

NOTICE OF MEETING

Overview and Scrutiny Commission

Wednesday 30 January 2013, 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

Church Representative Members (Voting in respect of education matters only)

Two Vacancies

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

Mrs C Murray and One Vacancy

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 Function Room, Easthampstead House

ALISON SANDERS
Director of Corporate Services

EMERGENCY EVACUATION INSTRUCTIONS

- 1 If you hear the alarm, leave the building immediately.
- 2 Follow the green signs.
- 3 Use the stairs not the lifts.
- 4 Do not re-enter the building until told to do so.

If you require further information, please contact: Ron Schrieber
Telephone: 01344 352060
Email: ron.schrieber@bracknell-forest.gov.uk
Published: 22 January 2013



**Overview and Scrutiny Commission
Wednesday 30 January 2013, 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 meeting of the Overview and Scrutiny Commission held on 22 November 2012. 1 - 8
3. **Declarations of Interest and Party Whip**
Members are requested to declare any Personal Interests including the existence and nature of the Party Whip. Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days
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. **Appointment of Parent Governor Representative**
To appoint Mr Robin Briscoe to the Children, Young People and Learning Overview and Scrutiny Panel. 9 - 12
6. **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.
7. **The Council's Budget Consultation**
To consider the Council's draft budget proposals for 2013/14: 13 - 66
 - a) Corporate Services Department
 - b) Chief Executive's Office
 - c) Feedback from Overview and Scrutiny Panels and overall conclusions.

Holding the Executive to Account

8. Executive Key and Non-Key Decisions

To consider scheduled Executive Key and Non-Key Decisions relating to corporate issues. 67 - 80

Overview and Policy Development

9. Overview and Scrutiny of the Bracknell Forest Partnership

To reaffirm the Commission's decision on 28 October 2010 concerning Overview and Scrutiny of the Bracknell Forest Partnership. 81 - 82

10. Review of Preparations for the Community Infrastructure Levy

To consider and adopt the report of the Commission's Working Group which reviewed the preparations for Community Infrastructure Levy. 83 - 126

11. Work Programme Update

To note the progress against the Overview and Scrutiny work programme for 2012-13. 127 - 132

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

12. 2013/14 Overview and Scrutiny Work Programme

To suggest items to be included in the Commission's Work Programme for 2013/14. The 2012/13 Work Programme is attached for reference. 133 - 136

The next planned meeting of the Overview and Scrutiny Commission will be on 28 March 2013.

This page is intentionally left blank



**OVERVIEW AND SCRUTINY COMMISSION
22 NOVEMBER 2012
7.30 - 10.15 PM**

Present:

Councillors Leake (Chairman), Angell (Vice-Chairman), Mrs Angell, Mrs Birch, Finnie, Harrison, Heydon, McLean and Turrell

Apologies for absence were received from:

Councillors Ms Brown, Gbadebo and Virgo
Mrs C Murray, Parent Governor Representative

In Attendance:

Richard Beaumont, Head of Overview and Scrutiny
David Cook, Chairman, Economic and Skills Development Partnership
Simon Heard, Assistant Borough Solicitor
Bobby Mulheir, Chief Officer, Customer Services
Victor Nicholls, Assistant Chief Executive
Alison Sanders, Director of Corporate Services

28. Minutes and Matters Arising

The minutes of the meeting of the Overview and Scrutiny Commission held on 13 September 2012 were approved as a correct record and signed by the Chairman.

29. Declarations of Interest and Party Whip

Councillor Mrs Birch declared a personal interest as the spouse of the Executive Member for Adult Social Care, Health and Housing.

Councillor Leake declared a personal interest, as a Binfield Parish Councillor, in the Executive decision relating to Binfield Nursery (see Minute 35 below).

30. Public Participation

There were no items submitted under the Public Participation Scheme.

31. Economic and Skills Development

David Cook, Chairman of the Economic and Skills Development Partnership (ESDP) and Victor Nicholls, Assistant Chief Executive, gave a presentation on the work of the Partnership. The Chairman commented that the Executive Member, Councillor Brunel-Walker, had been invited to the meeting but had been unable to attend due to work commitments abroad.

They reported that the Partnership had increased its business representation and had identified five priority areas:

- Education and Skills
- Infrastructure
- Inward Investment
- Community
- Communications

Mr Cook reported that, since becoming Chairman, he had tried to bring business process to Partnership meetings. Each Sub-Group had a Chair who reported back on progress to the Partnership with the work being done outside of the meetings.

Arising from Members' questions and comments, the following points were noted:

- Two careers events had been held this year (in January and October) and all of the Borough secondary schools had sent all of their Year 9 and 11 pupils to at least one of the events.
- The relationship between the ESDP and the Local Enterprise Partnership (LEP) was positive. Mr Cook was also Director of the LEP and reported that the LEP sought to persuade government of the need to invest in the economic powerhouse of the South East of England, and attracted inward investment into Berkshire, whilst the ESDP sought to bring that investment into Bracknell
- The ESDP was working with the National Apprenticeship Service to encourage greater take up of apprenticeships as there were currently more apprenticeships available than applicants.
- It was acknowledged that the long rail journey time to London put Bracknell at a disadvantage that would be exacerbated with the advent of Crossrail. However the ESDP was promoting Bracknell as a good place to do business with good links to Heathrow, good road connectivity and vacant office space with relatively low rents. Superfast Broadband was a significant initiative to improve local infrastructure. One member commented on patchy broadband connectivity along the train route to Waterloo, and the Assistant Chief Executive undertook to follow that up.
- There was a mismatch between employers' requirements and the skills of students leaving schools and colleges. The UK did not value engineering and technical qualifications as highly as other countries, and some employers said that job applicants were not 'work ready' in terms of essential skills such as communication and team working. There needed to be more dialogue between business and education but there was no short term solution as schools were measured by performance indicators which were not based on the world of work.
- Current employment opportunities included logistics, hospitality and catering. Such services tended to be sourced locally, unlike recruitments from Higher Education, which tended to be met at a national level.
- It was noted that the Principal of Bracknell and Wokingham College and a representative of the Local Education Authority were members of the ESDP.

With regard to future action it was agreed that the Partnership and the Local Authority should do all they could to generate confidence and positively market the whole Borough of Bracknell Forest as a place to do business. It was also suggested that Mr Cook should attend the Annual Bracknell School Governors Conference.

The Commission thanked Mr Cook and the Assistant Chief Executive for their informative presentation.

32. **Customer Contact Channel Strategy**

The Chief Officer: Customer Services gave a presentation on the Customer Contact Channel Strategy which had been approved by the Executive in May. She also tabled a summary of work completed, in progress and to begin in order to implement the Action Plan.

She reported that the overarching aims of the Strategy were:

- To review inbound customer contact and to develop and implement a channel strategy so that customers are encouraged, where appropriate, to make maximum use of online services.
- To realise the potential of outbound proactive communication to promote services, maximise income and reduce inbound “avoidable” contact.
- To take advantage of existing and emerging technologies to support customer service delivery.
- To provide quality customer services which are cost efficient and value for money.

Arising from Members’ questions and comments, the following points were noted:

- Whilst new technology could be used to contact the public, it was for the customers to determine what information they received and the means of communication.
- Whilst customers would be encouraged to use new technology to contact the Council, existing channels would still be available.
- The Council was looking to upgrade/replace its Customer Relationship Management software to improve performance and the quality of service provided to the public (see also Minute 34 below).
- Whilst the increasing use of new technology rather than face to face or telephone contact would inevitably lead to a reduction in staffing, the emphasis was on adding real value to the service provided and reducing the time spent on routine inquiries.

Members congratulated the Web Team on the new website layout.

Members were invited to visit the Customer Contact Centre to find out more about the inquiries received and the service provided.

The Commission thanked the Chief Officer: Customer Services for her presentation.

33. **Community Right to Challenge**

The Commission considered a report on the steps being taken to respond to the requirements of the Community Right to Challenge, discussed some implications for the Council’s procurement timetables and proposed a means of complying with those requirements while affording relevant bodies a proper opportunity to make Expressions of Interest in running services for the Council.

The Assistant Borough Solicitor reported that it was proposed to set out a timetable of the windows in which the Council would be prepared to consider expressions of interest and to align the window with planned procurements for the following year for services which were not currently outsourced or provided externally. It was anticipated that there would be a three month window commencing on 1st January

and ending on 31st March each year. It was also intended to publish the timetable of future contact renewals on the web site giving a similar window for a period of three months, ending one year before the renewal date of the contract to be renewed. This was to give sufficient time for all the procedural requirements of procurement to be undertaken, in the knowledge that a local community or voluntary organisation may wish to bid for a service.

Arising from Members' questions and comments, the following points were noted:

- No expressions of interest had been received to date.
- Receipt of an expression of interest triggered the procurement process. This would involve an assessment of what constitutes value for money.
- The operation of the timetable would be subject to review.
- In response to a Member's question about the grounds on which expressions of interest could be rejected, it was agreed to send him a copy of the previous report on this matter submitted to the Committee on 12 July 2012.

The Commission agreed to the proposed approach and timetable of the windows in which the Council would be prepared to consider expressions of interest, and asked for a progress report at a future meeting.

34. Quarterly Service Reports (QSR) 2012/13

The Commission noted the Quarterly Service Reports for the Chief Executive's Office and Corporate Services for the second quarter, July to September, 2012/13

Arising from Members' questions and comments, the following points were noted:

a) Chief Executive's Office

- The target detection rate for domestic abuse assaults with injury had not been achieved. The Assistant Chief Executive reported that the reasons for this were unclear but might be partly due to increased reporting. Four police officers were to receive specialist training to work with the most prolific repeat perpetrators of domestic abuse and it was anticipated that this would help to improve the detection rate.

It was agreed that the newly elected Police and Crime Commissioner for the Thames Valley should be invited to a future Commission meeting.

b) Corporate Services

- It was noted that there were no current performance targets for Legal Services. The Director of Corporate Services reported that this was because it was not possible to predict activity (e.g. the number of s106 agreements completed) for a particular period. Actual performance data would continue to be provided.
- The target date for completion of the Section 106 Agreement for the town centre redevelopment was the end of January 2013.
- It was noted that the income received from the indoor market continued to fall. It was reported that a different form of market would be provided within the new town centre. Existing stall holders had been offered the temporary use of currently vacant shops but had not accepted.

- The Charter Plus Direction of Travel Assessment for Member development had been completed and South East Employers had confirmed that they were happy with the progress made. Members complimented the officers who had worked to achieve this.
- The vacant ICT posts had been filled.
- Customer Services were continuing to experience difficulties with the Customer Relationship Management system which had slowed the speed of response to customer calls. Consideration was being given to procuring a new software supplier.

35. **Executive Key and Non-Key Decisions**

The Commission considered scheduled Executive decisions relating to corporate issues and the following points were noted:

- The Director of Corporate Services reported that the recommendation regarding Binfield Nursery would be to continue negotiations with preferred bidders. It was agreed to amend the schedule to more accurately reflect the nature of the decision.
- It was agreed to circulate details of proposed changes in the Council's policy on directed surveillance and use of covert human intelligence sources, which had arisen from revised government regulations, to Members of the Working Group.
- The public consultation on the draft revenue budget 2013/14 would make reference to the uncertainty around future Government support.
- The Executive would be recommending to Council proposed changes to Council tax discounts and exemptions. It was agreed to amend the schedule to more accurately reflect the nature of the decision.
- Members were to receive a private briefing on changes being made to the office accommodation strategy

Councillor Leake declared a personal interest, as a Binfield Parish Councillor, in the Executive decision relating to Binfield Nursery.

36. **Work Programme Update**

The Commission received a report setting out a summary of progress made against the work programme for 2012/13 together with verbal updates from Panel Chairmen.

It was agreed to circulate the Community Infrastructure Levy project timetable to Members.

Adult Social Care and Housing

- The Substance Misuse Working Group report would be published before the next Panel meeting.

Health

In the Chairman's absence, the Head of Overview and Scrutiny responded to Members' questions as follows:

- The Health Scrutiny Panel had not met formally with Patient Participation Groups but they had met General Practitioners, and a representative of the Bracknell Forest Local Involvement Network had been co-opted onto the Panel.

- The Working Group had met yesterday to agree their approach to producing a joint response with the Executive to the “Shaping the Future” consultation. A series of public meetings were to be held. The Joint East Berks/Bucks Scrutiny Committee would be meeting in January to formulate its response.

CHAIRMAN

ACTIONS TAKEN: OVERVIEW AND SCRUTINY COMMISSION MEETING – 22 NOVEMBER 2012

<u>Minute Number</u>	<u>Action Required</u>	<u>Action Taken</u>
33. Community Right to Challenge	Send Cllr Turrell copy of 12 July 2012 report.	Sent to Cllr Turrell 27 November
34. Quarterly Service Reports (QSR) 2012/13	Invite Thames Valley Police and Crime Commissioner to a Future Meeting.	Councillor Stansfeld, the new Commissioner, has accepted an invitation to the Commission's meeting on 28 March 2013
35. Executive Key and Non-Key Decisions	Details of Proposed Changes in the Council's Policy on Directed Surveillance and Use of Covert Human Intelligence Sources to be circulated to Members of Working Group.	Sent to members of former Working Group on 27 November.
36. Work Programme Update	Community Infrastructure Levy Project Timetable to be circulated to Members.	Sent to Commission members on 23 November

This page is intentionally left blank

**TO: OVERVIEW & SCRUTINY COMMISSION
30 JANUARY 2013**

**APPOINTMENT OF PARENT GOVERNOR REPRESENTATIVE TO THE CHILDREN,
YOUNG PEOPLE & LEARNING OVERVIEW AND SCRUTINY PANEL
Assistant Chief Executive**

1 PURPOSE OF REPORT

- 1.1 Legislation stipulates that local authorities operating executive arrangements must appoint at least two and not more than five parent governor representatives to each Overview & Scrutiny (O&S) committee and sub-committee whose functions relate wholly or partly to any education functions.
- 1.2 The Children, Young People & Learning O&S Panel has responsibility for these functions. The O&S Commission also shares some responsibility for these functions. A vacancy for a Primary school parent governor has arisen consequent on the resignation of Suzanne Cauchi.

