy Strategy is to be published within 12 months of the date on which the section comes into force. The LHA must have regard to the Tenancy Strategy in exercising its housing management functions. The Tenancy Strategy may be replaced or modified and must be kept available for public inspection.

- 13.5 Before adopting a Tenancy Strategy the Council must send a copy to every Registered Provider who provides housing in the district and give them a reasonable opportunity to comment. The LHA must also consult other persons prescribed by the Secretary of State and have regard to the current allocation scheme and homelessness strategy when preparing the Tenancy Strategy.
- 13.6 The Act introduces “Flexible Tenancies”. A Flexible Tenancy will be for a specified length of time of not less than 2 years. When the Flexible Tenancy comes to an end the Court must order possession to be granted if no other tenancy has been granted, the Landlord has given the tenant not less than six months notice in writing that another tenancy will not be granted and the Landlord has given not less than two months notice that possession will be required. The tenant may ask the Landlord to review a decision to seek an order for possession and if that request is made then there must be a review. There is provision for Introductory and Demoted Tenancies to become Flexible Tenancies if the Landlord so provides by notice.
- 13.7 The Act reduces the category of persons who may qualify to succeed to a secure tenancy on the death of the existing tenant. In the absence of any express term in tenancy to the contrary the person will only be entitled to

succeed to the tenancy if they occupy the dwellinghouse as their only or principal home at the time of the tenant's death and they are the tenant's spouse or civil partner. However, the provisions are not retrospective i.e. they do not apply to tenancies granted before the date on which the relevant provisions of the Act come into force.

- 13.8 The Act abolishes the previous system of Council housing finance. The Housing Revenue Account subsidy system will end and Councils that operate a Housing Revenue Account will keep all of their rental income and use it to support their own housing stock.
- 13.9 The Act contains provisions designed to promote housing mobility i.e. mutual exchanges of tenancies.
- 13.10 The Tenant's Services Authority is abolished and its functions transferred to the Homes and Community Agency.
- 13.11 The Act provides for the creation of a single service for investigating complaints about the provision of social housing. Under existing legislation tenants of a Local Housing Authority have to make their complaints to the Local Government Ombudsman whereas tenants of Registered Providers make their complaints to the independent Housing Ombudsman. The Act extends the Housing Ombudsman's remit to cover local authorities in their capacity as providers or managers of housing services. The Act also changes the way in which a tenant may make a complaint about their Landlord to the Housing Ombudsman. The complaint must be referred to the Ombudsman by way of a referral from a Member of the House of Commons, a Councillor or a designated Tenant Panel. In addition the Act allows the Secretary of State to provide that Housing Ombudsman's decisions may be treated as Orders of the Court or a Tribunal (i.e. they will be legally binding).
- 13.12 The Act abolishes Home Information Packs.
- 13.13 The Act exempts buildings run by co-operatives from the requirements relating to licensing for houses in multiple occupation.
- 13.14 The abolition of the previous Housing Finance system (and its replacement) took effect on enactment. The abolition of HIP's and most of the provisions relating to Tenancy Strategies took effect on 15<sup>th</sup> January 2012. The parts of the Act relating to Flexible Tenancies, successors to secure tenancies and transfer of functions to the HCA will come into force on 1<sup>st</sup> April 2012.

#### **14 MISCELLANEOUS**

- 14.1 The Climate Change Act 2008 gave authorities the ability to charge for overfilling bins and to introduce extra tariffs for taking away household waste. Those provisions are repealed.

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**TO: OVERVIEW AND SCRUTINY COMMISSION**  
**12 July 2012**

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**Localism Act 2011 – Community Right to Challenge**  
**Director of Corporate Services (Legal)**

**1 INTRODUCTION**

- 1.1 New provisions creating a Community Right of Challenge (“the right”) are contained in Part 5 of the Localism Act 2011. Their purpose is to enable a “relevant body” to express an interest in running local authority services. The Council will be subject to the duty to consider expressions of interest made by a relevant body under the right. The relevant provisions were brought fully into force on 27<sup>th</sup> June 2012. Further supplemental Regulations came into force on the same date, and statutory guidance providing further explanations about the operation of the right has been issued by DCLG. This report considers the nature and extent of the right, in the light of the regulations and statutory guidance.

**2 SUPPORTING INFORMATION**

- 2.1 The right enables voluntary and community bodies, a body of persons or a trust which is established for charitable purposes only, parish councils, two or more employees of an Authority or any other person or body specified by the Secretary of State to express an interest in running a local authority service. A local authority is under a statutory duty to consider an expression of interest made by a relevant body and, where it accepts it, to run a procurement exercise for the service. A Parish Council is not a “relevant authority”, so is not subject to the right, but is a “relevant body” and may therefore submit an expression of interest to a relevant authority.
- 2.2 The right applies to all relevant services. A relevant service is a service provided by or on behalf of the Council in the exercise of its functions, except any services excluded from the right by regulations. The Council is still responsible for the exercise of functions, and the right does not provide for their delegation. Jointly commissioned or provided services and shared services may be subject to the right if they have not been excluded by regulation and are the responsibility of the Council.
- 2.3 Some services are to be excluded from the right, but only until 1<sup>st</sup> April 2014; these are services commissioned together with one or more health services either jointly by the Council and a PCT, NHS trust or foundation trust or a Strategic Health body, or pursuant to a partnership arrangement between an NHS body and the Council; and also services commissioned by an NHS body on behalf of the Council. Also excluded until any further regulation is made is a service commissioned or provided by the Council in respect of a named person with “complex individual health or social care needs”.
- 2.4 Authorities must consider a written expression of interest submitted by a relevant body which meets the requirements specified in the regulations. The requirements are:
- Information about the financial resources of all involved, including proposed consortium members and sub-contractors

## Annexe B - Unrestricted

- Evidence that the organisation (and others involved) will be capable of providing or assisting in providing the service by the time of any procurement exercise
- Sufficient information to identify the service
- Information about what is to be achieved, including how the social, economic or environmental well-being of the area will be promoted or improved, and how the needs of service users will be met
- In the case of Council employees, details of how other employees will be engaged and affected.

2.5 The regulations provide that an expression of interest may only be rejected on one or more of the following grounds:

- if the body provides unsatisfactory, inadequate or incorrect information in the expression of interest,
- if the Council considers, based on the information contained in the expression of interest, that the relevant body or any of its consortium members or sub-contractors are not suitable to provide or assist in providing the relevant service.
- if the service has been stopped or de-commissioned or a decision, evidenced in writing, has been taken to do this
- if the service is one provided to people who are also in receipt of NHS services in an integrated package and a continuation of the service is critical to their well-being,
- if the service is already the subject of a procurement exercise,
- if the Council has been in negotiations for the provision of a relevant service, which negotiations are at least in part conducted in writing,
- if the Council has published its intention to consider providing the service by a body that 2 or more specified employees of the authority propose to establish,
- if the Expression of Interest is submitted outside a period specified by the authority,
- if the authority considers that the Expression of Interest is frivolous or vexatious, or
- If the Council believes that acceptance would lead to a contravention of any enactment or rule of law (the guidance mentions the Best Value duty as an example).

2.6 The Council may set and publish its own maximum timescales for submission of Expressions of Interest, having regard to the need to provide employees and other relevant bodies with sufficient time to prepare, the nature scale and complexity of the service and the timescales for the Council's commissioning and decision making

cycles. Different periods may be specified for different cases. A relevant body may submit an expression of interest at any time if the Council has not set a period for expressions of interest.

- 2.7 An Expression of Interest can be modified by agreement. The Council may seek to agree to a submission being modified if it would otherwise reject it, and must agree any modification with the relevant body. If no agreement can be reached, the Council may reject the submission.
- 2.8 The Council must specify the minimum period that will elapse between an expression of interest being accepted and the procurement exercise starting. This enables relevant bodies time to prepare to compete in the procurement exercise, and in setting the minimum period, the Council must have regard to the need to provide a fair, reasonable and realisable opportunity to bid in the exercise, the nature, scale and complexity of the services being procured and Council processes. The guidance states that it would be undesirable if an expression of interest was accepted and there was a lengthy period before a procurement exercise could be started.
- 2.9 Where an authority accepts an Expression of interest it will be required to carry out a procurement exercise which is “appropriate having regard to the value and nature of the contract that may be awarded”. It will be necessary to comply with the Public Contracts Regulations 2006 -2010 where these apply, and otherwise the authority will have discretion as to how to proceed. Authorities are required to consider whether and how an Expression of interest and any procurement exercise can promote or improve the social, economic or environmental well being of its area, so long as they comply with existing public procurement law in doing so.
- 2.10 The guidance states that it is unlikely to be possible for an in-house team to submit a formal bid, as such a team will not be a separate legal entity that could contract with the authority. Although an in-house team may submit a proposal, evaluation of it if it proposes the use of authority premises, assets and employees against tenders submitted from external organisations is difficult and risks challenge by an unsuccessful provider.

### **3 EQUALITIES IMPACT ASSESSMENT**

- 3.1 These impacts do not arise from the matters discussed in this report

### **4 STRATEGIC RISK MANAGEMENT ISSUES**

- 4.1 The Council may, if it chooses, specify periods during which expressions of interest can be submitted to it in relation to a particular service. It may publish details of any periods it wishes to specify in any way it thinks fit, including publication on the Council’s website. Publicising such periods will help the Council to manage expressions of interest and to synchronise them with existing commissioning cycles for services, but if it does not publish such periods, expressions of interest can be made to it at any time. Work will be undertaken by the Procurement team to map the timetable for future procurements for publication.
- 4.2 It will be more difficult to deal with in-house services. If the Council chooses to publish details of services in respect of which it will be willing to receive expressions

## Annexe B - Unrestricted

of interest, it risks fragmentation of these services if they are subjected to a number of differing expressions of interest, but if it does nothing, the risk referred to before remains, of expressions of interest being made at any time, in respect of any part of those services. Publishing service details could also lead to management issues if services are seen by affected staff as being potentially outsourced. It may be necessary to establish general timetables for making expressions and for the period between acceptance and the start of a commencement exercise, having regard to the need to provide sufficient time to prepare, the complexity of the service and the Council's decision making processes, in order to comply with the statutory requirements but leave sufficient flexibility to respond appropriately.

### Background Papers

DCLG – Community Right to Challenge Statutory Guidance

### Contact for further information

Simon Heard: 01344 353107

Simon.heard@bracknell-forest.gov.uk

**TO: OVERVIEW AND SCRUTINY COMMISSION  
12 JULY 2012**

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**WORK PROGRAMME UPDATE REPORT  
Assistant Chief Executive**

**1 PURPOSE OF REPORT**

- 1.1 This report provides an update on the Overview and Scrutiny (O&S) Work Programme for 2012-13, with particular reference to Working Groups of the Overview and Scrutiny Commission

**2 RECOMMENDATION**

**That the Overview and Scrutiny Commission:**

- 2.1 **Reviews the progress by the O&S Commission and the O&S Panels against the work programme**
- 2.2 **Notes the progress achieved to date by the Commission's Working Groups.**

**3 SUPPORTING INFORMATION**

O&S Work programme

- 3.1 The O&S Work Programme for 2012-13, incorporating where available each Chairmen's assessment of progress, is at Appendix 1.

Community Infrastructure Levy (CIL) Working Group

- 3.2 The Working Group comprises Councillors Leake (Lead Member) Angell, Mrs Birch, Heydon, Virgo and Worrall. The Group held its first meeting on 23 February 2012, and has subsequently met on five occasions. The Commission Chairman has consulted the Chairman/Mayor of each Town and Parish Council (T&PC) on how best to inform and involve the T&PCs with this working group, and a number of ways have been adopted to achieve this, including regular progress reports to the Parish & Town Councils' Liaison Group.
- 3.3 The main items covered to date have been: to receive a comprehensive briefing on the CIL and the progress made to date; discussing and agreeing the approach to be taken by the Working Group; discussing with the Council's consultants the CIL Viability Assessment for the Borough and the wider picture on the development of CIL nationally; commencing the review of the Major Infrastructure Schedule; discussions with the Executive Member, Director, Borough Treasurer, Borough Solicitor, the Home Builders Federation, and a visit to Portsmouth City Council; and reviewing examples of CIL Charging schedules from other local authorities. The Working Group has made a number of recommendations to the Executive concerning the draft CIL Charging schedule.

- 3.4 Further meetings of the Working Group are being planned, with timing to match the timeline for the introduction of CIL in Bracknell Forest

Communications Strategy Working Group

- 3.5 The Working Group comprises Councillors Leake (Lead Member), Gbadebo, Thompson and Wade. It met on 10 May to: receive a briefing, review an example of another council's communication strategy, to consider the current communications arrangements, and to discuss prospective priorities and deliverables for the new strategy.

- 3.6 The Working Group is due to meet next on 17 July, to consider the draft Communications strategy before it is presented to the Executive.

Delegated Authorities

- 3.7 The review of the scheme of delegation and the extent of powers delegated to officers has yet to commence.

**ALTERNATIVE OPTIONS CONSIDERED/ ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS/ EQUALITIES IMPACT ASSESSMENT/ STRATEGIC RISK MANAGEMENT ISSUES / OTHER OFFICERS/ CONSULTATION – Not applicable**

Contact for further information

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### Monitoring Of Work Programme for Overview and Scrutiny in 2012/13

The Overview and Scrutiny (O&S) Chairmen's assessment of the progress on the work programme for O&S in 2012/13 is shown below, where the symbols represent:



Completed or on course for completion



Delayed or completion at risk



Will not be achieved in 2012-13

<b>OVERVIEW AND SCRUTINY COMMISSION</b>	<b>Status / Comment</b>
<b>Co-ordination of the work of the Overview and Scrutiny Panels</b>	
<b>Routine monitoring of the performance of the Council's corporate functions</b>	
<b>Exercising pre-decision scrutiny by reference to the Executive Forward Plan</b>	
<b>2013/14 Budget Scrutiny</b>	
<b>Crime and Disorder Committee</b>	
<b>Policy Development</b>	
a) To complete the Working Group contributing to the Council's plans for the Community Infrastructure Levy.	
b) To contribute to the update of the Council's Communications Strategy.	
c) To receive a briefing on the implications of the Localism Act for the Council, and to contribute to the formulation of the Council's plans for the 'Community Right to Challenge'.	
<b>Delegated Authorities</b>	
To review the scheme of delegation and the extent of powers delegated to officers.	

<b>ADULT SOCIAL CARE AND HOUSING OVERVIEW AND SCRUTINY PANEL</b>	<b>Status / Comment</b>
<b>Monitoring the performance of the Adult Social Care, Health and Housing Department</b>	

<b>Exercising pre-decision scrutiny by reference to the Executive Forward Plan</b>	
<b>2013/14 Budget Scrutiny</b>	
<b>Modernising Older People's Services</b> To complete the Working Group monitoring the proposed implementation of a wide range of measures intended to modernise and improve support for older people in the Borough.	
<b>Substance Misuse</b> To complete the Working Group reviewing the Council's response, and that of its partners, to the Government's requirements contained in its 2010 Drug Strategy.	
<b>Policy Development</b>	
a) <u>Carers' Strategy</u> – To monitor the delivery of this Strategy (Panel discussion).	
b) <u>Joint Autism Strategy</u> – To review the implementation of the Strategy (Panel discussion).	
c) <u>Personalisation</u> – An update at a Panel meeting, and depending on the outcome and the availability of resources, to review a further strand of the personalisation of Adult Social Care.	
d) <u>Adult Social Care White Paper</u> – to receive briefings on the progress of the White Paper and monitor its implementation	
e) The implementation of the new national structure for <u>Housing and Council Tax benefits</u> .	

<b>CHILDREN, YOUNG PEOPLE AND LEARNING OVERVIEW AND SCRUTINY PANEL</b>	<b>Status / Comment</b>
<b>Monitoring the performance of the Children, Young People and Learning Department</b>	
<b>Exercising pre-decision scrutiny by reference to the Executive Forward Plan</b>	
<b>2013/14 Budget Scrutiny</b>	
<b>Schools Governance</b> A Working Group to review the comments by Ofsted about governance in Bracknell Forest Schools, and the arrangements being made to ascertain and	

achieve effective governance in all schools.	
<b>Policy Development</b> To contribute to the formulation of the Council's new Early Intervention and Prevention strategy.	

<b>ENVIRONMENT, CULTURE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL</b>	<b>Status / Comment</b>
<b>Monitoring the performance of the Environment, Culture and Communities Department</b>	
<b>Exercising pre-decision scrutiny by reference to the Executive Forward Plan</b>	
<b>2013/14 Budget Scrutiny</b>	
<b>Monitoring significant departmental issues:</b> <ul style="list-style-type: none"> <li>• The implementation of the Local Development Framework.</li> <li>• The implementation of the Supporting People Programme Action Plan on an annual basis.</li> <li>• The implementation of Community Planning.</li> <li>• The procurement of environmental works</li> </ul>	
<b>Highway Maintenance</b> To complete the review of the Council's plans and performance for highway maintenance.	
<b>Commercial Sponsorship</b> To complete the Member Reference Group exploring the possible procurement of a commercial sponsorship scheme.	
<b>Public Transport Subsidies and Concessionary Fare Support</b> To review the proposed reductions to public transport subsidies and concessionary fare support. The Working Group might re-form to contribute to the development of a Bus Strategy for the Borough.	
<b>Policy Development</b> (the O&S input will be conducted at Panel meetings) <ul style="list-style-type: none"> <li>a) <u>Local Transport Plan</u> – To review the outcome of public consultation, and to contribute to the</li> </ul>	

<p>development of future policy, with a particular focus on highway improvements.</p> <p>b) <u>The Environmental Management of Schools</u> – To receive progress updates.</p>	
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<b>HEALTH OVERVIEW AND SCRUTINY PANEL</b>	<b>Status / Comment</b>
<p><b>Health and Wellbeing Strategy</b></p> <p>To contribute to the development of the Council's statutory 'Health and Wellbeing' strategy [Working Group].</p>	
<p><b>Policy development and monitoring the implementation of the major changes from the 2012 Health and Social Care Act</b></p> <p>To contribute to the Council's and NHS policy development, and monitor in particular: the transfer of the Public Health responsibilities from the PCT to the Council; the creation of the GP Clinical Commissioning Group, Local HealthWatch and the new Health and Wellbeing Board; and establishing the new arrangements for Health Overview and Scrutiny. [Panel updates and a Working Group]</p>	
<p><b>Monitoring the performance and budget of the Berkshire Primary Care Trust and the NHS trusts serving Bracknell Forest</b></p> <p>[Panel updates] Member briefing sessions will be held on Stroke treatment and Mental Health issues, which may in due course lead to focussed reviews.</p>	
<p><b>Responding to NHS Consultations</b></p> <p>The Health O&amp;S Panel is a statutory consultee for any substantial variation in NHS services affecting the Borough. A major consultation is expected to occur on 'Shaping the Future', concerning hospital and community health services in East Berkshire. [Working Group]</p>	



# CORPORATE PERFORMANCE OVERVIEW REPORT

Q4 2011-12  
January - March 2012

Chief Executive:  
Timothy Wheadon

## Contents

<b>Section 1: Chief Executive’s Commentary</b>	<b>3</b>
<b>Section 2: Key Indicator Performance</b>	<b>8</b>
<b>Section 3: Corporate Health</b>	<b>17</b>
<b>A) Summary Complaints and Compliments</b>	<b>17</b>
<b>B) Audits with Limited or No Assurance Opinions</b>	<b>17</b>
<b>C) Summary of People</b>	<b>18</b>
<b>D) Summary of Money</b>	<b>20</b>

## Section 1: Chief Executive's Commentary

### 1 Introduction

- 1.1 This report sets out an overview of the Council's performance for the fourth and final quarter of 2011/12 (January – March 2012). It complements the detailed Quarterly Service Reports (QSRs) produced by each Director, which are being circulated to Members in tandem with this report. The purpose of this report is to provide the Executive with a high-level summary of key achievements, and to highlight areas where performance is not matching targets or expectations, along with any remedial action that is being taken to address this.
- 1.2 The Council is continuing to perform well, despite the financial situation. The overall work of the Council for the second half of 2011/12 is contained in the departmental service plans which contain 87 new key actions to be completed in support of the 11 new medium-term objectives.

At the end of quarter 4 2011/12 the actions were

- 2(2%) blue – complete – deliver the new Waitrose store and implement programme of economies to reduce expenditure by leading the development of the Council's budget for 2012/13
  - 80 (92%) green – on target
  - 5 (6%) amber (not yet started or possibly could fall behind schedule)
  - 0 (0%) red (not yet started but should have been or behind schedule).
- 1.3 Section 2 of this report, contains information on the Key performance indicators, across the Council, these show that the current status is
- 71 (59%) green
  - 9 (8%) amber
  - 18 (15%) red
  - 21 (17%) without target at present (it is not possible or appropriate to set targets for at least 10 of these indicators)
  - 1 (1%) where current figures not yet provided

### ***Overview of the 4<sup>th</sup> quarter***

- 2.1 As always the fourth quarter of the year was dominated by discussions on the budget and Council tax level. There was no increase in the level of council tax for the second year running, because the Council accepted the government's Council Tax Support grant. The budget did contain a number of difficult decisions, included in the £5m of savings. However, as far as was possible, front line services were protected from the reductions.
- 2.2 Despite the financial focus during the quarter, there were a number of areas where performance was good or improved. Notable examples include:

- the time taken to process Housing Benefit or Council Tax Benefit, has reduced from 15.1 days (Q2) to 6.1 days (Q4). This reflects the restructuring of the management of the service and also the change in the way work is processed. Improved performance is attributed to more dedicated management resource to support staff and clear accountability for work processed.
- The number of children subject to Child Protection plans has decreased to 82 (77 in Q2, 87 in Q3).
- The percentage of referrals to children's social care that go on to initial assessment has risen from 73.5% (Q3) to 87% (Q4). The overall annual figure is 73.2% against target of 70%
- The difficult industrial lettings market has been previously reported but there were signs of increased interest during the quarter. This interest has been converted into signed leases and vacant industrial space at the end of February amounted to just over 9,500 sq ft compared to just over 11,000 sq ft in December 2011. The number of voids has fallen to just under 4% of the portfolio. In contrast the retail property portfolio (mainly estate shopping parades) continues to perform strongly with no units available.
- Tell Us Once service implemented by the Registrars is now well established and has received very positive responses from customers.
- Early concerns in the year regarding the effect of the recession on the ability to collect Council Tax and Business Rates appear to have been overcome by the relatively high collection levels.
- The Council's new website went live and has generally been well received with comments about ease of use and ability to transact more easily by using it.
- The new Single Equality Scheme was formally agreed.
- Kerbside recycling again increased with 500 tonnes being recycled from street arisings
- Good performance in ensuring everyone who is eligible for self-directed support receives their support in this way, anticipated that 85% target will be achieved at year end (at end Jan 12, 83% of people already receiving support via Personal Budget).
- Delayed transfers of care will be ahead of target and continues to exceed performance of neighbouring authorities
- The number of trading standards service requests per quarter completed within 28 days (L023) has increased from 82% (Q3) to 85% (Q4), meeting target.

2.3 There are a small number of areas where performance did not match targets for the year. The most noteworthy are highlighted below.

- The number of households in B&B has again increased from 6 (Q3) to 16 (Q4). The target in the year is an average of 6 households in B&B at the end of each quarter. This is achievable on the basis of the predicted supply of accommodation and no further increase in homeless demand. The cost to the Council for B&B is an average of £250 per week per household, so an increase in the average number of households by 1 across the year generates a £13,000 cost.

- This is being monitored closely to anticipate future trends and to review any financial implications.
- The number of properties let by the housing applicant queue to first time applicants has dropped from 67 (Q3) to 39 (Q4) against a target of 59. This has reduced as the number of lettings overall has gone down. Lettings to first time applicants still represented 51% in quarter 4, and 59% across the whole year.
  - There has been a significant dip in the speed of determination of major planning applications, with none of the 6 being determined within the 13 week period, in the quarter. All the applications had complex issues to determine with legal agreements being required, which all added to the time taken. This is an area that will need careful monitoring in the coming quarter. Despite this however, a national survey showed that over 70% of respondents were satisfied with the Council's Development Management service
  - The dip in performance in relation to anti-social behaviour measures continues with three indicators showing red (see Section 3 for more detail). However a new anti-social behaviour co-ordinator is now recruited and is working closely with the Community Safety Partnership to understand the issues and to address the problem. There have also been increases in the numbers of recorded ASB incidents due to changes to the recording system (CADIS) and new sources of data having been added during the year.
  - Repeat incidences of domestic violence has not met target (showing amber), 673 incidences against target of 653 at year end. This was subject to some discussion at the Community Safety Partnership and a review of the impact of the recent additional focus on domestic violence has been commissioned by CMT.
  - The number of Special Educational Needs (SEN) statements issued within the 26 week requirement (including the exception cases) has not met target. 16 out of 26 statements were issued. Of the remaining 10, 7 had late representation from parents. External support is being sought to help review our wider performance in this area.
  - There are a number of cross Council HR indicators included in the Key performance indicators (See section 2 of this report, particularly staff sickness, staff turnover and staff leaving within one year of starting). For 2011/12 a number of these have a red status with declining performance. In most cases this is the result of the impact on the workforce from the Balancing the Budget exercise in 2011/12 when a considerable number of posts were taken out of the Council. A more detailed analysis of each of these indicators will be included in the Annual Workforce Monitoring Report to be published in September 2012.

2.4 Other issues which Members may want to note include:

2.5 The number of looked after children rose to 100 (95 in 2<sup>nd</sup> quarter, 92 in 3<sup>rd</sup> quarter). However the Council is taking part in the Troubled Families Initiative (a 3 year project), which will focus on those families where there are issues

around parental unemployment, youth offending, anti-social behaviour and young people with poor school attendance. This initiative will bring significant pump priming monies but will then be based on a 'payment by results' programme. There is also a positive move to wider early prevention work across the Council, with £0.5m being set aside to support prevention and early intervention work which can show a sound business case and can demonstrate a future saving. Of this £0.1m will be ringfenced to support the Troubled Families Initiative.

- 2.6 A major survey of young people in Bracknell has taken place, to gain their views for the modernisation of the youth service. Over 5,000 responses were received to the 'Just get us involved' survey. A report was presented to the Executive in April on the modernisation proposals with a clear intention to get young people involved in taking the plans forward. As a result, work has been commissioned on a feasibility study for a town centre provision for young people.
- 2.7 A great deal of effort went into the re-provision of residential care at LadyBank to ensure that those people formerly resident at the home are now settled in their choice of alternative accommodation.
- 2.8 The in-house Home Care Team has been re-structured. Resulting from this some former Council staff have set themselves up as a domiciliary care supplier and have been through the approvals process to become a provider to the Council. Against this, one major provider of home based support, Ranstad, has pulled out of direct provision nationally. All clients supported by Ranstad have been transferred to new providers including the newly established ex-Council staff one.
- 2.9 Information is being sent out to residents about policy changes regarding charging for brown bin garden waste collection. At the end of March 8,409 residents had signed up for the service.
- 2.10 There were 2 RIPA applications (compared to 4 in the previous quarter). One for testing purchasing of alcohol (covers 7 premises) and one for test purchasing tobacco (at 5 premises).