2 RECOMMENDATION

- 2.1 **That, subject to Council's decision on 23 January, the Overview and Scrutiny Commission appoint Mr Robin Briscoe as a parent governor representative to the Children, Young People & Learning Overview and Scrutiny Panel for a term of office of four years.**

3 REASON FOR RECOMMENDATION

- 3.1 To ensure that through this representative parents are able to represent to the local authority the main education issues which concern parents or pupils of schools maintained by the Authority and to feedback to parents the Authority's discussions of, and decisions on, education.

4 SUPPORTING INFORMATION

- 4.1 The Council's Constitution stipulates that Council will appoint members of the Overview and Scrutiny (O&S) Commission, and the O&S Commission shall appoint members of the O&S Panels.
- 4.2 At its meeting on 23 January, Council is being invited to appoint Mr Robin Briscoe, a Parent Governor at Sandy Lane Primary School as a parent governor representative to the O&S Commission for a term of office of four years.
- 4.3 On 17 July 2008, the O&S Commission agreed that two parent governors should be appointed to both the Children, Young People and Learning O&S Panel previously known as Social Care & Learning and the O&S Commission respectively, one primary school and one secondary school parent governor, with a term of office of four years each.
- 4.4 One vacancy currently exists on the Children, Young People & Learning Overview & Scrutiny Panel and the Overview & Scrutiny Commission respectively, for a primary school parent governor representative. This vacancy arose as a result of the

resignation of Suzanne Cauchi as a parent governor representative in October 2012. In line with the Parent Governor Representative (England) Regulations 2001 and the Supplementary Guidance, in November 2012, letters were sent to all parent governor representatives in the Borough inviting nominations for the vacancy and the opportunity to participate in local decision making was promoted through the Council's web pages and the Governor newsletter.

- 4.5 Two nominations were received and a postal ballot was held during December 2012 and closed on 7 January 2013. 41 ballot papers were counted on Tuesday 8 January 2013. The successful candidate was Robin Briscoe who is currently a parent governor at Sandy Lane Primary School.
- 4.6 Parent governor representatives are elected by fellow parent governors and have voting rights relating to any education matter considered by the O&S Commission or the Children, Young People & Learning O&S Panel.
- 4.7 The role of a parent governor representative is to:
- act as an apolitical voice for parents in the area; representing to the local authority the main education issues which concern parents or pupils of schools maintained by the Authority,
 - liaise with other parent governors at their own Authority,
 - attend and contribute to the meetings of the committees to which they are appointed,
 - establish good relations with other members and officers,
 - feedback to parents the Authority's discussions of, and decisions on, education,
 - abide by the Council rules on committee procedure; and
 - act with due propriety according to standards laid down for conduct in local government.

5 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 5.1 The Parent Governor Representative (England) Regulations 2001 require between two and five parent governor representatives to be appointed, to an overview and scrutiny committee or sub-committee having education within its remit. Such representatives are to be elected in accordance with regulations.

Borough Treasurer

- 5.2 Parent governor representatives are eligible to claim an allowance of £291 per annum as well as being eligible to claim travel expenses when attending meetings or training outside of the borough. The cost can be met from within existing budgets.

Equalities Impact Assessment

- 5.3 Not applicable.

Strategic Risk Management Issues

- 5.4 None.

6 CONSULTATION

Principal Groups Consulted

6.1 Primary Parent Governors.

Method of Consultation

6.2 Letter, internet promotion and Parent Governor Newsletter.

Representations Received

6.3 Two nominations received and 41 postal votes returned.

Background Papers

Parent Governor Representative (England) Regulations 2001

Contact for further information

Kirsty Hunt, Principal Democratic Services Officer (Governance) – 01344 353108

kirsty.hunt@bracknell-forest.gov.uk

Richard Beaumont, Head of Overview & Scrutiny – 01344 352283

richard.beaumont@bracknell-forest.gov.uk

This page is intentionally left blank

OVERVIEW AND SCRUTINY COMMISSION 30 JANUARY 2013

DRAFT BUDGET PROPOSALS 2013/14 CORPORATE SERVICES, CHIEF EXECUTIVE'S OFFICE & COUNCIL WIDE (Borough Treasurer)

1 PURPOSE OF REPORT

- 1.1 The Executive agreed the Council's draft budget proposals for 2013/14 at its meeting on 11 December 2012 as the basis for consultation with the Overview and Scrutiny Commission, Overview and Scrutiny Panels and other interested parties. The Executive will consider all representations made at its meeting on 13 February 2013, before recommending the budget to Council.

2 RECOMMENDATION

- 2.1 **That the Overview and Scrutiny Commission comment on the Corporate Services, Chief Executive's Office and Council Wide draft budget proposals for 2013/14.**

3 SUPPORTING INFORMATION

- 3.1 Attached to this report are extracts from the 2013/14 Revenue Budget and Capital Programme reports relating to Corporate Services and the Chief Executive's Office, together with the Council Wide elements of the budget proposals. These extracts are for information and background to assist consideration of the Council's draft budget proposals and comprise:

- Revenue Budget Report
- Commitment Budget
- Draft Revenue Budget Pressures
- Draft Revenue Budget Savings Proposals
- Proposed Fees and Charges
- Capital Programme Report and Summary
- Proposed Capital Schemes

The full 2013/14 Revenue Budget and Capital Programme reports are available on the Council's public website as part of the wider budget consultation (<http://www.bracknell-forest.gov.uk/budgetconsultation>).

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

Background Papers

None

Contacts for further information

Alan Nash: 01344 352180

Alan.nash@bracknell-forest.gov.uk

Arthur Parker – 01344 352158

Arthur.parker@bracknell-forest.gov.uk

TO: THE EXECUTIVE
DATE: 11 DECEMBER 2012

GENERAL FUND REVENUE BUDGET 2013/14
(Chief Executive/Borough Treasurer)

1. PURPOSE OF REPORT

- 1.1 Under the Council's constitution, the Executive is required to consult on its detailed budget proposals with the Council's Overview & Scrutiny Commission and any other interested parties or individuals for a period of at least six weeks. This report summarises the current position on the Council's budget preparations for 2013/14.
- 1.2 The 2013/14 budget process has been characterised by unprecedented levels of uncertainty around the level of central government support and proposed changes to the funding regime (e.g. localisation of business rates). At the time the Executive agenda was published the Provisional Local Government Financial Settlement had not been announced and is not expected until late December. Therefore, in the absence of the provisional settlement, the report is based on a number of assumptions regarding government funding.
- 1.3 All comments received on these budget proposals will be submitted to the Executive on 13 February along with details of the final finance settlement. This will allow the Executive to determine its final budget package and recommend the appropriate Council Tax level to Council, who will formally approve the 2013/14 budget and Council Tax on 27 February 2013.

2 RECOMMENDATIONS

That the Executive:

- 2.1 **Approve the revised Commitment Budget for 2013/14 to 2015/16 at Annexe A;**
- 2.2 **Agree the draft budget proposals for 2013/14 as the basis for consultation with the Overview & Scrutiny Commission and other interested parties or individuals.**
- 2.3 **Agree the Treasury Management Strategy and associated documents at Annexe E and request that the Governance and Audit Committee review each of the key elements.**
- 2.4 **Agree that the 2013-14 Schools Budget be set at the estimated level of Dedicated Schools Grant income, with the Executive Member for Children, Young People and Learning authorised to agree budgets for schools and services centrally managed by the Council.**
- 2.5 **Approve the virements relating to the 2012/13 budget as set out in Annexes F and G and recommend those over £0.100m for approval by Council.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The recommendations are designed to allow the Executive to consult on its draft budget proposals for 2013/14 as required by the Local Government Act 2003.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The range of options being considered is included in the report and its Annexes.

SUPPORTING INFORMATION

5 COMMITMENT BUDGET 2013/14 – 2015/16

- 5.1 Initial preparations for the 2013/14 budget have focussed on the Council's Commitment Budget for 2013/14 – 2015/16. This brings together the Council's existing expenditure plans, taking account of approved commitments and the ongoing effects of service developments and efficiencies that were agreed when the 2012/13 budget was set.
- 5.2 A number of changes are proposed to the Commitment Budget since it was last considered by the Executive in July and are reflected in the summary in Table 1. The most significant are set out below:
- Decreases in projected landfill tax and waste disposal costs (-£0.417m).
 - The Council will now be able to make a full pre-payment on its pension fund contributions for a further year and thus earn a higher discount than could be earned through its own investment opportunities (-£0.200m).
 - Increases in the projected Minimum Revenue Provision (£0.405m). This is based on new council financed capital spend divided by the resulting assets life. The latest projection incorporates the latest forecast for capital spend and receipts.
- 5.3 Taking account of these changes, Table 1 summarises the position and shows that base expenditure (excluding schools) is planned to decrease by £0.749m to £71.581m next year, before consideration is given to allowances for inflation and the budget proposals identified by individual Departments in 2013/14. The commitment budget is shown in more detail in Annexe A.

Table 1: Summary Commitment Budget 2013/14-2015/16

	Planned Expenditure		
	2013/14 £000	2014/15 £000	2015/16 £000
Base Budget	72,330	71,581	71,064
<i>Movements in Year:</i>			
Chief Executive / Corporate Services	-10	-72	56
Children, Young People and Learning (excluding schools)	-360	-160	30
Adult Social Care, Health and Housing	-113	-144	-10
Environment, Culture & Communities	-1,083	44	186
Non Departmental / Common	817	-185	50
<i>Total Movements</i>	-749	-517	312
Adjusted Base	71,581	71,064	71,376

6 PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2013/14

- 6.1 Alongside the publication of the 2012/13 Local Government Financial Settlement the Government set out a timetable for a major reform of how Councils are funded. It is widely recognised that England has one of the most centralised local government funding systems in the world and the reforms proposed would try to achieve two key priorities: economic growth and localism.
- 6.2 The reforms centre on the retention of business rates by local authorities, dismantling centralised pooling and the complex funding formulae of the current system. However these reforms will be implemented against a backdrop of significant reductions in public expenditure, and whilst 2013/14 was projected to be the year of minimal reductions (as per Spending Review 2010 Control Totals), it has become clearer over the last few months that additional financial pressures and considerable uncertainties will be faced by the sector as a whole.
- 6.3 The Government's firm proposals in relation to business rates became an Act in November 2012 following the publication of a technical consultation in July 2012. However, as at early December, many of the operational details of the scheme and the all important funding control totals have still not been published. Indeed a fundamental element of the baseline calculation was significantly changed as late as the 22 November 2012. The Chancellor of the Exchequer will make his Autumn Statement on the 5 December, much later than in previous years, and it is expected that the Provisional Local Government Settlement for 2013/14 could be announced as late as the 21 December.
- 6.4 As such the Council has had to make an informed judgement on its future level of funding, recognising the considerable uncertainty that results from such a late settlement announcement. The Council has therefore assumed a 4.5% reduction in general grant, equating to a funding reduction of £1.04m on last year. By way of

comparison, the national reduction in general grant for 2013/14 predicted in the 2010 Comprehensive Spending Review is 2%.

- 6.5 This local forecast makes no assumptions about the £13.7m of Specific grants (principally Early Intervention Grant and Learning Disability & Health Reform Grant) received by the Council. The Council will not know the outcome of these allocations before the Provisional Settlement and as such any changes from the 2012/13 level will have to be considered as part of the next stage in the budget planning process.
- 6.6 Based on the number of additional properties that have been built and liable for Council Tax in the last 12 months, the budget proposals assume an additional New Home Bonus grant of £0.5m. The actual figure will be announced as part of the Provisional Settlement in December.

7 COUNCIL TAX

- 7.1 Following the acceptance of the Council Tax Freeze Grant and the resulting zero increase in both 2011/12 and the current year, Council Tax at present levels will generate total income of £48.812m in 2013/14. In addition a further £0.432m will be generated from an increase in tax base primarily arising from the occupation of new properties during 2013/14.
- 7.2 A surplus will be generated on the collection fund in the current year, primarily due to a reduction in write-offs and the Council's share of this surplus is estimated to be £0.268m.
- 7.3 The Government has again prioritised keeping Council Tax increases to the minimum possible next year. To support this aim, the Department for Communities and Local Government has announced that it will give Councils who agree to freeze or reduce Council Tax in 2013/14 a grant equivalent to a 1% increase in Council Tax. This grant will be provided for two financial years.
- 7.4 The Executive intends to accept the Government's offer to work in partnership with local authorities to protect council tax payers with a council tax freeze, thereby passing on the benefit to the council tax payers for a third consecutive year. The working assumption upon which the proposals in this report are based at this stage, therefore, is that there will be no increase in Council Tax and that the Council will receive additional grant from central Government of £0.492m.
- 7.5 The Local Government Finance Bill makes provision for the localisation of Council Tax Support in England by imposing a duty on all billing authorities to make a Localised Council Tax Benefit Scheme (LCTBS) by the 31 January 2013. The new schemes will operate on the basis of providing a discount on the Council Tax liability depending upon the local criteria established in the LCTBS and will therefore reduce the overall Tax Base. The Council is still developing its scheme proposals and intends to apply for the one-off transitional grant of £0.119m (£0.141m including preceptors) made available by the Department for Communities and Local Government. The scheme will be considered by the Executive on the 8 January 2013 and as such these budget proposals do not allow for the impact, if any, of the LCTBS. At the same meeting in January the Executive will also be considering potential changes to Council Tax exemptions and discounts. At this stage no impact on the Council's budget has been assumed.

- 7.6 The Executive at its meeting in February will recommend to Council the level of Council Tax in light of the final settlement, the results of the consultation and the final budget proposals.

8 BUDGET PROPOSALS 2013/14

Service Pressures and Developments

- 8.1 In the face of significant reductions in public expenditure in general and in grants to Local Government in particular the scope to invest in new service provision is self evidently severely restricted. Nevertheless, it is important to retain a clear focus to ensure that the Council continues to protect and, wherever possible, improve services and to invest in the Borough, focussing on protecting front line services and delivering the Council's Medium Term Objectives. In preparing the 2013/14 draft budget proposals each department has evaluated the potential pressures on its services and these are set out in Annexe B. The following Table summarises the pressures by department.

Table 2: Service Pressures/Development

	£'000
Chief Executive / Corporate Services	137
Children, Young People and Learning (excluding schools)	484
Adult Social Care, Health and Housing	623
Environment, Culture & Communities	155
Council Wide	50
Total Pressures/Developments	1,449

- 8.2 Many of the pressures are simply unavoidable and respond only to changing demographic trends, particularly as they principally relate to increases in children and young people in care, increases in client numbers within Adult Social Care or the economic climate. They do, however, also support the Council's six overarching priorities and medium term objectives in the following way:
- promote health & achievement (£0.5m);
 - create a Borough where people are safe, and feel, safe (£0.5m);
 - sustain economic prosperity (£0.1m).

- 8.3 In addition to these revenue proposals the Council continues to invest in its priorities through targeted capital expenditure, details of which are contained in the capital programme report elsewhere in tonight's agenda.

Service Economies /Balancing the Budget

- 8.4 Since April 2012 the Executive and CMT have held regular meetings to determine options for savings and a list of potential draft budget savings has been developed. This list totals £2.312m and is attached at Annexe C and summarised in Table 3. As in previous years, these economies focus as far as possible on central and departmental support rather than on front-line services. However, since it became a Unitary Authority the Council has successfully delivered savings of around £55m in total. Against this background of continually bearing down on costs and driving to improve efficiency it is becoming increasingly difficult to find further savings in these areas, which would not compromise the Council's ability to function effectively.

Table 3: Summary Service Economies

	£'000
Chief Executive / Corporate Services	436
Children, Young People and Learning (excluding schools)	398
Adult Social Care, Health and Housing	806
Environment, Culture and Communities	672
Total Savings	2,312

Significant Budget Decisions

8.5 Consideration and approval of the budget is a major policy decision. However, the budget, by its nature, includes a range of proposals which in themselves represent significant policy decisions. Examples of these which are included in the overall budget package are the proposals on:

- support for 13-19 year old pupils;
- the Choice Advice Service;
- Early Years, Childcare & Play Graduate Leader Programme;
- Family Information Service (FIS);
- Youth Service;
- Extended Services.

More details on each of these proposals are included in Annexe C.

8.6 As the budget report is a policy document and is subject to six weeks consultation, the identification of these issues within the budget report facilitates detailed consultation on a range of significant policy decisions.

Council Wide Issues

8.7 Apart from the specific departmental budget proposals contained in Annexes B and C there are some Council wide issues affecting all departments' budgets which need to be considered. The precise impact of these corporate budgets is likely to change before the final budget proposals are recommended. However the current view on these issues is outlined in the following paragraphs:

a) Capital Programme

The scale of the Council's Capital Programme for 2013/14 will impact upon the revenue budget and will itself be subject to consultation over the coming weeks. All new spending on services will need to be funded from new capital receipts, government grants, developer contributions or borrowing from internal resources. The proposed Council Funded Capital Programme of £12.190m and externally funded programme of £11.272m for 2013/14 features in a separate report on tonight's agenda. After allowing for projected receipts of approximately £5m in 2013/14, a £1.1m contribution from revenue balances to part fund works at Times Square and carry forwards, but excluding the self-funding Invest to Save schemes, the additional revenue costs will be £0.033m in 2013/14 and £0.394m in 2014/15. These figures include on-going costs associated with the maintenance and support of IT capital purchases.

b) Interest and Investments

After a very uncertain and economically challenging start to the year, there are initial signs that economic growth has returned after three quarters of recession. However the normal economic indicators used to evaluate the financial health of the country have been impacted by a range of unique circumstances, including the Queen's Jubilee and associated additional bank holidays followed closely by the London 2012 Olympics. Inflation has struggled to make further downward progress in the last quarter, and the latest forecasts by the Bank of England suggest it is unlikely to fall below the 2% target over the next 12 months. As a result of the above, GDP posted a quarterly rise of 1% in Quarter 3, however this is unlikely to contribute enough to generate positive growth for the year as whole and as such 2012 is likely to be seen as adding to the worst and slowest recovery from recession of any of the five recessions since 1930. There remain huge uncertainties in economic forecasts due to the following major difficulties:

- the impact of the Euro-zone crisis on financial markets and the banking sector;
- the impact of the UK Government's austerity plan on confidence and growth;
- monetary policy action failing to stimulate growth in western economies
- and the potential for weak growth or recession in the UK's main trading partners – the EU and the US.

The overall balance of risks remains weighted to the downside. Given the weak outlook for economic growth, the prospect for any interest rate changes before the end of 2014 are very limited.

The 2013/14 budget is therefore based on an average rate of return of approximately 1% and reflects the lower cash balances as a result of the 2012/13 and proposed 2013/14 Capital Programme.

The Council can once again make maximum use of the arrangement to make a pre-payment on its pension fund contributions and thus earn a higher discount than could be achieved through its own investment opportunities. With no change in interest rates predicted over the next 18 months, the change in total investment income expected by the Council need only reflect the impact of the capital expenditure in 2013/14 and the actual level of balances that exist on 1st April 2013. The net impact of these is a £0.015m pressure, being £0.033m related to the Capital Programme and additional income of £0.018m from the slightly higher predicted cash balances based on current trends.

There is a risk, however, that the Council's cash-flow will differ from past years as a result of the reforms to the local government funding mechanism (Business Rates Retention). Unfortunately it is too early to predict any impact before the full scheme proposals are published by the government. As such any change in interest rates or cash balances will clearly have an impact on the overall investment income generated by the Council with every 0.1% reduction in the average rate of return adding a £0.022m pressure to the General Fund.

The Council reviews the annual Treasury Management Strategy Statement under the requirement of the 2011 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes (“the CIPFA TM Code”). The Local Government Act 2003 required the Council to “have regard to the Prudential Code and to set Prudential Indicators for the next three years to ensure that the capital investment plans are affordable, prudent and sustainable. Annexe E outlines the Council’s prudential indicators for 2013/14 – 2015/16 and sets out the expected treasury management activities for this period. It is recommended that the Executive agree the Treasury Management Strategy and associated documents and in line with the Code of Practice request that the Governance and Audit Committee review each of the key elements.

c) Provision for Inflation and Pay Awards

The Commitment Budget excludes the cost of inflation on both expenditure and income. In past years, the Council has restricted the provision for inflation on prices as a general economy measure, to help address the underlying budget gap, although pay awards have been fully funded. In the context of the Council’s overall financial position, it is again prudent to consider where the provision for inflation on prices can be limited as an economy measure, although some exceptions will be necessary to reflect actual increases that will not be containable without real service reductions or to meet contractual commitments. In particular it will be important to have realistic discussions with key providers about what level of inflation is genuinely necessary on some contracts and placements.

At this stage the inflation provision is not finalised, although for planning purposes a sum of £2.100m has been added to the budget. This compares to a provision of £1.521m last year and reflects the fact that a provision for pay of 1% is required for 2013/14 (0% in 2011/12 and 2012/13) in line with the Chancellor’s statements. This will be achieved by:

- Assuming a pay award of no more than 1%;
- Negotiating to minimise inflation on contracts;
- Using the Consumer Price Index for a number of budget lines rather than the Retail Price Index;
- Increasing fees and charges by 2.5% unless this is inconsistent with the Council’s income policy.

The Council will need to consider where it is appropriate and necessary to provide for inflation over the coming weeks so that the actual inflation provision can be added to the final budget report in February 2013.

d) Fees and Charges

The Council established a policy for the review of fees and charges when setting the 2001/02 budget. This requires each Department to consider the level of charges against the following criteria:

- fees and charges should aim, as a minimum, to cover the costs of delivering the service;
- where a service operates in free market conditions, fees and charges should at least be set at the market rate;

Unrestricted

- fees and charges should not be levied where this is an ineffective use of resources, i.e. the cost of collection exceeds any income generated.

It is estimated that many prices, where the Council charges users a fee for services, will need to increase by around 2.5% to recover the costs of those services. However, where current economic conditions and the market rate indicate a different percentage, for example for leisure income, this has been applied. Certain other fees also attract a different percentage as they are determined by statute. The proposed fees and charges are included in Annexe D. Over the course of January, the Council will consult with local businesses on the potential economic benefits of significantly reducing town centre season ticket car parking charges. At this stage, however, nothing is included in the budget proposals pending the outcome of that consultation.

e) Corporate Contingency

The Council manages risks and uncertainties in the budget through the use of a general contingency added to the Council's budget. During the next year the Council will face significant risks on its budget particularly in relation to:

- demand led services;
- retention of business rates by councils;
- the localisation of Council Tax support;
- the transfer of Public Health functions to councils;
- the continuing general economic uncertainty.

This scale of risk requires the consideration of an increase in the general contingency. The Borough Treasurer therefore recommends that the general contingency should be increased by £1m to £2m in order to set a realistic and deliverable budget in 2013/14. It should be possible to reduce the level of contingency at some point in the future when the level of risk and uncertainty diminishes.

The Executive will need to make a judgement on the appropriate level of contingency at its February meeting, taking advice from the Borough Treasurer who will need to certify the robustness of the overall budget proposals in the context of the Council's remaining general and earmarked reserves. All the reserves will be reviewed to ensure that they are sufficient to manage the financial risks facing the Council in the coming years.

f) Members Initiative Fund

It is proposed that a council wide revenue budget of £0.420m (£0.010m per Member) is created to fund small projects based on members' knowledge of local ward priorities or in conjunction with partners and other stakeholders.

Spending on Schools

8.8 The Education funding framework will be changing over the short to medium term to better reflect government policy which is seeking to:

- reform the school funding system so it is fairer, simpler, more consistent and transparent;
- ensure that good, popular schools should find it easier to expand in response to demands from parents;

Unrestricted

- make funding intended for education to reach schools and pupils that need it most.
- 8.9 The current funding arrangements are that the Schools Budget – both delegated school funding and centrally managed items such as Special Educational Needs placements made outside of the Borough - is funded by the specific, ring-fenced Dedicated Schools Grant (DSG). The level of DSG is calculated by multiplying the per pupil funding rates that the Department for Education (DfE) determines for each council by the actual January pupil numbers. The 2012/13 per pupil rate for Bracknell was set at £4,861 with total DSG income of £76.487m.
- 8.10 From 2013/14 the DSG will be split into three notional blocks – schools (which will still include delegated school budgets and a smaller number of centrally managed services), early years and high needs, each with their own funding rate. In the first instance, each block will be based on 2012/13 budgeted spend. The blocks will not be ring-fenced but a ring-fence will continue on the DSG as a whole so that it can only be spent on the functions for which it is meant.
- 8.11 With the new funding framework comes a new timetable for the production of budgets. The DfE requires councils to confirm the actual budgets to be allocated to schools by 18 January 2013, even though relevant information required to calculate budgets will not be supplied before 10 December 2012. To meet this requirement, 2013/14 school budgets will have to be set on the basis of the estimated level of DSG plus any accumulated balance. The draft budget proposals therefore assume the Schools Budget is set at the level of DSG and that any accumulated deficit or surplus is managed to a nil balance by the end of the funding period.
- 8.12 Decisions around the final balance of the budget between spending by schools and that on services managed by the Council is the responsibility of the Executive Member for Children, Young People and Learning, although the Schools Forum must be consulted, and in certain circumstances, agree to spending increases on the services managed by the Council.

Summary

- 8.13 Adding the draft proposals to the Commitment Budget and taking account of the corporate issues identified above would result in total expenditure of £73.753m as shown in Table 5.

Table 5: Summary of proposals:

	£'000
Commitment Budget	71,581
2013/14 Budget Pressures	1,449
2013/14 Budget Economies	-2,312
Capital Programme	33
Changes in Investment Income	-18
Inflation Provision	2,100
Increase in Contingency	1,000
Members Initiative Fund	420
New Homes Bonus 2013/14	-500
Draft Budget Requirement 2013/14	73,753

- 8.14 Without the provisional finance settlement assumptions have had to be made on the level of grant income. It has been assumed that the Council can anticipate income of up to £70.867m. This arises from Government grants (£22.083m), the Collection Fund surplus (£0.268m), additional Council Tax Freeze Grant (£0.492m) and Council Tax (£49.244m). The Council will also lose £1.22m in Council Tax Freeze Grant which was received in 2012/13 for one year only. Both the 2013/14 freeze grant and Council Tax yield may be impacted upon by decisions on the Local Council Tax Benefit Scheme and any technical changes to exemptions and discounts which will be taken by the Executive on the 8 January and Full Council on 23 January.
- 8.15 With the potential overall cost of the budget package being consulted on in the region of £73.753m, this leaves a potential gap of around £2.886m (£1.734m plus additional contingency of £1m and members' initiative fund of £0.420m, less the Collection Fund surplus of -£0.268m). Members can choose to adopt any or all of the following approaches in order to bridge the remaining gap:
- an appropriate contribution from the Council's revenue balances, bearing in mind the Medium Term Financial Strategy;
 - identifying further expenditure reductions.

9 BALANCES

- 9.1 The Council has an estimated £9.9m available in General Reserves at 31 March 2013. Details are contained in Table 6.

Table 6: General Reserves as at 31 March 2013

General Fund	£m
Planned use in 2012/13	10.3
	<u>(0.4)</u>
Estimated Balance as at 31 March 2013	<u>9.9</u>

- 9.2 The Council's Accommodation Strategy is underpinned by a programme of reducing the number of buildings across the Council estate. Some of this is dependent on the improvements to Time Square designed to accommodate the vast majority of Town Centre staff in that building. To maximise the capacity of the building additional funding of £3m will be required (on top of the £1.22m currently provided for essential maintenance in the 2012/13 capital programme). By amalgamating staff in Time Square annual savings of £0.156m are predicted when it vacates its current accommodation in Seymour House, and its short term replacement, Ocean House, along with Amber House. These savings will fund a significant proportion of the additional investment and the associated financing costs over a 17 year period (approximately £1.9m). The remaining funding of £1.1m will be financed from revenue balances.
- 9.3 The Council has, in the past, planned on maintaining a minimum prudential balance of £4m. This assessment is based on the financial risks which face the Council and the Borough Treasurer considers these in the February report to the Executive at which a

final decision on the use of balances can be taken, taking account of the financial position likely to face the Council over the next three to four years.