### ***External inspections, audit and Scrutiny***

- 3.1 'High Expectations, high support and high challenge' was published by Ofsted in February 2012 (best practice report based on survey inspections carried out during 2011) and Bracknell Forest Council was one of 14 local authorities invited to take part by Ofsted. A case study on Bracknell Forest was included in the report on multi-agency risk management forum.
- 3.2 The Ofsted Inspection of Adoption Services gave a judgement of overall satisfactory. Much practice was found to be good and outstanding but because timescales were not met for adoption, the judgement is limited to satisfactory. Numbers in cohort very small (under 5 cases) and action has already been taken to improve timescales. In addition, of course, the Audit

Commission recently published a report highlighting that the average time for court proceedings in adoption cases was around 14 months, which effectively makes it impossible for local authorities to meet their overall target.

- 3.3 Larchwood maintained outstanding rating from Ofsted and achieved the highest grade of good progress.
- 3.4 College Town infants and Great Hollands Primary were inspected in February (using new framework introduced by Ofsted). Both were graded as good schools. Binfield and Cranbourne primary schools were also inspected and judged to be satisfactory. In January the result of the Wildmoor Heath inspection of the previous December was published and the school was placed in special measures. Since then, however, Ofsted have returned for a monitoring visit and indicated that the school is making satisfactory progress.
- 3.5 CYPL Overview & Scrutiny carried out a review of Common Assessment Framework (CAF). Executive agreed the vast majority of recommendations and the report with actions will support the work on early intervention.
- 3.6 The Council has received a number of awards this quarter which include:
  - Children's Social Care have been awarded a kite mark by the National Voice following survey of LAC and care leavers. Bracknell Forest is one of only four authorities to receive the award.
  - Corporate Services has been re-accredited with Investors in People and has achieved the Bronze Standard which is a higher level than that previously achieved.
  - The Council received awards from the Bracknell Forest Partnership Commendations Awards ceremony, held at Coppid Beech Hotel and sponsored by John Nike OBE. These included recognition of the Community Safety Team's work in co-ordinating the Community Safety Partnership and the careers event team, who organised the special careers day for the borough's young people in January.

#### **4 Strategic Risks**

- 4.1 During Quarter 4 no new risks were identified by the Strategic Risk Management Group. The individual scores on some risk areas were adjusted to reflect the latest position. In essence, however, the greatest risks to the Council remain those related to the economic situation and future funding levels, along with the potential impact of service delivery of the implementation of national policy drivers around benefits charges, public health, policing and business rate localisation.

*Timothy Wheadon*  
*Chief Executive*

## Section 2: Key Indicator Performance

### Adult Social Care & Health

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>All Sections</b>						
NI135	Carers receiving needs assessment or review and a specific carer's service, or advice and information (Quarterly)	14.6%	30%	30%		
OF2a.1	Older people admitted on a permanent basis to residential care	209.7 people per 100,000 older population	250 people per 100,000 older population*	307.5 people per 100,000 older population		
OF2a.2	Older people admitted on a permanent basis to nursing care	244.6 people per 100,000 older population	325 people per 100,000 older population*	398.4 people per 100,000 older population		
OF2a.3	Adults aged 18-64 admitted on a permanent basis to residential care	2.7 people per 100,000 18-64 population	3 people per 100,000 18-64 population*	4 people per 100,000 18-64 population		
OF2a.4	Adults aged 18-64 admitted on a permanent basis to nursing care	No admissions	No admissions*	1.3 people per 100,000 18-64 population		
L137	Number in residential care (quarterly)	141.00	140.00	140.00		
L138	Number in nursing care (Quarterly)	124.00	125.00	133.00		
L159	People receiving self-directed support as a percentage of Eligible People (Quarterly)	75.8%	85%	85%		
<b>Community Mental Health Team</b>						
OF1f	Adults receiving secondary mental health services in employment (Quarterly)	20%	20%	14.0%		
OF1h	Adults receiving secondary mental health services in settled accommodation (Quarterly)	87%	87%	85.0%		
<b>Community Response and Reablement</b>						
OF2c.1	Delayed transfers of care – total delayed transfers per 100,000 population (Quarterly)	1.3	1.3	7		
OF2c.2	Delayed transfers of care – delayed transfers attributable to social care per 100,000 population (Quarterly)	3.1	3.1	10		
OF2b	Achieving independence for older people through rehabilitation or intermediate care	New indicator	91.1%	91%		New indicator
L135	Waiting list for OT support (quarterly)	96.2%	95%	To be set	-	New indicator

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>Community Support &amp; Wellbeing</b>						
L136.1	Number in receipt of direct payments (Quarterly)	462	460	To be set	-	New indicator
L136.2	Number in receipt of community support excluding direct payments (Quarterly)	894	890	To be set	-	New indicator
<b>Community Team for People with Learning Difficulties</b>						
OF1e	Adults with learning disabilities in employment (Quarterly)	14.3%	15%	15.0%		
OF1g	Adults with learning disabilities in settled accommodation (Quarterly)	84.7%	85%	82.0%		
<b>Older People and Long Term Care</b>						
NI132	Waiting times for assessments	82%	88%	90%		
NI133	Waiting times for services	91%	88%	90%		

## Children, Young People & Learning

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>Children's Social Care</b>						
NI019	Rate of proven re-offending by young offenders (Annually)	0.54	0.71	0.98		
NI043	Young people within the Youth Justice System receiving a conviction in court who are sentenced to custody (Quarterly)	1.96%	Definition changed – local indicator being developed for 2012/13	7.0%	-	-
NI060	Percentage of core assessments for children's social care that were carried out within 35 days of their commencement (Annually)	79.0%	81.6%	80%		
NI061	Timeliness of placements of looked after children for adoption following an agency decision that the child should be placed for adoption (Annually)	0.0%	66.7%	67.0%		
NI062	Stability of placements of looked after children – number of placements (Annually)	8.0%	10.0%	10.0%		
NI063	Stability of placements of looked after children – length of placement (Annually)	60.0%	76.2%	66.0%		
NI064	Child protection plans lasting 2 years or more (Annually)	5.6%	4.4%	5.6%		
NI065	Percentage of children becoming the subject of a Child Protection Plan for a second or subsequent time (Annually)	9.2%	12.6%	9.2%		
NI066	Looked after children cases which were reviewed within required timescales (Annually)	100.0%	100.0%	100.0%		
NI067	Percentage of child protection cases which were reviewed within required timescales (Annually)	77.2%	98.3%	98.0%		

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
NI068	Percentage of referrals to children's social care going on to initial assessment (Quarterly)	70.7%	73.2%	70.0%		
NI103.1	Special Educational Needs – statements issued within 26 weeks – excluding exception cases (Annually)	98.4%	100.00%	98.5%		
NI103.2	Special Educational Needs – statements issued within 26 weeks – all cases (Annually)	88.2%	72.7%	85.0%		
NI 147	Care leavers in suitable accommodation (Annually)	100.0%	89.5%	100%		
NI 148	Care leavers in suitable education, employment or training (Annually)	25.0%	57.9%	60%		
L123	Initial assessments for children's social care carried out within 10 working days of referral (Quarterly)	73.7%	83.1%	85.0%		New indicator
L140	Percentage of children looked after in family placement or adoption (Quarterly)	64%	62%	55%		New indicator
<b>Health and Wellbeing</b>						
NI111	First time entrants to the Youth Justice system (Annually)	-	Data awaited	To be set	-	-
NI112	Under 18 conception rate (Annually)	-60.7	-60	To be set	-	
<b>Learning and Achievement</b>						
L139	Schools judged good or better by Ofsted (Quarterly)	68%	68%	To be set	-	New indicator
<b>Strategy, Resources and Early Interventions</b>						
L141	Number of youth centre attendances (Quarterly)	2,003	2,476	To be set	-	New indicator

## Chief Executive's Office

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>Community Safety</b>						
L095	Assault with less serious injury (Quarterly)	323	429	466		
L097	In year serious sexual offences (Quarterly)	48	76	88		
L101	Burglary in a dwelling (Quarterly)	146	191	239		
L102	Theft from motor vehicles (Quarterly)	233	307	449		
L103	Theft of motor vehicles (Quarterly)	83	106	152		
L105	Criminal damage (Quarterly)	723	912	974		
L108	Nuisance anti-social behaviour (Quarterly)	3003	4014	3799		
L109	Anti-social vehicle use (dangerous driving and parking) (Quarterly)	855	1185	937		

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
L111	Neighbour disputes (Quarterly)	773	1002	913		
L120	Dumped rubbish and fly tipping (Quarterly)	809	1107	1119		
L142	Most serious violent crime (Quarterly)	27	33	46		
L143	Overall serious acquisitive crime (Quarterly)	499	649	884		
L152	Overall repeat incidences of domestic abuse (Quarterly)	486	673	653		
<b>Overview and Scrutiny</b>						
L116	Percentage of high level complaints dealt with in accordance with corporate standards (Quarterly)	100%	100%	90%		
L132	Number of local government ombudsman complaints requiring a local settlement (Quarterly)	2	2	5		

## Corporate Services

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>Corporate Property</b>						
BV156	Percentage of buildings open to the public which are suitable for and accessible to disabled people (Annually)	83.00%	83.00%	87.80%		
L075	Number of commercial property voids (Annually)	4.98	3.98	8.00		
<b>Customer Services</b>						
L051	Percentage of Council tax collected in year (Quarterly)	84.80%	97.40%	97.70%		
L052	Cumulative percentage of Council Tax collected in the previous year at 31 March (Annually)	99.0%	98.99%	98.0%		
L053	Percentage of business rates collected in year (Quarterly)	89.70%	98.60%	99%		
L054	Cumulative percentage of business rates collected for the previous year at 31 March (Annually)	98.50%	99.85%	94.50%		
L055	Satisfaction level expressed in survey of telephone contact with Customer Services (Quarterly)	93.70%	93.70%	90%		
L056	Percentage of calls answered within 5 rings (Quarterly)	83.80%	83.70%	80%		
<b>Democratic and Registration Services</b>						
L060	Percentage response to the annual canvass (Annually)	98.80%	98.56%	98.00%		
<b>Finance</b>						
BV8	Percentage of invoices paid within 30 days (Quarterly)	92.0%	92.0%	95.0%		

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
L065	Return on investments exceeds 7-day LA cash benchmark rate (Quarterly)	0.89%	0.96%	0.90%		
<b>Human Resources</b>						
BV12	Average number of working days lost to sickness (Annually)	7.01	7.64	6.90		
BV14	Percentage of early retirements as a percentage of total employees (Annually)	0.28%	0.67%	0.20%		
L069	Percentage of ill-health retirements (Annually)	0.08%	0.20%	0.05%		
L070	Percentage of employees with a disability (Annually)	1.85%	1.55%	2.00%		
L071	Percentage of black and ethnic minority employees (Annually)	4.00%	3.89%	4.00%		
L072	Gender pay gap (Annually)	19.79%	18.25%	18.00%		
L073	Average number of off the job training days per employee (Annually)	3.4	3.4	3.5		
L130	Percentage staff turnover (Annually)	11.92%	19.09%	Not applicable	Not applicable	
L131	Percentage of staff leaving within one year of starting (Annually)	24.30%	34.57%	20.00%		
<b>ICT</b>						
L078	ICT User satisfaction – service user survey (Annually)	5.25	5.25	5.19		
<b>Legal Services</b>						
L086.1	Percentage of Freedom of Information requests refused because information is publically available (Quarterly)	4%	12%	N/A	N/A	New indicator
L086.2	Percentage of Freedom of Information requests refused because the time limit would be exceeded (Quarterly)	4%	5%	N/A	N/A	New indicator
L086.3	Number of Freedom of Information requests received (Quarterly)	214	249	N/A	N/A	New indicator

## Environment, Culture & Communities

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
<b>Environment &amp; Public Protection</b>						
NI184	Food establishments in the area which are broadly compliant with food hygiene law (Annually)	380	386	To be set	-	
NI192	Percentage of household waste sent for reuse, recycling and composting (Quarterly)	40.4%	44.2% (Q3 – data for Q4 not available until end June)	40.4%		
NI193	Percentage of municipal waste land filled (Quarterly)	25.71%	22.14% Q4 not available until end June)	29%		
NI 196	Improved street and environmental cleanliness – fly tipping (Annually)	2	2	2		

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
L006.1	Number of highways service requests (Quarterly)	1021	1044	N/A	N/A	New indicator
L006.2	Number of highways service requests outstanding at quarter end (Quarterly)	113	91	N/A	N/A	New indicator
L021.1	Number of environmental health service requests (Quarterly)	681	849	N/A	N/A	New indicator
L021.2	Number of environmental health service requests outstanding (Quarterly)	15.4%	21.6%	25%		New indicator
L022	Number of licensing service requests per quarter completed within 28 days (Quarterly)	96%	95%	95%		New indicator
L023	Number of trading standards service requests per quarter completed within 28 days (Quarterly)	82%	85%	85%		New indicator
L128	Number of reported missed collections of refuse bins (Quarterly)	152	61	180		New indicator
L146.1	Percentage of borough where environmental cleanliness falls below EPA standard – Litter (Quarterly)	0%	0%	1.00%		New indicator
L146.2	Percentage of borough where environmental cleanliness falls below EPA standard – Detritus (Quarterly)	2.12%	0%	3.00%		New indicator
L146.3	Percentage of borough where environmental cleanliness falls below EPA standard – Graffiti (Quarterly)	0.26%	0%	1.00%		New indicator
L146.4	Percentage of borough where environmental cleanliness falls below EPA standard – Flyposting (Quarterly)	0.00%	0.00%	1.00%		New indicator
<b>Housing</b>						
NI155	Number of affordable homes delivered (gross) (Quarterly)	19	34	To be set	-	
NI154	Net additional homes provided (Quarterly)	410	263	596		
NI156	Number of households living in temporary accommodation (Quarterly)	35	48	To be set	-	
NI181	Time taken to process Housing Benefit or Council Tax Benefit new claims and change events (Quarterly)	14.0	6.1	To be set	-	
L007.1	Number of properties let by the housing applicant queue – Homeless (Quarterly)	10	8	7		New indicator
L007.2	Number of properties let by the housing applicant queue – Transfers (Quarterly)	32	29	66		New indicator
L007.3	Number of properties let by the housing applicant queue – First time applicants (Quarterly)	67	39	59		New indicator
L029	Number of households who considered themselves as homeless, who approached the local authority's housing advice services and for whom housing advice casework intervention resolved their situation (Quarterly)	225	297	210		
L030	Number of lifelines installed (Quarterly)	128	151	165		New indicator

Ind Ref	Short Description	Previous Figure	Current Figure	Current Target	Current Status	Performance Trend
L032	Number of benefits prosecutions and sanctions per 1000 caseload (Annually)	New indicator	12	11		New indicator
L033	Percentage of customers receiving the correct amount of benefit (Sample basis) (Quarterly)	93.4%	94.9%	94.9%		New indicator
L124	Number of households in B&B at end of quarter (Quarterly)	6	16	3		
L160	Supply of ready to develop housing sites (Annually)	3.7	3.7	4.8		
<b>Leisure and Culture</b>						
L003	Number of visits to leisure facilities (Quarterly)	1,660,146	2,221,993	2,000,000		New indicator
L017	Number of web enabled transactions in libraries (Quarterly)	45,946	60,704	58,600		New indicator
L018	Number of web enabled transactions in leisure (Quarterly)	21,853	31,242	20,000		New indicator
L020	Number of people enrolled in the Leisure Saver Scheme (Quarterly)	523	501	520		
L035	Income from Leisure Facilities (Quarterly)	7,089,020	9,040,000	9,299,000		New indicator
L151	Number of visits to libraries (Quarterly)	322,104	424,260	440,000		New indicator
<b>Planning and Transport</b>						
NI047	People killed or seriously injured in road traffic accidents (Quarterly)	29	26	N/A	-	
L008	Number of planning applications received to date (Quarterly)	201	271	N/A	-	New indicator
L009	Number of full search requests received (Quarterly)	356	369	N/A	-	New indicator
L014	Number of people slightly injured in road traffic accidents (Quarterly)	264	251	N/A	-	New indicator
L046	Percentage of full searches answered in 10 working days (Quarterly)	100%	100%	90%		New indicator
L048.1	Number of days overrun on streetworks projects – statutory undertakers (Quarterly)	31	5	0		New indicator
L048.2	Number of days overrun on street works projects – BFC Contractors (Quarterly)	24	61	0		New indicator

Traffic Lights		Performance Trend	
Compares current performance to target		Identifies direction of travel compared to same point in previous year	
On, above or within 2.5% of target		Performance has improved	
Within 2.5% and 7.5% of target		Performance Sustained	
More than 7.5% from target		Performance has declined	

The following indicators are annual measurements where data is not available this quarter:-

## Adult Social Care & Health

Ind Ref	Short Description
OF1a	Social Care Related Quality of life
OF1b	Proportion of people who use services who have control over their daily life
OF1c	% of social care clients receiving self-directed support
OF1d	Carer reported quality of life
OF3a	Overall satisfaction of people who use services with their care and support
OF3b	Overall satisfaction of carers with social services
OF3c	The proportion of carers who report that they have been included or consulted in discussion about the person they care for
OF3d	Proportion of people who use services or carers who find it easy to find information about services
OF4a	The proportion of people who use services who feel safe
OF4b	The proportion of people who use services who say that those services have made them feel safe and secure

## Children, Young People & Learning

Ind Ref	Short Description
Children's Social Care	
NI099	Looked after children reaching level 4 in English at Key Stage 2 (Annually)
NI100	Looked after children reaching level 4 in Maths at Key Stage 2 (Annually)
NI101	Looked after children achieving 5 A(star)-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths) (Annually)
Health and Wellbeing	
NI115	Substance misuse by young people (Annually)
NI117	16 to 18 year olds who are not in education, training or employment (NEET) (Annually)
Learning and Achievement	
NI073	Achievement at level 4 or above in both English and Maths at Key Stage 2 (Annually)
NI075	Achievement of 5 or more A(star)-C grades at GCSE or equivalent including English and Maths (Annually)
NI076	Reduction in number of schools where fewer than 55 percent of pupils achieve level 4 or above in both English and Maths at KS2 (Annually)
NI078	Reduction in number of schools where fewer than 30 percent of pupils achieve 5 or more A(star)-C grades at GCSE(Annually)
NI079	Achievement of a Level 2 qualification by the age of 19 (Annually)
NI080	Achievement of a Level 3 qualification by the age of 19 (Annually)
NI081	Inequality gap in the achievement of a Level 3 qualification by the age of 19 (Annually)
NI082	Inequality gap in the achievement of a Level 2 qualification by the age of 19 (Annually)
NI087	Secondary school persistent absence rate (Annually)
NI091	Participation of 17 year-olds in education or training (Annually)
NI092	Narrowing the gap between the lowest achieving 20 percent in the Early Years Foundation Stage Profile and the rest (Annually)
NI102.1	Achievement gap between pupils eligible for free school meals and their peers - Key Stage 2 (Annually)
NI102.2	Achievement gap between pupils eligible for free school meals and their peers - Key Stage 4 (Annually)
NI106	Young people from low income backgrounds progressing to higher education (Annually)
NI107	Key Stage 2 attainment for Black and minority ethnic groups (Annually)
NI108	Key Stage 4 attainment for Black and minority ethnic groups (Annually)
NI114	Rate of permanent exclusions from school (Annually)

## Corporate Services

Ind Ref	Short Description
Community Engagement and Equalities	
NI006	Participation in regular volunteering (Biennially (every two years))

## Environment, Culture & Communities

Ind Ref	Short Description
Environment & Public Protection	
NI191	Residual household waste per household (Annually)
L024	Percentage of underage (alcohol) sales obtained in testing programme (Annually)
L025	Number of valid complaints relating to licensed premises (Annually)
Planning and Transport	
NI047	People killed or seriously injured in road traffic accidents (Annually)
NI167	Congestion - average journey time per mile during the morning peak (Annually)
NI168	Principal roads where maintenance should be considered (Annually)
NI169	Non-principal classified roads where maintenance should be considered (Annually)
NI177	Local bus and light rail passenger journeys originating in the authority area (Annually)
NI 178.1	Bus services running on time - Proportion of non-frequent scheduled services on time(Annually)
NI 178.2	Bus services running on time - Excess waiting time for frequent services (Annually)

## Section 3: Corporate Health

### A) Summary Complaints

#### Complaints

Department		Q4	Notes (Q4)
Adult Social Care & Health	<b>Total:</b> Stage 2: Stage 3: Stage 4: Ombudsman:	<b>9</b>    1	There is a statutory complaints procedure for Adult Social Care. See ASCH QSR quarter 4 for more details.  LGO decided 'not to investigate'
Corporate Services / Chief Executive's Office	<b>Total:</b> Stage 2: Stage 3: Stage 4: Ombudsman:	<b>4</b> 3 0 1 0	The complaints relate to Corporate Services – see QSR quarter 4 for more detail.
Children, Young People & Learning	<b>Total:</b> Stage 2: Stage 3: Stage 4: Ombudsman:	<b>12</b>    	It should be noted that there is a statutory complaints procedure for Children's Social Care. For more details see CYPL QSR quarter 4.
Environment, Culture & Communities	<b>Total:</b> Stage 2: Stage 3: Stage 4: Ombudsman:	<b>4</b> 0 1 1 3	
<b>BFC</b>	<b>Grand Total:</b>	<b>29</b>	

### B) Audits with Limited or No Assurance Opinions

Department	Q4	Notes
Adult Social Care & Health	0	
Corporate Services	0	
Chief Executive's Office	0	
Children, Young People & Learning	0	
Environment, Culture & Communities	0	

## C) Summary of People

### Staff Turnover

Department	Quarter 4 (%)	Year ending 31 March 2012 (%)	Notes
Adult Social Care & Health	11.1	17.61	
Corporate Services	6.28	15.72	8 redundancies effective from 31 March
Chief Executive's Office	7.14	21.43	
Children, Young People & Learning	2.2	14.1	
Environment, Culture & Communities	3.19	10.50	Decreased from 13.46 for same quarter last year.

The overall staff turnover across the Council for 11/12 was 19.09% which includes the redundancies that were made at 31 March 2012.

Total turnover for BFC, 2010/11: 15.24%  
 Average UK turnover 2010: 14%  
 Average Public Sector 2010: 12.6%  
 (Source: XPerHR Staff Turnover Rates and Cost Survey 2011)

### Staff Sickness

Department	Quarter 4 (days per employee)	2011/12 Annual Average (days per employee)
Adult Social Care & Health	3.32	16.06
Corporate Services	0.81	3.59
Chief Executive's Office	0.53	2.11
Children, Young People & Learning	1.65	5.8
Environment, Culture & Communities	1.84	5.58

Adult Social Care & Health – figures include 12 cases of long term sickness. There have been a number of incidents of long term sickness in the department in the last year that have had an impact on the average number of sickness days. In addition, the nature of the work means that staff who are ill should not undertake their duties because of the risk of infecting people who are vulnerable.

Corporate Services –0 long term sickness absences

Chief Executive's Office – 0 long term sickness absences

Children, Young People & Learning – figures include 10 cases of long term sickness

Environment, Culture & Communities – figures include 20 cases of long term sickness

*N.B. 20 days or more are classed as long term sickness*

**The average sickness across the Council for 2011/12 was 7.64 days.**

#### **Staff Sickness Comparators**

<b>Comparator data</b>	<b>All employees, average days sickness absence per employee</b>
Bracknell Forest Council 10/11	7.01 days
All local government employers 2010	9.6 days
All South East Employers 2010	7.3 days

(Source: Chartered Institute of Personnel and Development Absence Management survey 2011)

N. B. A more detailed analysis of the staff sickness and staff turnover figures will be included in the Annual Workforce Monitoring Report to be published in September 2012.

## D) Summary of Money

### REVENUE BUDGET MONITORING

The provisional end of year position for the General Fund indicates a potential under spend of £2.4m. Details of individual variances are outlined in each department's Performance Management Report (PMR).

The main reasons for this projected under spend are:

- The cost of placements for Looked after Children is now projected to overspend by £0.051m (£0.985m in quarter 3) following the allocation of the remaining balance on the Contingency Fund to support this service area.
- The increase in numbers of Looked after Children has added workload and resource pressures onto Social Care Teams and the Childcare Solicitors joint arrangement (£0.105m).
- A range of savings were generated within the Children, Young People and Learning Department during the year to offset the projected overspends. The most significant arise from changes to grant funding and the mainstreaming of school grants into the Dedicated Schools Grant, the early impact of 2012/13 savings proposals on staffing budgets, managed non staff savings and additional income generation (£0.754m).
- The under spend on supporting people with Learning Disabilities has increased from £0.500m to £0.690m since the third quarter. The impact of the transition from Child to Adult Social Care and the risk of loss of support from older carers continued to be less significant than forecast. There have also been a number of other changes to support levels for individuals
- The increased use of non residential support as the preferred method of support rather than residential and nursing care has resulted in a forecast decrease in residential and nursing spend, with an expected under spend of £0.280m.
- A number of under spends within Environment, Culture and Communities. These include an under spend arising from reduced tonnages within Waste Management (£0.136m), additional income at the Coral Reef and cemetery and crematorium (£0.132m) and reduced expenditure on Concessionary Fares (0.145m).
- A number of council wide expenditure items have also realised savings (£0.394m). They relate to employers pension and national insurance contributions, the impact of the extra bank holiday and a nil pay award for all grades and spinal points.
- The level of investment income is now expected to be £0.283m higher than the budget. This is primarily due to higher cash balances, increased yields and the income generated by pre-funding the 2011/12 pension fund contribution being greater than originally forecast.

The Executive has approved in principle the use of £0.500m of the under spend to create an earmarked reserve to support initiatives that focus on early intervention

and preventative work. This will be incorporated into the final end of year position to be reported to the Executive in June, along with any other proposals for earmarked reserves and carry forwards. The final accounts will be presented to the Governance and Audit Committee in September.

A full review of all the variances arising in 2011/12 will be undertaken so that any variances that have an impact in 2012/13 and beyond can be identified and built into the Council's medium term financial plans.

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**TO: OVERVIEW AND SCRUTINY COMMISSION  
12 JULY 2012**

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**SERVICE PLANS 2012/13  
Assistant Chief Executive**

**1 PURPOSE OF REPORT**

- 1.1 This report provides information on Service Plans, to assist Members' review of the Quarterly Service reports.