10 CONCLUSION

- 10.1 The Council's constitution requires a six week consultation period on the draft budget proposals. This consultation is a genuine one. In this context, it is inevitable that, of the broad range of options proposed for consultation, not all will necessarily be included in the final budget package. It is also likely that some further issues with a financial impact will arise between now and February. When the final settlement is known, the Executive can consider the prudent use of revenue balances to support expenditure in line with the overall medium term financial strategy, along with any further expenditure reductions.
- 10.2 It is suggested, therefore, that the normal process whereby the Overview & Scrutiny Commission reviews the overall budget package and determines whether any specific issues should be considered further by the Overview and Scrutiny Panels at their meetings in January, is followed. The proposals will also be placed on the Council's website for public consultation and Directors will ensure that particular arrangements are made to engage with individuals or groups that may be affected by some of the more direct reductions and/or changes to service provision.
- 10.3 All comments from the Overview & Scrutiny Commission, Overview and Scrutiny Panels and all others will then be submitted to the Executive on 13 February 2013. This will allow the Executive to determine the final budget package and recommend the appropriate Council Tax level to the Council on 27 February 2013.

11 BUDGET MONITORING 2012/13- VIREMENT REQUEST

- 11.1 A virement is the transfer of resources between two budgets but it does not increase the overall budget approved by the Council. Financial Regulations require formal approval by the Executive of any virement between £0.050m and £0.100m and of virements between departments of any amount. Full Council approval is required for virements over £0.100m. During 2012/13 a number of virements have been identified which require the approval of the Executive. These have been previously reported to the Corporate Management Team which recommends them to the Executive for approval. They have been included in the Quarterly Service Reports. Details of virements between departments are set out in Annexe F. Details of internal departmental virements exceeding £0.050m are set out in Annexe G.

12 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 12.1 Nothing to add to the report.

Borough Treasurer

- 12.2 The financial implications of this report are included in the supporting information.

Equalities Impact Assessment

- 12.3 The Council’s final budget proposals will potentially impact on all areas of the community. A detailed consultation process is planned in order to provide individuals and groups with the opportunity to comment on the draft proposals. This will ensure that in making final recommendations, the Executive can be made aware of the views of a broad section of residents and service users. A number of the budget proposals require specific equality impact assessments to be carried out and draft versions of these are attached in Annexe H. Consultation with equalities groups that are likely to be affected by the proposal is part of the assessment process.

Strategic Risk Management Issues

- 12.4 A sum of £2m is currently proposed to meet the costs of unpredictable or unforeseen items that would represent in year budget risks. This is £1m more than the contingency set for 2012/13. The Executive will need to make a judgement on the level of contingency at its meeting in February.
- 12.5 The Borough Treasurer, as the Council’s Chief Finance Officer (section 151 officer), must formally certify that the budget is sound. This will involve identifying and assessing the key risk areas in the budget to ensure the robustness of estimates and ensuring that appropriate arrangements are in place to manage those risks, including maintaining an appropriate level of reserves and contingency. This formalises work that is normally undertaken each year during the budget preparation stages and in monthly monitoring after the budget is agreed. The Borough Treasurer will report his findings in February, when the final budget package is recommended for approval.

13 CONSULTATION

Principal Groups Consulted

- 13.1 The Overview & Scrutiny Commission will be consulted on the budget proposals and may also choose to direct specific issues to individual overview and scrutiny panels. Targeted consultation exercises will be undertaken with business rate payers, the Over 50’s Forum, the Schools Forum, town and parish councils and voluntary organisations. Comments and views will be sought on both the overall budget package and on the detailed budget proposals. In addition, this report and all the supporting information are publicly available to any individual or group who wish to comment on any proposal included within it. To facilitate this, the full budget package will be placed on the Council’s web site at www.bracknell-forest.gov.uk. There will also be a dedicated mailbox to collect comments.
- 13.2 The timetable for the approval of the 2013/14 Budget is as follows

Executive agree proposals as basis for consultation	11 December 2012
Consultation period	12 December 2012 - 22 January 2013
Executive considers representations made and recommends budget.	13 February 2013
Council considers Executive budget proposals	27 February 2013

Background Papers

None

Contact for further information

Timothy Wheadon – 01344 355601

Timothy.wheadon@bracknell-forest.gov.uk

Alan Nash – 01344 352180

Alan.nash@bracknell-forest.gov.uk

Arthur Parker – 01344 352158

Arthur.parker@bracknell-forest.gov.uk

Commitment Budget 2013/14 to 2015/16

	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000
Chief Executive / Corporate Services				
Approved Budget	15,285	15,239	15,229	15,157
Unified Training Budget - realignment of training year		-10		
Vacating Seymour House			-63	-12
Invest to Save - Time Square lighting			-5	-1
Invest to Save - Time Square insulation panels			-4	-1
Borough Elections				70
Net Inter Departmental Virements	-46			
Chief Executive / Corporate Services Adjusted Budget	15,239	15,229	15,157	15,213
Children, Young People and Learning				
Approved Budget	12,809	12,781	12,421	12,261
Suitability surveys		-20		20
Schools Music Festival		10	-10	10
Local foster home placements		-100	-150	
Youth Service		-250		
Net Inter Departmental Virements	-28			
Children, Young People and Learning Adjusted Budget	12,781	12,421	12,261	12,291
Adult Social Care, Health and Housing				
Approved Budget	21,534	23,607	23,494	23,350
Carers Accommodation Strategy		-96	-144	-10
Senior management structure changes		-17		
Net Inter Departmental Virements	2,073			
Adult Social Care and Health Adjusted Budget	23,607	23,494	23,350	23,340
Environment, Culture and Communities				
Approved Budget	26,908	25,150	24,067	24,111
Landfill Tax / Waste Disposal PFI		-375	33	83
Landfill Tax increase		89	102	104
Local Development Framework		25	-135	0
Capital Invest to Save 06/07 - Easthampstead Park		-1	-1	-1
Coroners Service - transfer from TVPA		9	9	
Flood and water management responsibilities		-153		
Public Transport / Concessionary Fares		-136		
Community Transport		-50		
Waste Management - brown bins		-320		
Olympic Torch Relay		-14		
Refuse Collection contract - capitalisation of vehicle purchases		-181		
Senior management structure changes		-18		
Invest to Save - solar PV array at Bracknell Leisure Centre		-8		
Annual service charge for new cremation equipment		50		
Carbon Reduction Commitment - inclusion of Street Lighting			36	
Net Inter Departmental Virements	-1,758			
Environment, Culture and Communities Adjusted Budget	25,150	24,067	24,111	24,297
Total Service Departments	76,777	75,211	74,879	75,141
Non Departmental / Council Wide				
Approved Budget	-4,206	-4,447	-3,630	-3,815
2012/13 Capital Programme (Full Year Effect) - Interest		47		
Minimum Revenue Provision		509		
2012/13 Use of Balances (Full Year Effect) - Interest		2		
Increase in employers pension fund contributions		151		
Ceasing to pay Pension Fund contributions in advance			150	50
1% reduction in the employers Pension Fund contribution rate			-335	
Local Flood Authority Grant		153		
Pay Provision		-40		
Carbon Reduction Commitment		-70		
Changes to pension scheme - additional joiners		65		
Net Inter Departmental Virements	-241			
Non Departmental / Council Wide	-4,447	-3,630	-3,815	-3,765
TOTAL BUDGET	72,330	71,581	71,064	71,376
Change in commitment budget		-749	-517	312

For management purposes budgets are controlled on a cash basis. The following figures which are used for public reports represent the cost of services including recharges and capital charges:

	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000
Corporate Services	6,921	6,911	6,839	6,895
Children, Young People and Learning	20,894	20,534	20,374	20,404
Adult Social Care and Health	26,047	25,934	25,790	25,780
Environment, Culture & Communities	34,478	33,395	33,439	33,625
Non Departmental/Council Wide	-16,010	-15,193	-15,378	-15,328
	72,330	71,581	71,064	71,376

Description of Commitment Budget Items for 2013/14 to 2015/16

Department and Item	Description
Chief Executive / Corporate Services	
Unified Training Budget - realignment of training year	The training year will in future be in line with the academic year with courses and development activities being scheduled from September to August as opposed to September to March.
Vacating Seymour House	Due to the timing of the proposed demolition of Seymour House, the Council will be moving staff into Ocean House whilst the office accommodation works take place at Times Square. This will delay the full saving to be realised until the staff are relocated into Times Square in 2014/15.
Capital Invest to Save 12/13 – Time Square lighting	The LED and basement lighting will provide a better quality working environment with regards to the visual impact for staff and improve the environment in the car park. Both will reduce annual running costs based on the energy used and the maintenance supplied.
Capital Invest to Save 12/13 – Time Square insulation panels	The Council has a climate change strategy which has as two of its objectives the reduction of energy costs and CO2 emissions from its own operations. The installation of insulation panels on the external walls at Times Square in association with the planned refurbishment works will improve the energy efficiency of the building.
Borough Elections	The next scheduled Borough elections will be in May 2015.
Children, Young People and Learning	
Suitability surveys	Suitability and access surveys are undertaken every three years to update the Asset Management Plan so that up to date information is available to inform investment decisions on the capital programme.
Schools Music Festival	Biennial event which enables pupils from the Council's Primary schools to participate in a large scale production which links music, dance and art.
Local foster home placements	The investment in staffing agreed in the 2012/13 base budget has, as expected, resulted in more children being placed in local foster homes instead of expensive independent foster homes. The savings reflect in part the current looked after children population which is volatile, and therefore subject to change, often at very short notice.
Youth Service	Full year effect of the savings proposal implemented in 2012/13.
Adult Social Care, Health and Housing	
Carers Accommodation Strategy	The Strategy involves the re-provision and modernisation of services currently provided at Waymead Short Term Care and Bracknell Day Services in Eastern Road. As well as improving the quality of service, cost benefits will arise in the medium term.

Department and Item	Description
Senior management structural changes	At its meeting of 21st February the Executive approved changes to the Senior Management structure of the Council, which reduced the number of Chief Officers, re-designating the Performance & Resources role as a Head of Service.
Environment, Culture and Communities	
Landfill Tax / Waste Disposal PFI	Projection of 25 year contract costs for Recycling and Waste Disposal. The contract is shared with Wokingham and Reading Borough Councils.
Landfill Tax increase	Projected costs of increased rates of Landfill Tax over and above those initially announced by the Government which have increased through successive budget announcements.
Local Development Framework	The estimated costs of a continuous rolling programme to deliver Development and Supplementary Planning.
Capital Invest to Save 06/07 - Easthampstead Park	An invest to save scheme to provide en-suite bedrooms. This is the incremental net increase in revenue to be received on top of the original sum declared to repay the original capital investment.
Coroners Service - transfer from TVPA	The transfer of the Coroners Service from the Thames Valley Police Authority (TVPA) to the local authorities in Berkshire is being phased in over a period of four years. 2013/14 is the third year of the phasing in period.
Flood and water management responsibilities	The commitment budget currently assumes that the grant will cease and the new duties will be self funding. This has not been confirmed nor have the charging arrangements.
Public Transport / Concessionary Fares	Full year effect of the savings proposal implemented in 2012/13.
Community Transport	Full year effect of the savings proposal implemented in 2012/13.
Waste Management - brown bins	The Council introduced charging for the collection of garden waste in 2012/13. The one year exemption for existing customers comes to an end in March 2013.
Olympic torch relay	A one-off commitment removed in 2013/14.
Refuse Collection contract – capitalisation of vehicle purchases	Under the current refuse collection contract, refuse vehicles are purchased by the Council from capital resources and any revenue impact will be assessed when the capital programme is considered. Under the old contract, vehicles were purchased by the contractor and the cost to the Council was reflected in the revenue service charge. This element of the service charge has now been removed.
Senior management structure changes	Review of senior post subsequent to filling a vacant post.
Capital Invest to Save - solar PV array at Bracknell Leisure Centre	Feed In Tariff contributions and saving from reduction in use of grid electricity less estimated cost of future maintenance of the equipment.

Department and Item	Description
Annual service charge for new cremation equipment	Maintenance agreement for the new abatement equipment, £50,287 per annum for a period of five years.
Carbon Reduction Commitment - inclusion of Street Lighting	Purchase of carbon allowances to reflect the inclusion of street lighting in Phase 2 of the CRC energy efficiency scheme commencing 1 April 2014.
Non Departmental / Council Wide	
2012/13 capital programme (full year effect) -Interest	The full year effect of the loss of interest based on the 2012/13 capital programme.
Minimum Revenue Provision	The increase in the principal repayment on internal loans used to finance capital expenditure.
2012/13 use of balances (full year effect) -Interest	The full year effect of the interest loss on the use of balances in 2012/13.
Increase in employers Pension Fund contributions	Following on from the last triennial actuarial valuation, the past service deficit is being paid as a lump sum and is phased over 3 years. The lump sum increases each year and this creates a budget pressure in 2013/14 (year 3).
Ceasing to pay Pension Fund contributions in advance	The Council is unlikely to have the cash resources available to pay all employers and employees contributions in advance from 2013/14.
1% reduction in the employers Pension Fund contribution rate	The forecast impact of the changes to the Local Government Pension Scheme on employers contributions.
Local Flood Authority Grant	Local Flood Authority Grant is a general grant which forms part of Local Services Support Grant. No funding is guaranteed beyond 2012/13.
Pay Provision	Removal of the central allocation for pay and terms and conditions changes— an allocation for pay will be held as part of the inflation provision.
Carbon Reduction Commitment	A reduction in the commitment based on actual CO ₂ emissions for 2011/12
Changes to pension Scheme – additional joiners	Under new pension regulations, all those employees eligible to be members of the pension scheme received a letter in October giving them the opportunity to join the scheme. A number have joined the scheme resulting in additional employer contributions.

CORPORATE SERVICES/CHIEF EXECUTIVE

Description	2013/14 £'000	2014/15 £'000	2015/16 £'000
<p>Property Services</p> <p>Income has been falling steadily at both the Outdoor Market and Market Street properties; a loss of tenants and stallholders resulting in a pressure on income targets of £0.031m.</p> <p>The unusual shape and restricted headroom of one unit at Market Street makes the unit very difficult to let and the possibility of attracting a tenant in the medium term is very low, therefore it will be used by the Council for storage, which would mean a loss of income and an obligation to pay business rates of £0.027m</p>	58		
<p>Property Services</p> <p>Due to the redevelopment of the Town Centre, the Citizens Advice Bureau is vacating Council owned premises which will not be re let. The grant from the Chief Executive's Office which had previously been transferred internally to cover the rent will now be paid directly to the Citizen's Advice Bureau. The resulting pressure requires a reduction in the rental income budget.</p>	24		
<p>Community Engagement</p> <p>The Community Centres' reactive maintenance budget has shown itself to be insufficient to meet demand over a number of years and it is no longer possible to contain the pressure.</p>	10		
<p>ICT</p> <p>There is a need for an additional post within the Corporate ICT Systems team to support growth in infrastructure and more complex systems.</p> <p>The infrastructure has grown across all Departments and upgrades are continually required of some very complex systems. In the near future the ICT Systems team will also be taking on the responsibility for the hosting of the Public Health service which supports Berkshire Local Authorities and the NHS. There will also be an increase in infrastructure systems and services to support both electronic document management and flexible working solutions.</p>	45		
CORPORATE SERVICES/CHIEF EXECUTIVE TOTAL	137		

COUNCIL WIDE

Description Impact	2013/14 £'000	2014/15 £'000	2015/16 £'000
ICT New maintenance and security products procured as part of the capital programme will have revenue implications from 2013/14.	50		
COUNCIL WIDE TOTAL	50		

CORPORATE SERVICES/CHIEF EXECUTIVE

Description Impact	2013/14 £'000	2014/15 £'000	2015/16 £'000
<p>Finance</p> <p>The new external audit contract awarded by the Audit Commission to Ernst and Young has meant that a saving is achievable in this area.</p>	-92		
<p>Property Services</p> <p>The new Home to School Transport contract awarded has resulted in a saving of £0.050m.</p> <p>In addition due to the newer, more reliable and fuel efficient Youth Services vehicles additional savings of £0.002m can be achieved.</p>	-52		
<p>Democratic & Registration Services</p> <p>The income budgets for the Registrars; Marriage, Nationality Checking and Settlement Checking services have been increased to reflect the demand experienced in recent years. Any future fall in demand for these services could result in a pressure.</p>	-22		
<p>Human Resources</p> <p>Due to the increased demand from customers for the range and type of courses offered by the Unified Training team it has been possible to increase the income budget for the service.</p>	-18		
<p>ICT</p> <p>The decommissioning of the current phone system will result in the cancellation of the current contract and data line and the annual support for the CIBER Helpdesk incident logging system.</p>	-16		
<p>Democratic & Registration Services</p> <p>Following changes to Members Allowances Scheme as a result of the Independent Remuneration Panel's recommendations, the Members mileage budget will be reduced by £0.014m to reflect the reduced claims.</p> <p>There will also be a £0.002m reduction in the Civic Service budget.</p>	-16		
<p>Community Safety</p> <p>Contractual changes mean that savings can be made in this area. The Department is aiming to build on the current plans to install mobile cameras.</p>	-5		

Description Impact	2013/14 £'000	2014/15 £'000	2015/16 £'000												
<p>Democratic & Registration Services</p> <p>The Electoral Registration team will reduce the number of hours casual staff are employed for. The section's ability to recruit additional temporary staff at times of significant pressure may however mean work will not be processed to required timescales or could result in a pressure if statutory deadlines must be met.</p>	-3														
<p>Chief Executive & Support</p> <p>The costs of producing the Town and Country publication have fallen and the budget will be reduced to reflect this.</p>	-5														
<p>Legal Services</p> <p>The increased income target is based on the assumption that income from highways, drainage agreements and on the grant of leases will be maintained at current levels. However, this is a demand led service and there can be no assurance that the existing levels of income will continue.</p>	-11														
<p>Human Resources</p> <p>By reducing the number of hard copy recruitment advertisements placed a saving will be achieved. Recruitment will be by using the Jobs Go Public website only; this will mean that any posts requiring hard copy advertising in specialist publications will need to be funded by the Service.</p>	-16														
<p>Departmental Agency Costs</p> <p>The new Comensura Agency contract builds in a guaranteed saving on all Agency staff contracts.</p>	-1														
<p>Departmental Posts</p> <p>The Department will reduce it's establishment by the following posts:</p> <table border="0" data-bbox="146 1713 949 1848"> <tr> <td>Finance – Trainee Accountant</td> <td>FTE 1.0</td> <td>£0.034m</td> </tr> <tr> <td>Property Services – Senior Valuer</td> <td>FTE 1.0</td> <td>£0.041m</td> </tr> <tr> <td>Customer Services – Business Analyst</td> <td>FTE 0.3</td> <td>£0.011m</td> </tr> <tr> <td>Revenue Services – Cashier</td> <td>FTE 0.5</td> <td>£0.016m</td> </tr> </table> <p>FTE stands for Full Time Equivalent</p> <p>These vacant posts currently help the Department achieve its managed vacancy target. By reducing the number of vacancies held there will be a need to slow the recruitment process generally and there will be less flexibility to enable the</p>	Finance – Trainee Accountant	FTE 1.0	£0.034m	Property Services – Senior Valuer	FTE 1.0	£0.041m	Customer Services – Business Analyst	FTE 0.3	£0.011m	Revenue Services – Cashier	FTE 0.5	£0.016m	-102		
Finance – Trainee Accountant	FTE 1.0	£0.034m													
Property Services – Senior Valuer	FTE 1.0	£0.041m													
Customer Services – Business Analyst	FTE 0.3	£0.011m													
Revenue Services – Cashier	FTE 0.5	£0.016m													

Description Impact	2013/14 £'000	2014/15 £'000	2015/16 £'000
recruitment to critical service posts which may need to be held vacant for longer leading to potential non-delivery of key objectives.			
Departmental Third Party Payments The costs of the Lord Lieutenants Office and Molly Millars Joint Arrangements with Wokingham and Reading Councils have fallen and savings to budgets have been made to reflect this.	-19		
Departmental Staff Expenses and Room Hire Reduction in public transport and the occasional hire of premises budgets within Committee Services and the Chief Executives Office.	-3		
Departmental Indirect Employee Costs Reduction in training, seminar, subsistence and recruitment budgets across the Department. This may result in some staff not being able to attend some training or external workshops resulting in a delay in meeting identified training needs and a reduction in the level of development.	-11		
Departmental Supplies and Services Reduction in the various supplies and services budgets across the Department. Any future developments requiring external consultants may result in overspends and/or requests for contingency.	-44		
CORPORATE SERVICES/CHIEF EXECUTIVE TOTAL	-436		

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Legal & Surveyors' Fees

Purpose of the Charge: To contribute to the costs of the service

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	73	75

Are concessions available? No

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
	£.p	£.p	%

Legal & Surveyors' Fees for Property Transactions

New Lease	415.00	425.00	2.4
Licence to Assign	310.00	320.00	3.2
Lease Renewal	210.00	215.00	2.4
Contracted Out Lease	150.00	155.00	3.3
License to Alter - fee is dependant upon complexity	175 / 310	180 / 315	2.2
Deed of Variation	290.00	300.00	3.4
Sale of Garages & Freehold Reversions	250.00	260.00	4.0
Letter/Deed of Postponement	105.00	110.00	4.8
Transfer (or hourly rate as appropriate)	290.00	300.00	3.4
Section 106 Agreements-£110 per hour	900.00**	925.00**	2.8

* With discretion for the Borough Solicitor to increase if time recorded costs exceed £425, at a rate of £155 per hour.

** With discretion for the Borough Solicitor to increase if time recorded costs exceed £925, at a rate of £155 per hour.

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Electoral Registration

Purpose of the Charge: To Contribute to the costs of the service

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	5	5

Are concessions available? No

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
	£.p	£.p	%

Sale of Street Indexes	19.00	20.00	5.3
Request for a confirmation letter - fee (1 hour)	57.00	59.00	3.5
Certificate of current register	19.00	20.00	5.3

Sale of Register of Electors (only in accordance with Representation of the People Acts/Regulations)

In data format (plus £1.50 for every 1000 entries (or part thereof)#1	20.00	20.00	0.0
In paper format (plus £5 for each 1000 entries (or part thereof)#1	10.00	10.00	0.0
Sale of Overseas Electors#1			
In data format (plus £1.50 for every 100 entries (or part thereof)#1	20.00	20.00	0.0
In paper format (plus £5 for each 100 entries (or part thereof)#1	10.00	10.00	0.0
Marked copy of the Register of Electors			
In data format (plus £1 for every 1000 entries (or part thereof)#1	10.00	10.00	0.0
In printed format (plus £2 for each 1000 entries (or part thereof)#1	10.00	10.00	0.0

#1 These are statutory charges that are determined nationally through legislation. There is currently no indication that they might alter during 2013/14.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
	£.p	£.p	%	£.p

Household Delivery				
Band A properties - per leaflet/property	0.10	0.11	10.0	0.13
Band B properties - per leaflet/property	0.11	0.12	9.1	0.14
Band C properties - per leaflet/property	0.12	0.13	8.3	0.16
Band D properties - per leaflet/property	0.14	0.15	7.1	0.18
Band E properties - per leaflet/property	0.17	0.18	5.9	0.22
<i>Charges can vary depending upon size and weight of documents</i>				

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Registration of Births, Deaths and Marriages

Purpose of the Charge: To Contribute to the costs of the service		
	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	147	171

Are concessions available? No, but a variety of services provided at differing prices.

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
	£.p	£.p	%	£.p

Change of Name Service				
Adult	34.58	35.83	3.6	43.00
- Additional deed purchased at time of appointment	5.42	5.84	7.7	7.00
- Copy of archived deed	10.84	11.25	3.8	13.50
Child	39.17	40.42	3.2	48.50
- Additional deed purchased at time of appointment	5.42	5.84	7.7	7.00
- Copy of archived deed	10.84	11.25	3.8	13.50
Family	112.50	115.41	2.6	138.50

Marriage and Civil Partnership Ceremonies

All fees are liable to be increased on or after 1 April each year. Any increase in fees will apply to any ceremonies due to take place on or after 1 April even though a reservation fee/ceremony fee has already been paid.

Notice of Intent Fee for each person, for all Marriage and Civil Partnership Ceremonies #1	33.50	35.00	4.5	
Licensing of premises as venues for marriages:-				
Licence (three years)	1,250.00	1,280.00	2.4	
Attendance of Superintendent Registrar at approved premises:-				
Monday - Friday	290.00	300.00	3.4	
Saturday	360.00	370.00	2.8	
Sunday	420.00	430.00	2.4	
Registrar's fee for attending a marriage or civil partnership at a registered building or of housebound or detained person #1				
Registered Building	80.00	84.00	5.0	
Housebound Person	n/a	79.00		
Detained Person	n/a	86.00		
Superintendent registrar's fee for attending the marriage of housebound or detained person #1				
Housebound Person	85.00	82.00	-3.5	
Detained Person	n/a	93.00		
Superintendent registrar's fee for attendance away from office for the purpose of being given notice of marriage or civil partnership of housebound or detained person #1				
Housebound Person	49.00	46.00	-6.1	
Detained Person	n/a	67.00		
Entry in marriage notice book	33.50	35.00	4.5	
Formation of Marriage or Civil Partnerships in the Register Office or Syrett Blue Room #1	40.00	45.00	12.5	
#1 These are statutory charges that are determined nationally through legislation, the current fees are those published in the 2012/13 Financial Plans and Budgets Supporting Information. The proposed fees are those currently being charged following a fee amendment order from the Home Office, there is currently no indication that these will be subject to any further changes in 2013/14.				

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
	£.p	£.p	%	£.p
Marriage and Civil Partnership Ceremonies (Cont)				
Syrett Ceremonial Room Marriage & Civil Partnerships Bookings (including room hire, Registrar's attendance): -				
Monday - Thursday	120.00	123.00	2.5	
Friday	140.00	145.00	3.6	
Saturday	160.00	165.00	3.1	
Saturday pm	270.00	275.00	1.9	
Sunday / Bank Holidays	360.00	370.00	2.8	
Service enhancements				
Friday	30.00	30.00	0.0	
Saturday	40.00	40.00	0.0	
Saturday pm	50.00	50.00	0.0	
Pre-ceremony chat appointments (1/2 hour) for Syrett Suite ceremonies:				
Monday - Friday	12.92	13.33	3.2	16.00
Saturday am	17.50	17.92	2.4	21.50
Attendance of Celebrant at other non-statutory ceremonies eg naming and reaffirmation of vows				
Monday - Sunday (includes pre-ceremony appointment (1/2 hour)):-				
Syrett Ceremonial Room	154.16	158.33	2.7	190.00
Double Naming	191.66	196.67	2.6	236.00
Triple Naming	216.66	222.09	2.5	266.50
Other Approved Premises	162.92	167.08	2.6	200.50
Double Naming	200.00	205.00	2.5	246.00
Triple Naming	233.33	239.16	2.5	287.00
Certificate of birth (short and long), deaths, marriages and civil partnerships (extracts or full) #1				
At time of registration	3.50	4.00	14.3	
After registration but in current register	7.00	7.00	0.0	
After registration and after register closed	9.00	10.00	11.1	
Civil Partnership certificates full or extract, at time of ceremony#1	3.50	4.00	14.3	
Civil Partnership certificates full or extract, at any other time#1	9.00	10.00	11.1	
#1 These are statutory charges that are determined nationally through legislation, the current fees are those published in the 2012/13 Financial Plans and Budgets Supporting Information. The proposed fees are those currently being charged following a fee amendment order from the Home Office, there is currently no indication that these will be subject to any further changes in 2013/14.				
Citizenship Ceremonies and Nationality Checking Service				
<i>Nationality Checking Service</i>				
Single (adult) Application	45.00	46.67	3.7	56.00
Single (adult) Application - Saturdays	60.00	61.67	2.8	74.00
1 Adult and 1 Child	54.17	55.83	3.1	67.00
1 Adult and 1 Child - Saturdays	69.17	70.83	2.4	85.00
1 Adult and 2 Children	60.00	61.67	2.8	74.00
1 Adult and 2 Children - Saturdays	74.17	76.66	3.4	92.00
Joint Husband and wife	64.17	65.83	2.6	79.00
Joint Husband and wife - Saturdays	80.00	82.50	3.1	99.00
1 Adult and 3 Children	69.17	70.83	2.4	85.00
1 Adult and 3 Children - Saturdays	83.33	85.83	3.0	103.00
Husband, wife and up to 2 Children	79.16	81.67	3.2	98.00
Husband, wife and up to 2 Children - Saturdays	93.33	95.83	2.7	115.00
Additional children on parents application	15.83	16.67	5.3	20.00
Additional children on parents application - Saturdays	43.34	45.00	3.8	54.00
One or more children under 18 who apply separately from their parents	15.83	16.67	5.3	20.00
One or more children under 18 who apply separately from their parents - Saturdays	25.00	25.84	3.3	31.00
<i>Settlement Checking Fees</i>				
1 Adult and up to 2 Dependants	62.50	64.16	2.7	77.00
Additional Dependants	16.67	17.50	5.0	21.00
<i>Individual Citizenship Ceremonies</i>				
Monday - Friday (Syrett Blue Room)	55.42	56.67	3.0	68.00
Saturday (Syrett Ceremonial Room)	231.67	237.50	2.5	285.00

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Democratic Services

Purpose of the Charge: To Contribute to the costs of the service

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	0.1	0.1

Are concessions available? Agendas are available online at no charge.