**2 RECOMMENDATIONS**

**That the Overview and Scrutiny Commission:**

- 2.1 Notes the process for preparing Service Plans.**  
**2.2 Notes the 2012/13 Service Plans for the Chief Executive's Office and the Corporate Services Department.**

**3 SUPPORTING INFORMATION**

The Process for Preparing Service Plans

- 3.1 At its meeting on 3 May 2012, the O&S Commission asked to be informed of the process for preparing and approving Service Plans.
- 3.2 Annual Departmental Service Plans form a key part of the Council's overall planning framework. Good service planning is a cornerstone of effective performance management. The Council has had in place, for a number of years, a process for service planning which has ensured consistency and co-ordination across the complex variety of services that the Council provides. This process was enhanced in 2011 with the development of a new local performance framework for the Council and a new 'slimmer' format for Service Plans. One of the key elements of the new Local Performance Framework was simplicity, to result in more targeted, strategic monitoring.
- 3.3 Supporting each of the Medium Term Objectives of the Council are Key Actions, which in turn are supported by more specific sub-actions which describe the work to be undertaken during the relevant financial year. The Key Actions and specific sub-actions were approved by Executive in May 2012.
- 3.4 Departments have prepared their Service Plans for 2012/13, seeking approval from departmental management teams and Portfolio holders. The actions and targets contained in the Service Plans will be monitored throughout the year via the Quarterly Service Reports, with highlights and exceptions in performance and progress against key indicators being reported in the Corporate Performance Overview Report, on a quarterly basis.

2012-13 Service Plans

- 3.5 The 2012/13 Service Plans for the Chief Executive's Office and the Corporate Services Department are attached to this report. The Quarterly Service reports, which are routinely presented to the O&S Commission and/or relevant O&S Panel, track progress against the Service Plans.
- 3.6 The Service Plans for the Environment, Culture and Communities Department, the Children Young People and Learning Department, and the Adult Social Care, Health & Housing Department have been being sent to members of the respective O&S Panels for information.

**ALTERNATIVE OPTIONS CONSIDERED/ ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS/ EQUALITIES IMPACT ASSESSMENT/ STRATEGIC RISK MANAGEMENT ISSUES / OTHER OFFICERS/ CONSULTATION – Not applicable**

Contact for further information

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# CHIEF EXECUTIVE'S OFFICE

# SERVICE PLAN

April 2012 - March 2013

Executive Member:  
Councillor Paul Bettison, Leader of the Council

Assistant Chief Executive:  
Victor Nicholls

(Final Version – June 2012)

## Contents:

<b>Section 1: Services included in this plan</b>	<b>3</b>
<b>Section 2: Where are we now</b>	<b>5</b>
<b>Section 3: Service Delivery</b>	<b>7</b>
<b>Section 4: Medium Term Objectives and Key Actions</b>	<b>9</b>

## Glossary

CADIS	Community Nuisance & Disorder Information System
CCTV	Closed Circuit Television
CMT	Corporate Management Team
CPOR	Corporate Performance Overview Report
CSM	Community Safety Manager
CSP	Community Safety Partnership
DAAT	Drugs & Alcohol Action Team
EIA	Equality Impact Assessment
GIS	Geographic Information System
HoCM	Head of Communications & Marketing
HoPP	Head of Performance & Partnerships
HoRE	Head of Regeneration and Enterprise
HoO&S	Head of Overview & Scrutiny
O&S	Overview & Scrutiny
PARIS	Performance, Actions and Risks Information System
QSR	Quarterly Service Report
SCS	Sustainable Community Strategy

# Section 1: Services included in this plan

The Chief Executive's Office supports the Chief Executive and provides a corporate resource to support councillors, directors and departments on cross-cutting issues. It also has lead responsibility for:

## **Regeneration and Enterprise**

Including:

- Implementing Town centre regeneration with the Council's development partner and other third parties
- Enabling the development of other town centre sites to come forward as soon as possible
- Supporting the Town Centre Partnership
- Seeking grant funding to support the regeneration
- Supporting the Economic and Skills Development Partnership and Town Centre Partnership.
- Promote Bracknell Forest economic prosperity
- Joint economic development work with other Berkshire councils
- Co-ordinating advice and support for local residents and businesses affected by the economic downturn
- Working in regional partnerships to sustain prosperity in the Borough, including the Thames Valley Berkshire Local Enterprise Partnership

## **Community Safety**

Including:

- Supporting the Community Safety Partnership
- Coordinating cross-cutting activity within the Council and with partners
- Discharging the council's obligations under crime & disorder legislation

## **Performance and Partnerships**

Including:

- Managing corporate inspections, audits and external reviews
- Service planning
- Performance management for the Council and Bracknell Forest Partnership
- Support to Bracknell Forest Partnership and partnership working
- Voluntary sector support
- Managing data quality

## **Overview and Scrutiny**

Including:

- Supporting councillors in holding the Executive and external service providers to account, making sure that residents receive the best value and highest quality services possible
- Developing scrutiny to secure improvements to Council and other public services
- Complaints (Stage 4 of the Council's procedure) and Local Government Ombudsman cases

## **Communications and Marketing**

Including:

- Corporate identity & council brand management
- Reputation management

- Internal communications
- Media relations
- Graphic design services
- Website news and media content
- Publications and literature
- Emergency planning & crisis communications
- Social media inc. Twitter & Facebook
- Marketing, advertising and sponsorship

## Section 2: Where we are now

### Where we are now

The Chief Executive's Office is a mix of corporate support activities and outward-facing services.

Economic development has been an explicit council priority since 2009. Last year, the Chief Executive's Office supported the Economic and Skills Development Partnership in the publication of the first partnership local economic strategy. The strategy focuses on innovative action to promote Bracknell Forest as a premier business location, improve employability and skills, and foster commercial opportunities in emerging markets including China.

The new Waitrose foodstore, rejuvenated railway forecourt and new college and school buildings around the town centre have started the transformation of Bracknell town centre. The Market Square properties have been demolished and the construction of the new Romans offices is underway in preparation for the development of the main retail phases. The compulsory purchase order is implemented and designs on the new town centre are emerging.

Overview and Scrutiny activity has developed well and has resulted in very positive responses from service departments, O&S has been re-focused toward providing more pre-decision scrutiny and input to the development of new policies and strategies, also contributing to the improvement of services.

Stage 4 and Local Government Ombudsman complaints against the Council are relatively low in number and are being responded to promptly and fairly.

Community Safety performance is among the best in the Thames Valley. The challenge for the Community Safety Partnership will be to maintain the reduction in crime while addressing hidden crimes such as domestic abuse and improving people's perception of safety.

The Performance and Partnerships Team has implemented a new local performance framework (including service planning, performance analysis and performance reporting for the Council and Bracknell Forest Partnership). It also manages a number of key projects including continued development of the Performance, Action and Risk Information System (PARIS) and a review of corporate voluntary sector grants. The Team continues to support Bracknell Forest Partnership in its future role and activity.

Communications and Marketing – The team continues to support the council and individual services on a wide range of key projects, as well as communicating the impact of the budget situation to residents and partners. The unit currently operates with one less part-time post while the head of communications and marketing is on maternity leave. The unit offers professional graphic design services to all parts of the council and is fully engaged with delivery of the channel shift strategy to reduce costs and improve efficiency. One of the main goals for the Communication and Marketing Team will be to deliver a new Communications and Marketing Strategy.

### How does the service meet with user expectations?

Regeneration is proceeding as fast as possible; nevertheless, it is frequently raised by local residents and businesses. The positive news is that regeneration work on the early phases of the scheme started during 2011.

Partnership work co-ordinated in response to anti-social behaviour reported to the Community Nuisance & Disorder Information System is published on the public website. The Community Safety Team co-ordinates partnership activity to address crime and disorder through the Community Safety Partnership.

Feedback from councillors and departments indicates that work of Overview & Scrutiny is helping to improve the quality of the council's services.

Performance on responding to high level complaints against the Council reflects well the service users' expectation that there is a sound complaints system and complaints are being responded to promptly and fairly. We have also had positive feedback from the Local Government Ombudsman.

There is ongoing development to PARIS (Performance, Action and Risk Information System) to meet the needs of continuing development in council work including MTOs and supporting Key Actions. Stakeholder feedback from the recent Bracknell Forest Careers event (January 2012) was very positive and included comments that the event was well organised and informative.

The latest Town & Country survey results (December 2011) shows that 91 per cent of respondents find the publication excellent or good – an increase of two per cent from 2010.

The survey also found that 36 per cent prefer to receive council news via Town & Country; 21 per cent the council's website; 14 per cent council produced marketing material and 13 per cent prefer to receive information via the local media.

Two per cent of residents prefer to receive information via their local councillor and 7 per cent by email.

The survey reveals an increase in residents' use of social media (such as Facebook and Twitter) as a source for information. In 2010, only 1 per cent of respondents listed this as a preferred communication method, in 2011 this increased to 7 per cent.

Council Facebook followers increased by almost 100 per cent over the year and the number of people following Bracknell Forest via Twitter has increased by more than 1300 since April 2011.

## Section 3: Service Delivery

All Indicators which are reported through the Department's Quarterly Service Report are as follows:

Ind Ref	Short Description	Q4 actual	2011/12 Target	2012/13 Target
<b>Community Safety</b>				
L093	All hate crime (Quarterly)	46	Q1 – 18 Q2 – 35 Q3 – 53 Q4 – 70	Q1 – 18 Q2 – 35 Q3 – 53 Q4 – 70
L095	Total violence against the person (Quarterly)	1173	Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 279 Q2 – 557 Q3 – 836 Q4 – 1114
L096	Detection rate for domestic abuse assaults with injury (Quarterly)	46.70%	Q1 – 34.28% Q2 – 36.85% Q3 – 39.43% Q4 – 42.00%	Q1 – 50.00% Q2 – 50.00% Q3 – 50.00% Q4 – 50.00%
L097	Number of incidents of sexual offences involving victims under 18 (Quarterly)	74	Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 21 Q2 – 33 Q3 – 47 Q4 – 74
L100	Detection rate for serious acquisitive crime (Quarterly)	18.00%	Q1 – 12.30% Q2 – 13.20% Q3 – 14.10% Q4 – 15.00%	Q1 – 18.00% Q2 – 18.00% Q3 – 18.00% Q4 – 18.00%
L105	Criminal damage (Quarterly)	912	Q1 – 244 Q2 – 487 Q3 – 731 Q4 – 974	Q1 – 244 Q2 – 487 Q3 – 731 Q4 – 974
L108	Nuisance anti-social behaviour (Quarterly)	4014	Q1 – 950 Q2 – 1900 Q3 – 2849 Q4 – 3799	Q1 – 1079 Q2 – 2092 Q3 – 2913 Q4 – 3894
L110	Personal anti-social behaviour (Quarterly)	1215	Q1 – 283 Q2 – 566 Q3 – 848 Q4 – 1131	Q1 – 285 Q2 – 643 Q3 – 905 Q4 – 1179
L118	Detection rate of total violence against the person with injury (Quarterly)	43.70%	Q1 – 37.05% Q2 – 38.70% Q3 – 40.35% Q4 – 42.00%	Q1 – 45% Q2 – 45% Q3 – 45% Q4 – 45%
L119	Environmental anti-social behaviour (Quarterly)	1915	Q1 – 426 Q2 – 851 Q3 – 1277 Q4 – 1702	Q1 – 418 Q2 – 878 Q3 – 1340 Q4 – 1858
L143	Overall serious acquisitive crime (Quarterly)	649	Q1 – 221 Q2 – 442 Q3 – 663 Q4 – 884	Q1 – 162 Q2 – 325 Q3 – 487 Q4 – 649
L152	Overall repeat incidences of domestic abuse (Quarterly)	673	Q1 – 163 Q2 – 327 Q3 – 490 Q4 – 653	Q1 – 165 Q2 – 330 Q3 – 495 Q4 – 660

Ind Ref	Short Description	Q4 actual	2011/12 Target	2012/13 Target
L156	Building resilience to violent extremism (Annually)	N/A (New)	N/A (New)	Not Set
L163	Number of incidents of burglaries from non-dwellings (Quarterly)	507	Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 121 Q2 – 241 Q3 – 362 Q4 – 482
L164	Number of metal thefts (Quarterly)	296	Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – Not Set Q2 – Not Set Q3 – Not Set Q4 – Not Set
<b>Overview &amp; Scrutiny</b>				
L165	Biennial Member Survey: Percentage of O&S members satisfied with O&S officer support (Biennial)	96%	N/A (New)	N/A (Biennial)
L116	Percentage of high level complaints dealt with in accordance with corporate standards (Quarterly)	100%	90%	90%
L132	Number of local government ombudsman complaints requiring a local settlement (Quarterly)	2	Q1 – 1 Q2 – 3 Q3 – 4 Q4 – 5	Q1 – 1 Q2 – 3 Q3 – 4 Q4 – 5
<b>Performance &amp; Partnerships</b>				
L115	Performance reports produced to corporate timetable (Quarterly)	100%	Q1 – 100% Q2 – 100% Q3 – 100% Q4 – 100%	Q1 – 100% Q2 – 100% Q3 – 100% Q4 – 100%
L166	BFP Website: Number of unique views (Quarterly)	4366	Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 3000 Q2 – 6000 Q3 – 9000 Q4 – 12000
<b>Communications &amp; Marketing</b>				
L167	Percentage of media enquiries responded to within the customer's deadline (Quarterly)		Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 90% Q2 – 90% Q3 – 95% Q4 – 95%
L168	Number of news releases issued in the quarter (Quarterly)		Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 40 Q2 – 40 Q3 – 50 Q4 – 50
L169	Increase in number of Facebook and Twitter followers (Quarterly)		Q1 – N/A Q2 – N/A Q3 – N/A Q4 – N/A	Q1 – 250 Q2 – 250 Q3 – 300 Q4 – 300
L170	% staff satisfied or very satisfied with internal communication (Annual)	N/A	N/A	Annual – 95%
L171	Town & Country Survey: % of respondents who give an overall rating of good or excellent (Annual)	N/A	N/A	Annual – 80%