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
	£.p	£.p	%	£.p

Council Publications

Agendas/Minutes, etc	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
Council agenda – Charge per Annum (Based on 8 per Annum)	155.00	159.00	2.6	
Executive Agenda – Charge per Annum (based on 11 per Annum)	233.00	239.00	2.6	
Planning Committee (based on 12 per Annum)	233.00	239.00	2.6	
Any other Committee or Sub Committee Agendas	111.00	114.00	2.7	
Charge per Annum (Based on 4 per annum)	0.00	0.00		
Charge per single copy	27.00	28.00	3.7	
Part extract (any Committee) including background papers - administration fee plus....	11.00	11.00	0.0	
Photocopying Charges				
A4 B&W	0.22	0.23	4.5	0.28
A3 B&W	0.36	0.37	2.8	0.44
A4 Colour	0.74	0.76	2.7	0.91
A3 Colour	1.38	1.41	2.2	1.69

Service: Democratic Services

Purpose of the Charge: To Contribute to the costs of the service

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	0.1	0.1

Are concessions available? Agendas are available online at no charge.

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
	£.p	£.p	%

STANDARD OTHER CHARGES

These are chargeable in addition or as default to recover actual costs for services	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
Invoice Charge	20.00	21.00	5.0
Hourly Rate	52.00	53.00	1.9
Minimum Charge	26.00	27.00	3.8

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Education Transport

Purpose of the Charge: To contribute to the costs of the service where there is spare capacity on an existing route.

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	0.1	0.1

Are concessions available? No

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
	£.p	£.p	%

Home to School Travel

Farepayer fees per term on existing routes			
Lost Passes	20.00	20.00	0.0

Service: Bracknell Market

Purpose of the Charge: To contribute to the costs of the service

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	88	73

Are concessions available? Yes - External charity stalls are free of charge.

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase	Proposed Fee (Inc VAT)
	£.p	£.p	%	£.p
Charge per foot run - internal				
Non VAT registered stallholders	2.69	2.69	0.0	3.23
VAT registered stallholders	3.12	3.12	0.0	3.74
Charge per foot run - external				
Non VAT registered stallholders	2.41	2.41	0.0	2.89
VAT registered stallholders	2.78	2.78	0.0	3.34
Charity Stall	0.00	0.00	0.0	0
Charge per metre run - internal				
Non VAT registered stallholders	8.82	8.82	0.0	10.58
VAT registered stallholders	10.22	10.22	0.0	12.26
Charge per metre run - external				
Non VAT registered stallholders	7.90	7.90	0.0	9.48
VAT registered stallholders	9.11	9.11	0.0	10.93
Charity Stall	0.00	0.00	0.0	0

CORPORATE SERVICES & CHIEF EXECUTIVE'S DEPARTMENT

2013/14 PROPOSED FEES & CHARGES

Service: Print Unit

Purpose of the Charge: To recover costs

	2012/13 Budget £'000	Proposed 2013/14 Budget £'000
Income the proposed fees will generate:	20	20

Are concessions available? No

Link to the Council's Medium Term Objectives: Work with our communities and partners to be efficient, open, transparent and easy to access and to deliver value for money.

Description	Current Fee (Exc VAT)	Proposed Fee (Exc VAT)	Increase
	£.p	£.p	%
External Customer Printing	Quotation based on individual job requirements	Quotation based on individual job requirements	2.5%

Charge for individual print job	Quotation based on individual job requirements	Quotation based on individual job requirements	2.5%
---------------------------------	---	---	------

**TO: THE EXECUTIVE
11 DECEMBER 2012**

**CAPITAL PROGRAMME 2013/2014 - 2015/2016
(Borough Treasurer/Chief Executive)**

1 PURPOSE OF DECISION

- 1.1 Under the Council's Constitution, the Executive are required to issue their budget proposals for consultation for a minimum period of six weeks prior to making their recommendations to full Council in February 2013. The capital programme forms an important part of the overall budget proposals and is a key means by which the Council can deliver many of its medium term objectives.
- 1.2 This report draws together each service's proposals so that the Executive can agree a draft capital programme for 2013/14-2015/16 as the basis for consultation. In compiling the draft programme the main focus is inevitably on determining the requirements for 2013/14, although future year's schemes do also form an important part of the programme.
- 1.3 The financial implications of the recommendations in this report are reflected in the subsequent report on the Council's draft revenue budget. Any revisions to the proposals put forward by each service would also need to be reflected in that report which will also be published as the basis for consultation following the Executive's meeting.

2 RECOMMENDATIONS

That the Executive:

- 2.1 **Recommends to the Council that the funding of £3.000m for the accommodation works at Time Square be approved to enable the contract be awarded in the current financial year.**
- 2.2 **Recommends to the Council that the allocation and associated virements resulting from additional grants received in year as noted in paragraph 5.31 and Annex G be approved.**
- 2.3 **Approves, for consultation, an initial Council funded capital programme (excluding the accommodation works at Time Square) of £9.190m for 2013/14 summarised in Annex A, including the schemes listed in Annexes B – F.**
- 2.4 **Approves, for consultation, the inclusion of an additional budget of £1m for Invest to Save schemes.**
- 2.5 **Approves, for consultation, the inclusion of £1.350m of expenditure to be funded from S106 as outlined in para 5.22.**
- 2.6 **Approves, for consultation, the inclusion of £9.922m of expenditure to be externally funded as outlined in para 5.22.**

3 REASONS FOR RECOMMENDATIONS

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

4 ALTERNATIVE OPTIONS CONSIDERED

4.1 The alternative options are considered in the report.

5 SUPPORTING INFORMATION

Capital Resources

5.1 Each year the Council agrees a programme of capital schemes. In the past these schemes have been funded from three main sources:

- the Council's accumulated capital receipts
- Government Grants
- other external contributions

5.2 The Local Government Act 2003 brought in radical changes to the financing of capital expenditure and from that date, the Government no longer issued borrowing approvals. Instead, under a new "prudential framework", Councils can set their own borrowing limits based on the affordability of the debt.

5.3 The Council's estimated total usable capital receipts at 31st March 2013 are zero. As a debt free authority the Council is heavily reliant on capital receipts to fund its capital programme, although interest generated from capital receipts can also help support the revenue budget in the short term. Historically the Council has been heavily reliant on housing sales to generate new receipts. Following the transfer of the housing stock to Bracknell Forest Homes (BFH) in 2008, the Council still receives a share of any Right-To-Buy proceeds from BFH in addition to a share of capital receipts from the VAT Shelter scheme. However the disposal of other assets is increasingly seen with greater importance if the Council's spending plans are to continue to be realised. However current market conditions may mean that the immediate disposal of an asset is not necessarily in the Council's best interests. To support this there is a programme of disposals and all surplus, or potentially surplus, property is reported to every meeting of the Asset Management Group who co-ordinate and manage the Council's disposal programme.

5.4 At the time of the housing stock transfer it was estimated that the RTB Sharing and VAT Shelter schemes would deliver annual receipts of approximately £3m over the proceeding 10 years. This is now expected to be lower in the short-term as a result of the recession and the on-going uncertainty in the capital markets. However, added to the miscellaneous sales of surplus land and property planned for next year it is now assumed that receipts in 2013/14 will amount to £5.0m.

5.5 As the Council's accumulated capital receipts have been fully utilised, the Council returned to a position of internal borrowing in 2010 and as such a revenue contribution is required each year to repay this internal borrowing. Once the Council's current level of investments is exhausted, which is expected to be within the next 2 years, the Council will need to borrow externally.

5.6 The proposed capital programme for 2013/14 has been developed, therefore, on the assumption that it will be funded by a combination of Government grants, other

external contributions and some internal borrowing in addition to the £5.0m of capital receipts. The financing costs associated with the General Fund Capital Programme have been provided for in the Council's revenue budget plans which also appear on tonight's agenda.

New Schemes

- 5.7 Within the general financial framework outlined above, Service Departments have considered new schemes for inclusion within the Council's Capital Programme for 2013/14 – 2015/16. Given that both capital and revenue resources are under pressure, each Department has evaluated and prioritised proposed schemes into the broad categories, set out in the Council's Corporate Capital Strategy and in line with the Council's Asset Management Plan. Having done this, only the very highest priority schemes and programmes are being recommended for inclusion in the Capital Programme.

Unavoidable & Committed schemes

- 5.8 This category covers schemes which must proceed to ensure that the Council is not left open to legal sanction and includes items relating to health and safety issues, new statutory legislation etc. Committed schemes also include those that have been started as part of the 2012/13 Capital Programme. Also included within this category are those schemes that were previously funded from the General Fund Revenue Account, but which by their nature could be legitimately capitalised, thereby reducing pressure on the revenue budget. Schemes in this category form the first call on the available capital resources.
- 5.9 Within these categories, provision has been made to address the rolling programme of disabled access requirements to Council buildings (£0.1m). The works have been identified through independent access audits and have been prioritised to meet the needs of users of these buildings. Significant progress has been made in past years and a programme of works has been planned across a range of service areas.

Time Square

- 5.10 The Accommodation Strategy is underpinned by a programme of reducing the number of buildings across the Council estate. Some of these are dependent on the improvements to Time Square to accommodate the vast majority of Town Centre staff in that building. To maximise the capacity of the building and reduce the maintenance back-log additional funding of £3m (on top of the £1.22m currently provided for in 2012/13) will be required which will increase significantly the useful life of the building. By accommodating additional staff in Time Square annual savings of £156,000 are predicted from the release of two town centre buildings which will fund a significant proportion of this additional investment and the associated financing costs over a 17 year period (approximately £1.9m). The remaining funding of £1.1m will be financed from revenue balances.
- 5.11 In order to secure the current tendered prices and to avoid incurring the full cost of scoping and procurement for a second works programme, a request is made for the Executive to approve the £3m request in advance of the main consultation exercise. Providing this funding to complete a works programme will secure the envelope of the building, consolidate Customer Services and Registrars on one site improving service to the public, allow for works to heating, cooling & infrastructure and allow some office remodelling to accommodate 162 additional staff. It is also planned to achieve further efficiency savings where functions can be streamlined.

Town Centre Highway Works

- 5.12 In order to facilitate transport movements around the Borough, including in the medium term the planned Town Centre redevelopment, it is necessary to fund a number of highway schemes. In particular works required on the Twin Bridges site. As such a funding need of £2.5m has been identified in the 2013/14 proposals with further commitments required in 2014/15 and 2015/16.

Maintenance (Improvements and capitalised repairs)

- 5.13 An assessment has been made of the condition of the Council's property assets to arrive at an estimate of the outstanding maintenance works required. An assessment is made of the state of each building element and its repair priority with a condition rating and repair urgency as follows.

Definition of Condition Categories:	
A: Good – Performing as intended and operating efficiently. B: Satisfactory – Performing as intended but showing minor deterioration. C: Poor – Showing major defects and/or not operating as intended. D: Bad – Life expired and/or serious risk of imminent failure.	
Priority:	
1	Urgent works that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of the occupants and/or remedy a serious breach of legislation.
2	Essential work required within two years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health & safety of the occupants and/or a minor breach of the legislation.
3	Desirable work required within 3 to 5 years that will prevent deterioration of the fabric or services and/or address a low risk to the health & safety of the occupants and/or a minor breach of the legislation.
4	Long-term work required beyond a period of 5 years that will prevent deterioration of the fabric or services.

- 5.14 The figures below are based on the information held in the Building Group's property system as of the 30 November 2012. The system has been continually updated to take into account works that are already budgeted for within existing 2012/13 schools and corporate planned maintenance programmes:

Maintenance Backlog

		£ (000)	£ (000)
Schools	Priority 1C & 1D	1,439	
	Priority 2C & 2D	4,914	
	Lower Priorities	4,180	10,533
Corporate Properties	Priority 1C & 1D	2,074	
	Priority 2C & 2D	9,006	
	Lower Priorities	4,915	15,995
Total			26,528

Schools

- 5.15 Historically the Schools Maintenance Programme has been funded from the Capital Maintenance grant allocation from the Department for Education. The Council has been notified by the Department that the provisional allocation for 2013/14 will not be announced until January 2013 at the earliest. The 2012/13 allocation amounted to £1.89m and the assumption has been made at this stage in the budget process that the amount of grant funding will support the level of 1C and 1D liabilities identified above. This will be reviewed upon receipt of the final grant allocation.

Non-schools

- 5.16 For all non-schools property and in line with the policy adopted in previous years, the Asset Management Group has considered only those works that fall within categories 1C and 1D. From an analysis of the work required it is clear that a significant proportion of the works, whilst urgent, cannot be legitimately capitalised under the accepted accounting principles and must be met from a revenue budget. An allowance of £200,000 is available in the 2013/14 Revenue Budget proposals to meet such liabilities. However this will not be sufficient to meet the level of works identified within the 1C and 1D categories. Approximately £500,000 of the highest priority works can be legitimately capitalised and it is proposed to review the most effective way for the Council to fund any additional revenue works at the end of the current financial year as part of the 2012/13 Out-Turn Report.
- 5.17 The implications of failing to maintain Council buildings and to address the backlog will be a significant issue for the Council over the coming years and efforts will be focussed on ensuring that the highest priority items are tackled first, that efficiencies are maximised in the procurement of works and that maintenance which will result in energy efficiencies are undertaken through the invest-to-save programme.

Rolling programmes

- 5.18 These programmes cover more than one year and give a degree of certainty for forward planning schemes to improve service delivery. They make an important contribution towards the Council's Medium Term Objectives and established Asset Management Plans.

Other Desirable Schemes

- 5.19 In addition to the schemes identified in the above categories, each service has requested funding for other high priority schemes that meet the needs and objectives of their service and the Council's Medium Term Objectives. The net cost of schemes which attract partial external funding are included in the schemes put forward.

Invest To Save Schemes

- 5.20 These are schemes where the additional revenue income or savings arising from their implementation exceeds the internal borrowing costs. The Council's approach to Invest to Save schemes is included in its Capital Strategy and in accordance with the Capital Strategy it is proposed that a further £1m be included in the 2013/14 capital programme for potential Invest to Save schemes.

Capital Programme 2013/14 – 2015/16

- 5.21 A detailed list of suggested schemes within the draft capital programme, together with a brief description of each project, for each service is included in Annexes B – F. A summary of the cost of schemes proposed by Departments is set out in the table below and in Annex A. This shows that the total net capital funding requested is £12.190m in 2013/14 (including £3m for the works to Time Square)

Capital Programme 2013/14-2015/16				
Annex	Service Area	2013/14 £000	2014/15 £000	2015/16 £000
B	Council Wide	5,555	1,910	1,623
C	Corporate Services	118	70	0
D	Children, Young People & Learning	7,834	6,565	2,565
E	Adult Social Care & Health	2,180	3,935	2,240
F	Environment Culture & Communities	7,775	6,762	6,511
	Total Capital Programme	23,462	19,242	12,939
	Externally Funded	11,272	10,239	6,008
	Total request for Council funding	12,190	9,003	6,931

Externally Funded Schemes

- 5.22 A number of external funding sources are also available to fund schemes within the capital programme, amounting to £11.272m of investment in 2013/14. External support has been identified from two main sources:

Government Grants (Estimated to be £9.922m)

A number of capital schemes attract specific grants. It is proposed that all such schemes should be included in the capital programme at the level of external funding that is available.

A significant element of the grant-funded capital programme relates to the planned investment in Schools. In 2011/12 the Department for Education (DfE) changed the way in which it delivered funding to local authorities, moving from supported borrowing approvals to capital grant. This simple change had a significant impact on the authority, as the supported borrowing approvals represented little or no cash increase to the Council's resources, whereas the move to cash grants means the Council can effectively invest every £ of allocation from DfE.

The schools investment programme included in this report (and outlined in Annex D) is based on the latest available information on requirements, both maintenance and basic need, whilst at the same time reflecting the estimated level of funding that could be received in 2013/14 through the grant allocation process, based on the 2012/13 allocation. The actual level of grant received by the authority will not be known until January 2013 at the earliest. As such there is a presumption that the final agreed programme will be re-prioritised based on the level of funding actually received.

A second key constituent of capital grant funding relates to the Highway Maintenance and Integrated Transport Block. The Council's 2013/14 allocation was provisionally announced as part of a two-year settlement last year, and the Council

Unrestricted

expects this to be confirmed as part of the Provisional Local Government Settlement in December 2012.

Section 106 (£1.350m)

Each year the Council enters into a number of agreements under Section 106 of the Town & Country Planning Act 1990 by which developers make a contribution towards the cost of providing facilities and infrastructure that may be required as a result of their development. Usually the monies are given for work in a particular area and/or for specific projects. The total money available at present, which is not financially committed to specific projects, is £5.1m, although conditions restricting its use will apply to almost all of this.

Officers have identified a number of schemes that could be funded from Section 106 funds in 2013/14, where funding becomes available. These are summarised below

Department	Schemes	Budget
		<i>£000</i>
CYPL	Schools	250
ECC	Parks & Open Spaces	100
ECC	Local Transport Plan	1,000
	Total	1,350

The level of new funding available through Section 106 will reduce significantly in the future following the introduction of the Community Infrastructure Levy (CIL). However the more flexible CIL funding should offset this reduction.

On-going Revenue Costs

- 5.23 A number of schemes have associated on-going revenue costs relating primarily to maintenance and support costs (particularly IT schemes). These costs tend to become payable in the year after implementation and as such will be included within the Council's Commitment Budget for 2014/15. These are summarised below;

Department	Scheme	Budget
Corporate	Property & Asset Management System	£5,000
Council Wide	Citrix Licensing	£10,000
Council Wide	Power Generator	£9,000
Council Wide	EDRMS Scanning	£3,000
Council Wide	Phone System Replacement	£3,000
Council Wide	Server & Server Component Refresh	£20,000
Council Wide	Desktop & Laptop Refresh	£15,000
ECC	Library Management System	£4,000
ECC	Linking CONFIRM to EDRMS	£2,000
	Total	£71,000

Funding Options

- 5.24 There are a number of important issues concerning the long term funding of capital expenditure. Following the transfer of the housing stock in 2008, the Council's capital receipts are limited to miscellaneous asset sales and the contribution from the VAT Shelter Scheme and Right-to-Buy claw back agreed as part of the transfer. As noted earlier in this report, these receipts are estimated to be in the region of £5.0m.
- 5.25 The proposed capital programme for 2013/14 has been developed, therefore, on the assumption that it will be funded by a combination of £5.0m of capital receipts,

Government grants, other external contributions and some internal borrowing. The financing costs associated with the Capital Programme have been provided for in the Council's revenue budget plans.

- 5.26 Should any additional capital receipts be generated in 2013/14 the interest earned on these will be used to mitigate the revenue cost of the capital programme.
- 5.27 For 2013/14 it is unlikely that the Council will need to resort to external borrowing as it will be able to utilise resources held internally. However the Capital Finance regulations require the General Fund to set aside an amount which would be broadly equivalent to the amount the Council would need to pay if it borrowed externally. If any amendments are made to the capital programme, the revenue consequences will need to be adjusted accordingly. Executive Members will therefore need to consider the impact of the capital programme as part of the final revenue budget decisions.
- 5.28 The reduction in available capital receipts has placed greater emphasis on the capital programme and its impact on the revenue budget. Following the introduction of the Prudential Borrowing regime local authorities are able to determine the level of their own capital expenditure with regard only to affordability on the revenue account. In practice this represents the amount of borrowing they can afford to finance, and will necessitate taking a medium-term view of revenue income streams and capital investment needs.
- 5.29 To achieve its aim of ensuring that capital investment plans are affordable, prudent and sustainable, the Local Government Act requires all local authorities to set and keep under review a series of prudential indicators included in the CIPFA Prudential Code for Capital Finance in Local Authorities. The Capital Programme recommended in this report can be sustained and is within the prudential guidelines. Full Council will need to agree the prudential indicators for 2013/14 to 2015/16 in February 2013, alongside its consideration of the specific budget proposals for 2013/14 and the Council's medium-term financial prospects.
- 5.30 Members will need to carefully balance the level of the Capital Programme in future years against other revenue budget pressures and a thorough review, including the prioritisation of those schemes planned for 2014/15 onwards, will need to be undertaken during next summer.

Virements in 2012/13 Capital Programme

- 5.31 A number of additional grants have been received following the setting of the 2012/13 Budget and the Council's financial regulations require these allocations to be approved by Council. The grants received are specific in nature and include bid-based funding for new recycling initiatives and for improvements to transport management. In addition a number of virements are requested to the Schools Primary and Secondary Programme. Allocations for 2012/13 were received very late in the year and followed closely on the back of additional 2011/12 allocations. As such the Education Capital Programme Board has continually reviewed the Council's school places programme and its alignment with available funding. Annex G sets out the virements requested.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The authorisation for incurring capital expenditure by local authorities is contained in the legislation covering the service areas. Controls on capital expenditure are contained in the Local Government Act 2003 and regulations made thereunder.

Borough Treasurer

- 6.2 The financial implications are contained within the report.

Equalities Impact Assessment

- 6.3 The Council's final budget proposals will potentially impact on all areas of the community. A detailed consultation process is planned in order to provide individuals and groups with the opportunity to comment on the draft proposals. This will ensure that in making final recommendations, the Executive can be made aware of the views of a broad section of residents and service users. Where necessary, impact assessments on specific schemes within the capital programme will be undertaken before work commences.

Strategic Risk Management Issues

- 6.4 The most significant risk facing the Council is the impact of the capital programme on the revenue budget. The scale of the Council's Capital Programme for 2013/14 will impact upon the revenue budget and will itself be subject to consultation over the coming weeks. All new spending on services will need to be funded from new capital receipts or borrowing from internal resources. This effect is compounded by future year's capital programmes. As revenue resources are limited it is clear that a capital programme of this magnitude is not sustainable in the medium term without significant revenue economies. The generation of capital receipts in future years may mitigate the impact on the revenue budget, but as the timing and scale of these receipts is uncertain their impact is unlikely to be significant.

- 6.5 There are also a range of risks that are common to all capital projects which include:

- Tender prices exceeding the budget
- Planning issues and potential delays
- Uncertainty of external funding
- Building delays due to unavailability of materials or inclement weather
- Availability of staff with appropriate skills to implement schemes

- 6.6 These can be managed through the use of appropriate professional officers and following best practice in project management techniques. The report also identifies the risk associated with the shortfall in maintenance expenditure compared to that identified by the latest condition surveys. With only those highest priorities receiving funding in 2013/14, there will be a further build up in the maintenance backlog and a risk that the deterioration in Council assets will hamper the ability to deliver good services.

7 CONSULTATION

Principal Groups Consulted

- 7.1 The Overview & Scrutiny Commission will be consulted on the budget proposals and may also choose to direct specific issues to individual overview and scrutiny panels. Targeted consultation exercises will be undertaken with business rate payers, the Over 50's Forum, the Schools Forum, Parish Councils and voluntary organisations. Comments and views will be sought on both the overall budget package and on the detailed budget proposals. In addition, this report and all the supporting information

Unrestricted

are publicly available to any individual or group who wish to comment on any proposal included within it. To facilitate this, the full budget package will be placed on the Council's web site at www.bracknell-forest.gov.uk. There will also be a dedicated mailbox to collect comments.

7.2 The timetable for the approval of the 2013/14 Budget is as follows

Executive agree proposals as basis for consultation	11 December 2012
Consultation period	12 December 2012 - 22 January 2013
Executive considers representations made and recommends budget.	13 February 2013
Council considers Executive budget proposals	27 February 2013

Background Papers

None

Contact for further information

Alan Nash -01344 352180

alan.nash@bracknell-forest.gov.uk

Calvin Orr – 01344 352125

calvin.orr@bracknell-forest.gov.uk

CAPITAL PROGRAMME - 2013/14 to 2015/16

	Council Wide £000	Corporate £000	CYPL £000	ASCHH £000	ECC £000	TOTAL £000
Committed	400	0	0	2,000	623	3,023
Unavoidable	1,141	43	0	0	751	1,935
Town Centre Highway Works	0	0	0	0	2,500	2,500
Time Square	3,000	0	0	0	0	3,000
Maintenance	525	0	0	0	300	825
Rolling Programme / Other Desirable	489	75	0	180	163	907
Total Council Funding	5,555	118	0	2,180	4,337	12,190
Total External Funding	0	0	7,834	0	3,438	11,272
Total Capital Funding	5,555	118	7,834	2,180	7,775	23,462

CAPITAL PROGRAMME - COUNCIL WIDE

	2013/14 £000	2014/15 £000	2015/16 £000
Committed			
Capitalisation of Buildings, Highways and ICT Project management included in Revenue Budget proposals	400	400	400
	400	400	400
Unavoidable			
Desktop & Laptop Refresh	153	81	0
Server and Server Component Refresh	75	75	75
CITRIX licensing	78	45	48
Phone Systems Replacement - Remote Sites	48	0	0
Storage Area Network	450	0	0
ICT Infrastructure Development/Network Refresh	237	0	0
Vasco Token System Replacement	0	10	0
Access Improvement Programme (Equalities Act)	100	100	100
	1,141	311	223
Time Square			
Time Square Accomodation	3,000	0	0
	3,000	0	0
Maintenance			
Improvements & Capitalised Repairs	500	1,000	1,000
Easthampstead House Car Park	25	0	0
	525	1,000	1,000
Rolling Programme / Other Desirable			
Great Hollands Community Centre/Library Phase 2	250	0	0
Power Generator	104	0	0
MFD - Printer Refresh	70	75	0
EDRMS Scanning	40	0	0
Phone Systems Replacement - Libraries	25	0	0
Time Square Meeting Room Display Screens	0	14	0
Wireless Network Security Access Extension	0	30	0
Superfast-Broadband Match Funding	0	80	0
	489	199	0
TOTAL REQUEST FOR COUNCIL FUNDING	5,555	1,910	1,623
External Funding			
TOTAL EXTERNAL FUNDING	0	0	0
TOTAL CAPITAL PROGRAMME	5,555	1,910	1,623

Council Wide Schemes

Capitalisation of Buildings, Highways and ICT Project management included in Revenue Budget	£400,000
<p>Each year the Council undertakes significant initiatives that will deliver efficiencies to the services it currently provides either through one-off projects such as delivering IT solutions, or enhancement to assets such as highway infrastructure. This budget enables a proportion of these schemes and the project management thereof to be capitalised and not funded through the revenue account.</p>	
Desktop & Laptop Refresh	£153,000
<p>The purpose of this project is to address the need to refresh 447 PC and 112 Laptop units covering the corporate network. They are not covered in the Desktop refresh/ Mobile and Flexible Working refresh planned for 2012-3. The hardware that requires replacing will be five years old as the warranties were extended from the usual four years.</p> <p>There will also be a requirement to purchase 150 replacement monitors to bring the whole estate up to 19 inches there by removing the older 15 and 17 inch models. This is part of the Desktop Accommodation programme of works. For the laptop replacements to be compliant with the Government Code of Connection we will also need to purchase more licences for the BeCrypt encryption software. This makes sure that if the hard drive is removed from the laptop it is near on impossible to read any information held on the hard drive.</p>	
Server and Server Component Refresh	£75,000
<p>Proposal for budget to cover a number of Server Replacements ensuring that all platforms are supportable and deliver the desired levels of service to the business. This budget will also cover storage replacement and components. Years 2013/14 will require increased funding to replace the main storage area network as this will reach the end of its serviceable life. Server refresh: to cover servers going out of warranty between April 2013 and April 2014.</p>	