Note: Key indicators are identified by shading

## Section 4: Medium Term Objectives and Key Actions

<b>MTO 1: Regenerate Bracknell Town Centre</b>				
Work with the Bracknell Regeneration Partnership and other landowners to deliver comprehensive regeneration, including work to:				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
1.2 regenerate Charles Square				
<i>Supported by the following sub-actions</i>				
1.2.1	Agree a variation to the land and development agreement	June 2012	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.2.2	Implement the Compulsory Purchase Order	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.2.3	Identify opportunities for external funding to support regeneration	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.4 attract new retailers and leisure operators to underpin the regeneration of the Broadway based Northern Retail Quarter and the creation of an '18 hour' economy				
<i>Supported by the following sub-actions</i>				
1.4.1	Provide support to development partners to provide support where required through variations to the land and development agreement	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.4.2	Coordinate the work of the Town Centre Partnership through adoption of a work programme	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.5 Undertake highway improvement works including work at Twin Bridges to enhance accessibility to the town centre				
<i>Supported by the following sub-actions</i>				
1.5.3	Bid for Growing Places funding to support the Bus Station refurbishment	Sept 2012	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.6 Maintain pressure on landowners to rebuild or refurbish unattractive buildings in the town centre				
<i>Supported by the following sub-actions</i>				
1.6.1	Work with landowners and development partners to promote redevelopment and refurbishment, in particular, through frequent contact with town centre landowners	Mar 2012	Assistant Chief Executive	Bracknell Town Centre Masterplan

1.7 Promote residential development in the town centre where viable to take pressure off our countryside to deliver housing				
<i>Supported by the following sub-actions</i>				
1.7.1	Coordinate and seek funding for proposals for residential development at Stanley Walk/Jubilee Gardens	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan

1.8 deliver high quality public realm and public spaces				
<i>Supported by the following sub-actions</i>				
1.8.4	Produce strategic briefs for the Southern Gateway	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.8.5	Produce strategic brief for the Northern Retail Quarter East	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan
1.8.6	Produce strategic brief for Market Square	March 2013	Assistant Chief Executive	Bracknell Town Centre Masterplan

<b>MTO 8: Work with the Police and other partners to ensure Bracknell Forest remains a safe place, including work to:</b>				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
8.1 Continue to seek to reduce overall crime levels, focusing particularly on domestic violence, sexual crimes and burglary				
<i>Supported by the following sub-actions</i>				
8.1.1	Implement the Community Safety Plan priorities	March 2013	Community Safety Manager	Community Safety Plan 2011-2014
8.1.2	Continue to seek to reduce overall crime levels through targeted action on prolific offenders and supporting other targeted projects e.g. Ladybird	March 2013	Community Safety Manager	Community Safety Plan 2011-2014

8.2 Reduce the incidence of anti-social behaviour				
<i>Supported by the following sub-actions</i>				
8.2.1	Agree and implement a co-ordinated programme of action to address anti-social behaviour	March 2013	Community Safety Manager	Community Safety Plan 2011-2014

8.3.1	press for more visible policing	March 2013	Community Safety Manager	Community Safety Plan 2011-2014
8.4 Work with a newly elected police and crime commissioner to maximise the benefits to residents of the borough				
<i>Supported by the following sub-actions</i>				
8.4.1	Support the establishment of the new Police and Crime Panel	November 2012	Community Safety Manager	Community Safety Plan 2011-2014

<b>MTO 9: Sustain the economic prosperity of the Borough</b>				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
9.1 Contribute to the work of the Thames Valley Berkshire Local Enterprise Partnership, including the promotion of inward investment and support for existing firms				
<i>Supported by the following sub-actions</i>				
9.1.1	Promote superfast broadband through the implementation of the Berkshire Broadband plan	March 2013	Assistant Chief Executive	Local Economic Development Strategy

9.2 support the work of the Economic and Skills Partnership to sustain the local economy, in particular by co-ordinating the implementation of the Bracknell Forest Local Economic Development Strategy				
<i>Supported by the following sub-actions</i>				
9.2.1	Promote commercial links to China and other emerging economies, in particular through a programme of engagement, including a business event in September	September 2012	Assistant Chief Executive	Local Economic Development Strategy
9.2.2	Promote Bracknell Forest as a premier business location through a co-ordinated action plan	March 2013	Assistant Chief Executive	Local Economic Development Strategy

<b>MTO 11: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money:</b>				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
11.7 Work with partners and engage with local communities in shaping services				
<i>Supported by the following sub-actions</i>				
11.7.4	Undertake a review of Bracknell Forest Partnership	March 2013	Assistant Chief Executive	Sustainable Community Strategy
11.7.6	Assist members in delivering effective Overview & Scrutiny	March 2013	Head of Overview & Scrutiny	Annual O&S Work Programme

11.8 Implement a programme of economies to reduce expenditure				
<i>Supported by the following sub-actions</i>				
11.8.6	Develop proposals to help the Council produce a balanced budget in 2013/14	March 2013	Assistant Chief Executive	-

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# CORPORATE SERVICES

# SERVICE PLAN

April 2012 - March 2013

Executive Members:

Councillor Iain McCracken

Councillor Alan Ward

Councillor Paul Bettison, Leader of the Council

Councillor Mrs Dorothy Hayes

Director:

Alison Sanders

(Final Version – June 2012)

## **Contents:**

<b>Section 1: Services included in this plan</b>	<b>3</b>
<b>Section 2: Where are we now</b>	<b>6</b>
<b>Section 3: Service Delivery</b>	<b>11</b>
<b>Section 4: Medium Term Objectives and Key Actions</b>	<b>14</b>

## **Glossary**

ACE	Assistant Chief Executive
BSol	Borough Solicitor
BT	Borough Treasurer
CO: CS	Chief Officer: Customer Services
CO: FS	Chief Officer: Financial Services
CO: HR	Chief Officer: Human Resources
CO: IS	Chief Officer: Information Services
CO: P	Chief Officer: Property
DCS	Director of Corporate Services
HDRS	Head of Democratic & Registration Services
HCEE	Head of Community Engagement & Equalities
S&PO	Strategy & Partnerships Officer

# Section 1: Services included in this plan

The Corporate Services Department contains eight separate sections responsible for Finance, Information and Communication Technology, Legal Services, Human Resources, Democratic and Registration Services, Corporate Property, Customer Services and Community Engagement and Equalities.

A wide range of functions and activities are carried out within each of these sections, but falling into three main categories:

- Direct public services (e.g. customer services, revenue collection, electoral registration)
- Core management responsibilities (setting standards and ensuring that the organisation functions legally within a robust financial framework and acts as a good employer and that it promotes equality and community cohesion)
- Support to service departments (providing advice and support to front line departments on a wide range of issues and projects, such as IT and property)

## **Customer Services**

The Council needs to have an effective range of ways for customers and residents to contact the council to obtain or provide information, make a service request or make a payment.

Customer Services is the first point of contact for the public with the Council and includes the access channels of reception, telephony services, email and the web. The service deals with around 80% of enquiries to the Council including general enquiries from the public for information, and service requests about a range of services, including waste and recycling, landscaping and trees, highways, school admissions, the e+ card and licensing. Customer Services also includes:

- Revenue Services, responsible for the billing and collection of Council Tax and Business Rates and Cashier Services.
- Web Services, responsible for the public website and the staff intranet.

## **Democratic and Registration Services**

The Democratic and Registration Service is at the heart of local governance. The Service manages core local government functions and supports elected members in both their traditional and emerging roles in order to meet community needs and priorities. Democratic Services manages the Council's formal democratic processes and provides a range of support, information and development activities for elected Members. The Section also supports the Council's key partnership boards and manages the education appeals processes. Electoral Registration is responsible for registering electors and conducting elections and referenda. Registration Services is responsible for Civil Registration (Births, Deaths and Marriages) and the conduct of civil ceremonies including citizenship ceremonies and non-statutory celebratory services. Registration Services also provides the Tell Us Once Service and Nationality and Settlement Checking services. .

## **Community Engagement and Equalities**

The Community Engagement and Equalities team coordinate the work on engagement and consultation across the Council and manage community centres and development work with new communities. The team also leads the coordination of the work on Community Cohesion across the Council and the Equalities Scheme which supports the achievement of the Council's equalities targets.

## **Finance**

The Council faces significant financial challenges as described by the medium term financial plan. It is important, therefore, that the Council has robust financial processes. The Finance section provides financial advice, financial monitoring, accounting, budgeting, banking, auditing, payroll, insurance, creditors and debtors. In addition to these financial services, the section also manages procurement. The section is divided into the following specialist areas: Corporate and Advisory Service, Accounting and Budgeting, Payroll, Treasury Management, Risk Management and Insurance, Internal Audit and Corporate Procurement.

## **Legal Services**

Every major function and service of the Council is closely regulated by statute. For the Council to fulfil its functions and deliver its services it is, therefore, essential that it has high quality legal advice available to it. This is especially so in an era of extensive legislative change, restricted resources and an increasing willingness to challenge decisions relating to allocation of resources. Within this framework the main areas are as follows: Corporate Legal Work, Planning and Litigation, Contracts and Conveyancing, Social Services, Education, Employment Law and Data Protection, Freedom of Information and Information Management.

## **Human Resources**

The Council's human resources policies can help service delivery in the most cost effective way. This entails a strong emphasis on high levels of personal and professional performance through forward looking policies, employee appraisal, appropriate financial rewards and development opportunities. The key activities of the section include; advising on organisational development and workforce planning issues, policy development, industrial relations, contractual and employment law advice, occupational health and welfare, corporate health and safety advice and enforcement with a centralised training unit providing management development and a wide range of learning and development activities across the Council.

## **Information and Communications Technology (ICT)**

ICT is a key enabler of the delivery of a significant number of Council services and it is vital that the Council's use of information and data is in accordance with regulations.

This section is responsible for all aspects of ICT service delivery and provides support to all of the Council's service departments. It works within a corporate framework set by the Council's Information and Communication Technology Strategy. The section has specific teams responsible for providing a service desk, server, desktop and communications operational support, development services, , along with setting strategic direction and project support and acting as a centre of expertise for business process re-design. There are also a number of services provided externally through third party contracts.

## **Corporate Property**

Effective asset management is important to effective service delivery and can support the drive for efficiencies in use of assets. Corporate Property provides a comprehensive property service to the Council, leads the cross service Asset Management Group and manages key elements of the town centre regeneration project.

The Property Services Team manages and maintains a significant investment portfolio of commercial property with an income in excess of £2m. The section carries out property valuations, maintains the Council's property records system and

advises and manages acquisitions and disposals of property in order to support the services provided by the Council.

The Building Group provides a comprehensive building surveying service across the Council, dealing with repairs and maintenance tender documentation, project management for capital projects and negotiating final accounts.

The Operations Unit encompasses Transport, Postal services, Couriers, Print Room and the Facilities team which undertakes all facilities management at the Council's town centre offices and the Commercial Centre.

## Section 2: Where we are now

### **Customer Services**

Customer Services provides the key Council customer access channels through reception areas, telephone, e-mail and the web-site. The service has recently participated in a Socitm benchmarking club which showed broadly average costs with good levels of service.

Customer satisfaction surveys show that over 90% of those surveyed found the service provided by Customer Services through the telephone Contact Centre as good or better, against a target of 80%.

Our website is popular with residents and our goal is to keep the new website as current and accessible as possible. The Better Connected study undertaken by Socitm has put our site in the top 20 in the country with 43% of residents using the site.

A key element of the recently approved Customer Contact Strategy is the development of a Channel Strategy for the Council to reduce cost whilst monitoring satisfaction.

Revenue Services have successfully migrated to a new system in the last year. The service is a member of the CIPFA Benchmarking group for council tax and business rates. Revenue Services are accredited with the quality standard ISO 9001: 2000.

### **Democratic and Registration Services**

Democratic Services has consistently provided effective support to deliver the Council's partnership and neighbourhood agendas. The amount of information provided online has increased and the extensive electronic availability of agendas and minutes has led to a sustained reduction in the circulation of paper copies, supporting environmental and cost reduction initiatives. In addition the year on year increase in the number of meetings supported by the team and in the number of admission appeal hearings has continued.

The Council received Charter Plus status for outstanding work in respect of member development, becoming the first Council in the South East to do so. A full programme of democracy and governance activities was delivered, including a number of sessions with Be Heard and the publication of councillor profiles on the website.

Democratic Services regularly liaises with its users (Members, Officers, external partners and press) to ensure that their needs are met; in particular to ensure that documentation is supplied in a timely fashion and in the required format.

Feedback forms are circulated at committee and council meetings seeking public views on the meeting arrangements and following education appeal hearings.

Democratic Services took part in a number of benchmarking exercises and will be reviewing some aspects of their work as a result.

The Electoral Registration Team successfully delivered the Borough/Parish elections and the Referendum on voting arrangements in May 2011 and preparations are underway for the Police and Crime Commissioner election on the 15 November 2012. The annual canvass to compile the 2011/2012 Register of Electors had a 98.56% response rate on publication on 1 December 2011.

The Registration Team have introduced two new services: a Change of Name Deed Service and a Settlement Checking Service and began offering the Tell Us Once Service to the bereaved from November 2011.

### **Community Engagement and Equalities**

The Directorate takes the lead across the Council for Community Cohesion and Engagement and Equality and Diversity matters. The purpose of this is to harness activity from the whole Council to improve the cohesion of the whole community, with a backdrop of increasing diversity within the borough.

The small Community Engagement and Equalities team work closely with members of the Bracknell Forest Partnership's Community Cohesion and Engagement Working Group, to maximise limited resources by coordinating and increasing the effectiveness, efficiency and impact of community cohesion, engagement and equalities work in the borough. In 2010 the Council attained the Achieving level of the Local Government Equality Framework and was recognised for its improved performance and strong commitment to equality issues. The team also manages the Council's community centres and supports the Community Associations that run them.

Our performance on Community Cohesion measured by the Place Survey 2008, showed that 82% of local people believe that people from different backgrounds get on well together. This result was significantly higher than the all-England average of 76% placing Bracknell Forest in the top quartile nationally. The 2006 result for this target was 81%, which demonstrates that performance has been maintained against a backdrop of a significant increase in diversity within the borough and the economic downturn.

The Institute of Community Cohesion (ICoCo) was commissioned in October 2010 to provide the Council and our partners with a wider picture of changing faith, ethnicity, community and cohesion in the Borough. This confirmed that Bracknell Forest has high levels of community cohesion and good community relations, while the mix of faiths, nationalities and ethnicities is changing and there is a relatively high level of population turnover in Bracknell Forest.

The 2008 Place Survey results were less strong for community engagement; the number of people who feel they can influence decisions is 1% below the national average of 29% and worse than local result of 30% from 2006. 9% of people have been involved in civic participation in last year below national average of 14% and bottom quartile.

The Council came second highest amongst 149 upper tier local authorities in England in a National Survey of Third Sector Organisations conducted by Ipsos Mori on behalf of the Cabinet Office for creating an environment for a thriving third sector in 2009. The survey asked Bracknell Forest's third sector organisations how positive an influence local statutory bodies had over their success.

A resident's survey to be conducted in 2012-13 will provide updated performance information on community cohesion and engagement.

## **Finance Services**

The government's spending plans provide a challenging backdrop against which the Council must develop balanced budgets over the medium term. The team has recently been very focussed on preparing the Council's budget strategy.

Sound financial processes are in place, evidenced by robust budget setting, effective budgetary control and an unqualified audit opinion on the statement of accounts. The team recently successfully completed a major upgrade to the Council's financial system.

Finance is a regular participant in benchmarking clubs, most recently procurement, creditors and treasury management and these help to inform future organisational changes.

Users of the finance service are largely internal and their expectations are established through informal discussion and feedback. Specifically:

- the annual schools survey provides positive feedback on a range of services (e.g. payroll and insurance);
- client questionnaires following the completion of an internal audit generally show a satisfactory response, and
- the district auditor has provided complimentary feedback about the quality of work through his Annual Audit Letter and through presentations to the Governance and Audit Committee.

The procurement function is being continually improved and a recent review by IESE has provided the momentum to move towards a more effective category management approach, to deliver savings, which is now underway.

## **Legal Services**

The Section provides extensive support and guidance on major procurements. Planning and Adult Social Care; each generate considerable volumes of legal work. Data Protection, Freedom of Information and legal advice on Data Security has been a growth area and that trend is expected to continue. There is a developing need for specialist employment law advice. Legal work to facilitate the Town Centre re-development remains the top priority of the section. The recent Localism Act and other legislation will require a significant amount of work to evaluate and disseminate. Most major land disposals are handled in-house and the Council's conveyancing lawyer has been especially busy throughout the past two years.

The large majority of the work of the Legal section is client-department demand led. Almost without exception, the feedback which the section receives about its services is positive. Each year the Borough Solicitor or an Assistant Borough Solicitor attends meetings of the client departments Departmental Management Teams to receive their views on legal services and their thoughts on future demand for Legal Services.

## **Human Resources**

The large scale project to introduce a new pay and rewards structure through the implementation of a revised job evaluation scheme is ongoing. All the job measurement has been completed and the work on a new pay structure is underway. Major resources are still required to progress the project and there are continuing discussions with the unions.

The function has participated for the first time in the CIPFA Benchmarking club in 2011 the results of which were very positive and showed it overall to be cost effective which is valued by managers who access the service; there are areas for improvement which will be addressed in the coming year.

There has been a need to reassess the Council's staffing structures now needed to balance the budget in a very challenging financial environment; the function is at the forefront of managing the Organisational Change Protocol to implement the changes.

A significant part of the HR and Learning & Development assessment of service department requirements is through regular interaction with those departments via the HR Heads of Service mechanism, the Corporate Development forum and the quarterly Chief Officer liaison process.

The Learning & Development function works closely with the corporate body on new approaches to providing relevant services e.g. a middle management competency framework agreed by CMT in late 2010 has been put in place to help meet the organisation's requirements for improving manager's skills and knowledge in key areas.

The Health and Safety function has established a network of internal meetings with departments (and schools) to liaise directly on matters affecting them and to also be used as a problem solving forum.

### **ICT Services**

ICT Services has completed a number of large projects in the past 12 months, most notably the migration from Novell GroupWise to Microsoft Exchange/Outlook. This marks another key milestone in the move to a Microsoft based infrastructure.

ICT Service users are internal and their expectations are met by discussion and service review and feedback. The results of a customer satisfaction survey undertaken by Socitm for the authority in 2009 showed the service is well thought of and highly rated it had the highest customer satisfaction score for a unitary authority. This full survey of all users is undertaken every two years and was repeated in 2011. All customers are given the opportunity to feed back on the service received from the ICT helpdesk as a matter of course.

The authority will be looking to get maximum value from its current IT investment and the current priorities are set out in the ICT Strategy 2012 – 2015.

### **Property Services**

Corporate Property leads a cross Department Asset Management Group in order to ensure property assets are used efficiently and where applicable disposed of to the Council's advantage. Potential sites are currently being considered for recommendation for disposal to support the capital programme.

The team is currently working very closely with Adult Social Care and Health in working up options for the delivery of the Older Person's Accommodation Strategy.

The function has participated for the first time in the CIPFA benchmarking club, and the overall results were positive with broad satisfaction shown by service users. There are areas for improvement which will be addressed in the coming year.

The team is providing advice to other departments to ensure property is used and managed efficiently and is heavily involved in the town centre regeneration project and the Council's Office Accommodation Strategy.

The Property Services Team is putting considerable emphasis on minimising property voids and maximising the income from the commercial portfolio. Feasibilities are being carried out to assess the potential for sale of a number of sites and some sites are being marketed for disposal.

In 2012 the Building Group are implementing a new model of operation following external review. The model is based on a core team concentrating on asset management, reactive maintenance and service contracts and a project management service for Capital Works, which includes Capital Planned Maintenance. The team holds ISO9001 accreditation.

The Integrated Transport Unit, part of the Operations Unit, has carried out annual parental satisfaction surveys on home to school transport since 2008. These have shown a consistently high level of satisfaction with the service averaging 92% either very satisfied or satisfied over three years. 93% of survey respondents were either very satisfied or satisfied with their driver and 85% with their escort. The unit also provides Social Care transport, dial a ride for residents with a Learning Difficulty, fleet management and pool cars for staff.

## Section 3: Service Delivery

All Indicators which will be reported through the Department's Quarterly Service Report are as follows:

Ind Ref	Short Description	Q4 actual	2011/12 Target	2012/13 Target
<b>Customer Services</b>				
L051	Percentage of Council tax collected in year	97.40%	Q1 – 29.40% Q2 – 57.20% Q3 – 85.30% Q4 – 97.70%	Q1 – 29.4% Q2 – 57.2% Q3 – 85.0% Q4 – 97.5%
L052	Cumulative percentage of Council Tax collected for the previous year at 31 March	98.99%	99.00%	99.00%
L053	Percentage of business rates collected in year	98.60%	Q1 – 37.00% Q2 – 64.00% Q3 – 90.00% Q4 – 99.00%	Q1 – 37.0% Q2 – 64.0% Q3 – 90.0% Q4 – 98.0%
L054	Cumulative percentage of business rates collected for the previous year at 31 March	99.85%	98.5%	98.5%
L055	Satisfaction level expressed in survey of telephone contact with Customer Services	93.70%	90.00%	Q1 – 90.00% Q2 – 90.00% Q3 – 90.00% Q4 – 90.00%
L056	Percentage of calls answered within target	83.70%	80.00%	Q1 – 80.00% Q2 – 80.00% Q3 – 80.00% Q4 – 80.00%
<b>Democratic and Registration Services</b>				
L057	Percentage of agendas published 5 clear days prior to a meeting	100.00%	100.00%	Q1 – 100.00% Q2 – 100.00% Q3 – 100.00% Q4 – 100.00%
L058	Percentage of minutes published within 5 clear days of a meeting	68.00%	65.00%	Q1 – 70.00% Q2 – 70.00% Q3 – 70.00% Q4 – 70.00%
L060	Percentage response to the annual canvass	98.56%	98.00%	98.00%
<b>Community Engagement and Equalities</b>				
NI 001	Percentage of people who believe people from different backgrounds get on well together in their local area (Biennially (every two years))	N/A	N/A	83%
NI 004	Percentage of people who feel they can influence decisions in their locality (Biennially (every two years))	N/A	N/A	30%
NI 006	Participation in regular volunteering (Biennially (every two years))	N/A	N/A	22%
NI 023	Perceptions that people in the area treat one another with respect and consideration	N/A	N/A	30%
<b>Finance</b>				
BV 008	Percentage of invoices paid within 30 days	92.0%	95.00%	Q1 – 95.00% Q2 – 95.00% Q3 – 95.00% Q4 – 95.00%
L064	Debt outstanding as percentage of gross debt (Quarterly)	11.00%	12.00%	Q1 – 10.00% Q2 – 10.00% Q3 – 10.00% Q4 – 10.00%
L065	Return on investments	0.96%	0.90%	Q1 – 0.5% Q2 – 0.5%

				Q3 – 0.5% Q4 – 0.5%
<b>Legal Services</b>				
L084	Number of section 106s completed	17		N/A
L085	Amount of money recovered in debt collection	174,129	Q1 – £30,000 Q2 – £30,000 Q3 – £15,000 Q4 – £25,000	N/A
L086.1	Percentage of Freedom of Information requests refused because information is publically available	12%	N/A	N/A
L086.2	Percentage of Freedom of Information requests refused because the time limit would be exceeded	5%	N/A	N/A
L086.3	Number of Freedom of Information requests received	249	N/A	N/A
L087	Percentage of time recorded as chargeable time	14	20%	70%
L088	Number of leases completed	64.00%	N/A	N/A
<b>Human Resources</b>				
BV 012	Average number of working days lost to sickness, Council wide	7.64	6.90	6.75
BV 014	Percentage of early retirements as a percentage of total employees, Council wide	0.67%	0.20	N/A
L066	Top five percent earners – women, Council wide	35.60%	32.00%	32:00%
L067	Top five percent earners - minority ethnic communities, Council wide	4.64%	4.50%	4.50%
L068	Top five percent earners - with disability, Council wide	4.64%	6.00%	6.00%
L069	Percentage of ill-health retirements, Council wide	0.20%	0.05%	N/A
L070	Percentage of employees with a disability, Council wide	1.55%	2.00%	2.00%
L071	Percentage of black and ethnic minority employees, Council wide	3.89%	4.00%	4.50%
L072	Gender pay gap, Council wide	18.25%	18.00%	18.00%
L073	Average number of off the job training days per employee, Council wide	3.4	3.5	3.5
L074	Average amount spent on training per employee, Council wide	375.00	£375.00	£350.00
L130	Percentage staff turnover, Council wide	19.09%	11.50%	N/A
L131	Percentage of staff leaving within one year of starting , Council wide	34.57%	20.00%	20.00%
<b>Information and Communications Technology (ICT)</b>				
L078	ICT User satisfaction - service user survey	5.25	5.19	5.25
L079	Resolution of reported ICT incidents	91%	94%	94%
L080	ICT Project management - 5 metrics	93.00%	80.00%	80.00%
L082	ICT service availability - percentage of time service is available for use	99.25%	100%	Q1 – 99.00% Q2 – 99.00% Q3 – 99.00% Q4 – 99.00%
<b>Corporate Property</b>				
BV 156	Percentage of buildings open to the public which are suitable for and accessible to disabled people	83.00%	87.80%	90.00%
L059	Percentage of post sent second class	97.00%	95.00%	Q1 – 95.00% Q2 – 95.00% Q3 – 95.00% Q4 – 95.00%

L075	Number of commercial property voids	3.98	8.00%	6.00%
L076	Planned maintenance spend	88.50%	Q1 – 12% Q2 – 37% Q3 – 64% Q4 – 95%	Q1 – 12% Q2 – 37% Q3 – 60% Q4 – 95%
L077	Staff Cleaning Surveys result carried out every six months	Q1 - 68.94% Q3 – 70.95%	N/A	Q1 – 68% Q3 – 68%

Note: Key indicators are identified by shading

## Section 4: Medium Term Objectives and Key Actions

<b>MTO 1: Regenerate Bracknell Town Centre</b>				
Work with the Bracknell Regeneration Partnership and other landowners to deliver comprehensive regeneration, including work to:				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
1.9 implement an Accommodation Strategy to rationalise the number of buildings used by the Council				
<i>Supported by the following sub-actions</i>				
1.9.1	Implement accommodation Strategy to rationalise the number of buildings used by the Council	31/03/2013	Programme Manager	Accommodation Strategy
1.9.2	ICT work plan to support new ways of working and Accommodation moves	31/03/2013	CO: IS	ICT Strategy Accommodation Strategy
1.9.3	Corporate Property to manage all building contracts resulting from implementation of Accommodation Strategy and to arrange disposals in accordance with the Development Agreement..	31/03/2013	CO:P	Accommodation Strategy
1.9.4	establish Time Square as the primary town centre reception service area by moving customer-facing staff currently in Easthampstead House to the ground floor of Time Square north	31/03/2013	CO: CS	Accommodation Strategy

<b>MTO 11: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money:</b>				
<b>Ref</b>	<b>Key Action Description</b>	<b>By when</b>	<b>Lead Officer</b>	<b>Links to related strategies/plans</b>
11.1 ensure services use resources efficiently and ICT and other technologies to drive down costs				

<i>Supported by the following sub-actions</i>				
11.1.1	procure and implement regional Public Service Network through project Unicorn in conjunction with other local authorities	31/10/2012	CO: IS	ICT Strategy
11.1.2	ensure Council buildings are fully utilised, dealing with vacant accommodation as appropriate, taking into account market conditions and other possible Council uses	31/03/2013	CO: P	Asset Management Plan

11.2 ensure staff and elected members have the opportunities to acquire the skills and knowledge they need

<i>Supported by the following sub-actions</i>				
11.2.1	review the Member Development Strategy and deliver a comprehensive Member Development Programme	31/03/2013	HDRS	Member Development Strategy
11.2.2	create a minimum of six new e-learning packages available in the Council's e-learning zone per annum	31/03/2012	CO: HR	Workforce Development Strategy
11.2.3	deliver a minimum of one Institute of Leadership and Management award programme for managers at both level 3 and level 5 per annum	31/03/2013	CO: HR	Workforce Development Strategy

11.3 publish information about the Council to promote openness and cost-effectiveness and accountability

<i>Supported by the following sub-actions</i>				
11.3.1	Increase published information on Council web pages for frequently requested Freedom of Information (FOI) data	31/07/2012	Bsol	Information Management Strategy
11.3.2	complete review of position on data sets in Data Transparency Best Value Guidance and implement recommendations from the Information Management Group	31/10/2012	Bsol	Information Management Strategy

11.4 ensure residents have fair access to the services they need

<i>Supported by the following sub-actions</i>				
11.4.1	develop Equality Scheme 2012-16 action plan and monitor its implementation	31/03/2013	HCEE	Equalities Scheme
11.4.2	carry out a feasibility study to increase access to marriage/civil partnership ceremonies outside core hours	31/03/2013	HDRS	Localism Act
11.4.3	Corporate Property to continue implementing the programme to improve public access to Council buildings to 90%	31/03/2013	CO: P	Asset Management Plan,  Equalities Scheme

11.5 develop appropriate and cost effective ways of accessing council services

<i>Supported by the following sub-actions</i>				
11.5.1	identify where "avoidable contact" with customers exists and take appropriate action to minimise waste in processes	31/03/2013	CO: CS	Customer Contact Strategy  Contact Channel Strategy
11.5.2	extend the range of online and	31/03/2013	CO: CS	Customer Contact Strategy

	transactional services which may be used by customers on a 24/7 basis to support channel shift			Contact Channel Strategy
11.5.3	use automated speech recognition with the telephony system to improve speed of access to service	30/09/2012	CO: CS	Customer Contact Strategy Contact Channel Strategy

11.7 work with partners and engage with local communities in shaping services

*Supported by the following sub-actions*

11.7.1	develop a new Partnership Community Engagement Strategy	31/03/2013	HCEE	Community Engagement Strategy
11.7.2	implement the Council's new approach of the Neighbourhood Engagement	31/03/2013	HCEE	Community Engagement Strategy
11.7.3	Implement corporately consultation software to improve the transparency and quality of consultations	31/03/2013	HCEE	Community Engagement Strategy

11.8 implement a programme of economies to reduce expenditure

*Supported by the following sub-actions*

11.8.1	update the Medium Term Financial Strategy to include changes to the local government finance regime, strategic policy changes and lead on the development of the Council's annual budget	31/03/2013	BT	Medium Term Financial Strategy
11.8.2	monitor the delivery of the annual budget and produce the financial statements, having regard to	30/09/2012	BT	Medium Term Financial Strategy

	recommendations made by the external auditor			
11.8.3	implement the necessary organisational change processes in line with service changes	31/03/2013	CO: HR	
11.8.4	Develop proposals to help the Council produce balanced budget in 2013/14	March 2013	Director of Corporate Services	

## OVERVIEW AND SCRUTINY COMMISSION 12 JULY 2012

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### EXECUTIVE FORWARD PLAN ITEMS RELATING TO CORPORATE ISSUES Assistant Chief Executive

#### 1 PURPOSE OF REPORT

This report presents current Executive Forward Plan items relating to corporate issues for the Commission's consideration.

#### 2 RECOMMENDATION

- 2.1 **That the Overview and Scrutiny Commission considers the current Executive Forward Plan items relating to corporate issues appended to this report.**

#### 3 SUPPORTING INFORMATION

- 3.1 Consideration of items on the Executive Forward Plan alerts the Commission to forthcoming Executive decisions and facilitates pre-decision scrutiny.
- 3.2 To achieve accountability and transparency of the decision making process, effective Overview and Scrutiny is essential. Overview and Scrutiny bodies are a key element of Executive arrangements and their roles include both developing and reviewing policy; and holding the Executive to account.
- 3.3 The power to hold the Executive to account is granted under Section 21 of the Local Government Act 2000 which states that Executive arrangements of a local authority must ensure that its Overview and Scrutiny bodies have power to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive. This includes the 'call in' power to review or scrutinise a decision made but not implemented and to recommend that the decision be reconsidered by the body / person that made it. This power does not relate solely to scrutiny of decisions and should therefore also be utilised to undertake pre-decision scrutiny.

#### **ALTERNATIVE OPTIONS CONSIDERED/ ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS/ EQUALITIES IMPACT ASSESSMENT/ STRATEGIC RISK MANAGEMENT ISSUES / OTHER OFFICERS/ CONSULTATION – Not applicable**

#### Background Papers

Local Government Act 2000

#### Contact for further information

Richard Beaumont – 01344 352283  
e-mail: [richard.beaumont@bracknell-forest.gov.uk](mailto:richard.beaumont@bracknell-forest.gov.uk)

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## OVERVIEW & SCRUTINY COMMISSION

### EXECUTIVE WORK PROGRAMME

<b>REFERENCE</b>	1034497
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**TITLE:** Bracknell Town Centre Regeneration Update

**PURPOSE OF DECISION:** To obtain endorsement and approval to the continuing approach to the Bracknell town centre regeneration.

**FINANCIAL IMPACT:** To be contained within the report.

**WHO WILL TAKE DECISION:** Bracknell Town Centre Regeneration Committee

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** Not applicable.

**DATE OF DECISION:** 9 Jul 2012

<b>REFERENCE</b>	1034467
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**TITLE:** Category Management: Category Strategies - Agency Staff, Construction, Food.

**PURPOSE OF DECISION:** To approve Category Strategies for Agency Staff, Construction and Food.

**FINANCIAL IMPACT:** Revenue savings anticipated.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** Not applicable.

**DATE OF DECISION:** 4 Sep 2012

<b>REFERENCE</b>	I034687
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**TITLE:** Communications Strategy

**PURPOSE OF DECISION:** To approve the Communications Strategy and Action Plan.

**FINANCIAL IMPACT:** To be contained within the report.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** DMTs

Overview & Scrutiny

Members

**METHOD OF CONSULTATION:** Meetings

**DATE OF DECISION:** 4 Sep 2012

<b>REFERENCE</b>	I034457
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**TITLE:** Complaints against Bracknell Forest Council 2011/12

**PURPOSE OF DECISION:** To brief the Executive about complaints made against the Council in 2011/12, as part of the ongoing work to be responsive to residents' concerns, in pursuit of Medium Term Objective 11.

**FINANCIAL IMPACT:** No financial implications within the report

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** Corporate Management Team

**METHOD OF CONSULTATION:** Consultation carried out on the draft information report

**DATE OF DECISION:** 4 Sep 2012

<b>REFERENCE</b>	I036131
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**TITLE:** Corporate Performance Overview Report

**PURPOSE OF DECISION:** To inform the Executive of the Council's performance over the first quarter of 2012/13.

**FINANCIAL IMPACT:** No financial implications

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** None

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 4 Sep 2012

<b>REFERENCE</b>	I034386
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**TITLE:** Postal Service - Award of Contract

**PURPOSE OF DECISION:** To award the contract for the Councils Postal Service for the next 3 years.

**FINANCIAL IMPACT:** The Financial implications will be detailed in the Director of Corporate Services Report.

**WHO WILL TAKE DECISION:** Executive Member for Transformation & Finance, Director of Corporate Services

**PRINCIPAL GROUPS TO BE CONSULTED:** CMT , the Service Efficiency Group and other other key postal users across the Council. Bracknell Sports Centre and Revenue Services have already been consulted.

**METHOD OF CONSULTATION:** Representatives from Procurement and the Central Post Team form part of the Project team and will be responsible for ensuring that particular areas are adequately consulted.

**DATE OF DECISION:** 24 Sep 2012

<b>REFERENCE</b>	I032936
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**TITLE:** Discretionary Rates Relief - New Applications

**PURPOSE OF DECISION:** To consider new applications for discretionary rate relief and hardship relief.

**FINANCIAL IMPACT:** Within existing budget.

**WHO WILL TAKE DECISION:** Executive Member for Culture, Corporate Services and Public Protection

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 30 Sep 2012

<b>REFERENCE</b>	I035977
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**TITLE:** 'All of Us' in Bracknell Forest - A Corporate Strategy for Promoting Community Cohesion 2008/09 - 2011/12

**PURPOSE OF DECISION:** To approve the Council's final report on the 'All of Us' Community Cohesion Strategy.

**FINANCIAL IMPACT:** No financial implications

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:**

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 13 Nov 2012

<b>REFERENCE</b>	I034741
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**TITLE:** Capital Budget 2013/14

**PURPOSE OF DECISION:** To approve the Council's capital budget proposals for consultation.

**FINANCIAL IMPACT:** Council's annual budget proposals.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Over 50's Forum, 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.

**METHOD OF CONSULTATION:** The Council's web site, a dedicated mailbox and a letter to all business ratepayers.

**DATE OF DECISION:** 11 Dec 2012

<b>REFERENCE</b>	I036141
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**TITLE:** Corporate Performance Overview Report

**PURPOSE OF DECISION:** To inform the Executive of the Council's performance over the second quarter of 2012/13

**FINANCIAL IMPACT:** No financial implications

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** None

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 11 Dec 2012

<b>REFERENCE</b>	I034610
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**TITLE:** Draft Revenue Budget 2013/14

**PURPOSE OF DECISION:** To approve the Council's budget proposals for consultation.

**FINANCIAL IMPACT:** The financial implications will be set out in the report on the proposals.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Over 50's Forum, the Schools Forum, Parish Councils and voluntary organisations. In addition, the 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.

**METHOD OF CONSULTATION:** The Council's web site, a dedicated mailbox and a letter to all business ratepayers.

**DATE OF DECISION:** 11 Dec 2012

<b>REFERENCE</b>	I032938
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**TITLE:** Discretionary Rates Relief - New Applications

**PURPOSE OF DECISION:** To consider new applications for discretionary rate relief and hardship relief.

**FINANCIAL IMPACT:** Within existing budget.

**WHO WILL TAKE DECISION:** Executive Member for Culture, Corporate Services and Public Protection

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 31 Dec 2012

<b>REFERENCE</b>	I034983
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**TITLE:** Contract Award for Insurance Services

**PURPOSE OF DECISION:** To seek endorsement of the recommendation of the procurement panel, following an evaluation of the tenders in relation to insurance services received in accordance with the criteria set out in the procurement plan.

**FINANCIAL IMPACT:** Within existing budgets

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** Not applicable.

**DATE OF DECISION:** 8 Jan 2013

<b>REFERENCE</b>	I034743
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**TITLE:** Capital Budget 2013/14

**PURPOSE OF DECISION:** To recommend to Council the annual capital budget.

**FINANCIAL IMPACT:** Council's annual budget.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** The Council's web site, a dedicated mailbox and a letter to all business ratepayers.

**METHOD OF CONSULTATION:** Targeted consultation exercises will be undertaken with business rate payers, the Over 50's Forum, 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

**DATE OF DECISION:** 12 Feb 2013

<b>REFERENCE</b>	I034612
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**TITLE:** Revenue Budget 2013/14

**PURPOSE OF DECISION:** To recommend to Council the annual budget.

**FINANCIAL IMPACT:** The financial implications will be set out in the report on the proposals.

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Over 50's Forum, 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.

**METHOD OF CONSULTATION:** The Council's web site, a dedicated mailbox and a letter to all business ratepayers.

**DATE OF DECISION:** 12 Feb 2013

<b>REFERENCE</b>	I036145
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**TITLE:** Corporate Performance Overview Report

**PURPOSE OF DECISION:** To inform the Executive of the Council's performance over the third quarter of 2012/13.

**FINANCIAL IMPACT:** No financial implications

**WHO WILL TAKE DECISION:** Executive

**PRINCIPAL GROUPS TO BE CONSULTED:** None

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 12 Mar 2013

<b>REFERENCE</b>	I032940
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**TITLE:** Discretionary Rates Relief - New Applications

**PURPOSE OF DECISION:** To consider new applications for discretionary rate relief and hardship relief.

**FINANCIAL IMPACT:** Within existing budget.

**WHO WILL TAKE DECISION:** Executive Member for Culture, Corporate Services and Public Protection

**PRINCIPAL GROUPS TO BE CONSULTED:** None.

**METHOD OF CONSULTATION:** None

**DATE OF DECISION:** 29 Mar 2013

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