CITRIX Licensing	£78,000
<p>Proposal for budget to increase Citrix licenses to support the borough's 'Time for a Change' flexible and mobile working initiative. This group overlaps with the current user base of static (fixed) users who use Citrix locally.</p> <p>Current capacity is for 400 users depending on method of entry. This bid will increase capacity total of 800 users (half the user base)</p> <ul style="list-style-type: none"> • Citrix Licensing - 400 licenses at £300 each costing £120,000 • TS/RDS CAL's – Windows Terminal Server 2008 (Covers App-V) – 300 licenses at £50 each costing £15,000 • RES Licensing – 400 licenses at £25 each costing £10,000 • CAG Licenses (Universal) 400 licenses at £40 each costing £16,000 <p>The total cost required totals £171,000 over 3 years</p>	

Phone Systems Replacement – Remote Sites	£48,000
<p>Proposal to replace telephone systems at remote sites with Internet Phone Telephony (IPT), integrated with the main corporate Cisco IPT system.</p> <p>The procurement of replacement phone systems will provide a common phone experience for users, provide the required functionality for flexible and mobile working, lower Council to Council call costs and lower maintenance/support costs. Many of the phone systems at remote sites are end of life and cannot provide the level of voice communication required to support the business. Sites include Cemetery & Crematorium, Heathlands, Open Learning Centre, Larchwood, and Heathlands Day/Residential Centres</p> <p>The provision of phone systems integrated with the main corporate Cisco IPT system in the eight branch libraries will enable calls to be forwarded internally between all libraries and Time Square/Easthampstead House etc., including Customer Services.</p>	

Storage Area Network	£450,000
<p>The council currently has 20 terabytes of electronic data for critical business systems kept on our Storage Area Network (SAN). This SAN has given us huge savings over the last 5 years in allowing the secure centralisation of data and the support to provide cheaper virtual servers on our estate. The proposal includes the creation of two data sites allowing BFBC to create a cold start disaster recovery room at Easthampstead House.</p> <p>Since the Council bought the SAN 5 years ago technology has moved forward and as well as the advantages the Council has already leveraged it will be able to store data by type –keeping down the amount of expensive storage being used by data rarely accessed kept to the minimum. The Council will also be able to replicate information onto the other site allowing the concept of business continuity if for some reason the Time Square data centre was not available.</p>	

ICT Infrastructure Development / Network Refresh	£237,000
<p>Proposal for budget to cover a number of ICT Network infrastructure upgrades to ensure equipment is both current and supportable. The budget is also to maintain network and ensure that it has bandwidth to serve the business in the forthcoming budget year.</p> <p>The main part of the upgrade involves the data centre and core network, which was originally procured in 2005. This infrastructure is vital in providing connectivity between both the services within the data centre, and access by BFC users at all locations. These services include, email, shared drives, major applications such as Agresso, and Internet etc. The upgrades also includes Internet Proxy servers used for all public access from council sites, 29 access switches, a wireless controller, and various other equipment that were all procured prior to 2006 and are now obsolete and out of support. When the above devices go end of life, they will no longer receive any software updates including bug fixes, and no faults will be investigated by the manufacturer or their agents.</p> <p>The Code of Connection forbids the use of unsupported software on our network and therefore we would be at risk of losing our connected status, causing loss of access to services such if these devices are not replaced.</p>	
Access Improvement Programme (Equalities Act)	£100,000
<p>Within these categories provision has been made to address the disabled access requirements to Council buildings (£0.1m). The works have been identified through independent access audits and have been prioritised to meet the needs of users of these buildings. Significant progress has been made in past years and a programme of works has been planned across a range of service areas.</p>	
Time Square Accommodation	£3,000,000
<p>The Accommodation Strategy specified a programme of releasing buildings across the Council estate, some of which have a dependence on the improvements to Time Square to accommodate the vast majority of Town Centre staff in Time Square. To maximise the capacity of the building and reduce the maintenance back-log funding of £3m will be required which will increase significantly the useful life of the building. By amalgamating staff in Time Square annual savings of £156,000 are predicted which will fund a significant proportion of this additional investment and the associated financing costs over a 17 year period (approximately £1.9m). The remaining funding will be found from revenue balances.</p>	
Improvements & Capitalised Repairs	£500,000
<p>See main body of report</p>	
Easthampstead House Car Park	£25,000
<p>Easthampstead House car park contains 100 car parking spaces 26 of which are underground in front of the Library. There are currently 16 Essential Car Users plus 88 people who pay for parking which includes 22 Councillors.</p>	

Following a recent incident of damage to a vehicle it has been noted by the Councils Building Surveyors Team that there is evidence of Calcium Hydroxide solution formation under the soffit of the concrete slab. This is due to water ingress from above into the concrete slab that reacts with calcium oxide in the concrete and when this runs through the joints in the slab it reacts with air and deposits of calcium hydroxide form called stalactites. Water drips off onto vehicles parked below and can cause damage. In order to stop this, the existing surface must be stripped and replaced with new asphalt finish which is estimated to cost £25K.

There is currently an insurance claim being made against the Council for damage to a vehicle as a result of the above and the situation is likely to get worse over subsequent years as water ingress increases. Additionally as part of the Town Centre redevelopment Car Park 7 will be closed and this will increase the pressure on car parking spaces at Easthampstead House.

Great Hollands Community Centre / Library Phase 2	£250,000
--	-----------------

During 2012-13 improvement works are planned at Great Hollands community centre to bring the social club part of the centre back into use as community centre space.

This second phase of the project in 2013-14 has three aims:

- to adapt the community centre to enable the provision of a community cafe
- improve the integration of the community centre and library
- increase the size of the Great Holland's library.

Improving the integration of the community centre and library will enable the library to make use of the community centre for its activities. Great Hollands library is one of the Council's busiest libraries and its numbers of users has significantly increased linked to the development of Jennett's Park, this has placed pressure on the library and increasing its size will help to respond to community demand.

Power Generator	£104,000
------------------------	-----------------

Proposal for a budget to provide off line power to the data centre in the event of a power failure. Currently, the council has a battery back up system that will provide approximately 30 minutes of power – allowing the controlled shutdown of systems. After this time all services and systems will remain off line until normal power is resumed.

The diesel generator would allow the Council to complete critical tasks such as backups and overnight batch processing that would greatly reduce the impact of a power cut and mitigate the risks of shutting down without backing up the data. It would also be possible to keep up the hosted internet services during a power cut so that those outside the affected area can still access them.

MFD – Printer Refresh	£70,000
<p>The introduction of mono only Multi Functional Devices (MFD) for printing and photocopying between 2006 & 2009 has left a number of local & network colour printers still on the estate. These printers are very expensive to replace & toner costs are very high. Cheaper toner does not work in some of these printers. A number of the current MFD's are now coming towards the end of their life both in terms of age and high volume printing. A report on each MFD has identified that 9 MFD's will need refreshing due to high volume printing projected in 2013/14. The current break down of MFD's in Bracknell Forest Council is 55 mono and 30 colour across all Council Buildings (excluding Councillor MFD's)</p> <p>This capital request is also to replace 10 current mono MFD's for colour MFD's due to a business requirement. This would allow the removal of further local & colour network printers from the estate, creating more office space and introducing enhanced secure. In addition to the above a number of the older MFD's (small print capacity) do not have the secure print option. The Council now requires all printers to have an element of secure printing, so these MFD's will need replacing. Current estimates are that 14 MFD's would need replacing.</p>	

Electronic Document and Record Management System (EDRMS) Scanning	£40,000
<p>The Open Text EDRMS, branded within the Council as Smart Office, was agreed at the time of purchase to be the application used when implementing new or replacing existing EDRMS in the Council. A recent purchase of additional licences has enabled further implementations in Children, Young People and Learning and in Environment, Culture and Communities. There are sufficient licences to agree further implementations. As a consequence of the increasing Council-wide use of the application, it has been agreed that the Chief Information Officer will be the system owner and responsible for all software hardware costs associated with this application.</p> <p>There are currently 16 scan stations in Social Care using a range of scanner models and makes. Some of these scanners have been in use since 2004 when the incumbent system was in use, and all of them are now out of the extended maintenance and support contracts that were purchased at the same time as the scanners. Nothing has been put in place to replace this. Users are increasingly reporting problems with these scanners. It is anticipated that at least 10 will need to be replaced in the next financial year. This replacement will also need to include the purchase of on-going support and maintenance of the equipment.</p> <p>The Council if called upon, must demonstrate that this equipment is up-to-date and is regularly cleaned and maintained. This reassurance may be needed under the 2004 Code of Practice for Legal Admissibility. This code may be used should there be a challenge over an electronically stored document which has been reproduced for court. The risk of a challenge is small and more likely in criminal than care proceedings. With the implementation in Environment, Culture and Communities Trading Standards, Environmental Health and Licensing, the likelihood of a criminal proceeding increases.</p>	

Phone Systems Replacement – Libraries	£25,000
<p>Proposal to replace telephone systems at Library sites with IPT, integrated with the main corporate Cisco IPT system.</p> <p>The procurement of replacement phone systems will provide a common phone experience for users, provide the required functionality for flexible and mobile working, lower Council to Council call costs and lower maintenance/support costs. The provision of phone systems integrated with the main corporate Cisco IPT system in the eight branch libraries will enable calls to be forwarded internally between all libraries and Time Square/Easthampstead House etc., including Customer Services.</p>	

CAPITAL PROGRAMME - CORPORATE SERVICES / CHIEF EXECUTIVE

	2013/14 £000	2014/15 £000	2015/16 £000
Committed	0	0	0
	<u>0</u>	<u>0</u>	<u>0</u>
Unavoidable			
Council Chamber Audio and Visual Replacement	43	0	0
	<u>43</u>	<u>0</u>	<u>0</u>
Maintenance			
See Council Wide			
	<u>0</u>	<u>0</u>	<u>0</u>
Rolling Programme / Other Desirable			
Property & Asset Mgt System - Additional Modules	40	0	0
On-Line Booking Systems	20	10	0
ICT Helpdesk Software Replacement	15	60	0
	<u>75</u>	<u>70</u>	<u>0</u>
TOTAL REQUEST FOR COUNCIL FUNDING	<u>118</u>	<u>70</u>	<u>0</u>
External Funding			
	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL EXTERNAL FUNDING	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL CAPITAL PROGRAMME	<u>118</u>	<u>70</u>	<u>0</u>

Corporate Services / Chief Executive Schemes

Council Chamber Audio Visual Replacement	£43,000
<p>The current audio wired system was installed during the 1990's. A projector and screen has been in place for over 20 years but has been refreshed a number of times.</p> <p>The current audio and visual system is not fit for purpose. Issues reported are not all microphones work, buttons on the devices sticking, sound quality is distorted and exposed cables when tables are required to be moved. The clarity of image from the projector makes images such as photographs for planning meetings & Microsoft Powerpoint presentations difficult to read. Viewers who are located furthest away from the projector screen have their view obscured by other peoples who sit nearer the front. The seats occupied by the Mayor / Deputy Mayor & Chief Executive have their view obscured by the current position of the projector screen. No power is available to the main desks within the Council Chamber. Proposal for budget is to replace the current audio & visual equipment in the Council Chamber with a solution that is fit for purpose based on recommended best-practice and future proofed for the next 10 years of service.</p>	

Property & Asset Management System – Additional Modules	£40,000
<p>In 2012-2013 the Building Group replaced its outdated property maintenance system with a new web based system (Frontline) as the Access based system was over 14 years' old and was no longer maintained. The new Frontline system is now in place and being used by various other Council services, including Customer Services. The initial system replacement saw the replacement of the reactive maintenance and property condition modules only and the intention was to develop the system further adding other necessary modules as funds became available. To enable the Building Group to efficiently manage the Council's statutory obligations for managing Asbestos and Legionella further funding is required.</p> <p>Further development of Frontline will allow the responsible persons on site to view the information held on their property electronically and enable them to update the system as required. In addition the system will also include AutoCAD plans identifying where asbestos is located with any associated photographs, room locations/ numbers and Fire Risk Assessments. Currently the system for managing asbestos and legionella is a paper based system and it is difficult to identify if the asbestos register or if the checks required for legionella are being managed and recorded as required.</p> <p>Part of this development requires the purchasing of additional electronic hardware to ensure future proofing of the service and to allow for future mobile/flexible working. Therefore, electronic Tablets linked to a 3G network for real time updating of the system is required. In addition, Dual screens are required to enable the Surveyors/ Engineers to work on and view AutoCAD plans at the same time as carrying out general computer work.</p>	

On-Line Booking Systems	£20,000
<p>The council's Customer Contact and Channel Migration Strategies include the implementation of online bookings for a number of services, including leisure, bulky waste collections, pest control and responsive repairs (internal). Bookings are also used by other services – e.g. Registrars, Building Control, Libraries – and further requirements may be emerging from other services for telephone or online self-service booking and paying for services.</p> <p>To date, no comprehensive specification of requirements has been produced, and services have procured or developed booking systems independently and without any assessment of whether their systems could meet wider requirements across the organisation. It seems unlikely that a single booking system will be able to meet the requirements of all services in the council, but it is possible that one of the incumbent booking systems could be used more widely than for the purpose it is currently being used. The aim of this project is to define fully the requirements across the organisation for resource and appointment booking, and to establish whether any of the current technologies we use could be extended to deliver to these requirements. If our current technologies cannot meet our wider requirements, our next option to consider will be open source solutions, possibly as part of a new website Content Management System.</p>	

ICT Helpdesk Software Replacement	£15,000
<p>The INFRA Enterprise software has been used by the ICT Helpdesk for over 10 years and is currently running on version 8.</p> <p>Over the last 3 years the product has changed companies three times and is no longer known as the product we use. The upgraded software is now owned by VM Ware who is changing the functionality of the software so that it will no longer offer what we require it to do. Version 8 will go End of Life (EOL) in June 2014.</p> <p>The project is to replace the current Helpdesk Software with a more functional and relevant product in order to maintain issue tracking and service requests. The software is also required for the service improvement plan to help facilitate self service functionality, call logging, automating of call transfers to devolved teams and inter departmental workflow.</p> <p>The new option will only focus on the core functionality of:</p> <ul style="list-style-type: none"> Call Management – Logging and closing of issues or service requests. Reporting – Ability to report on various aspects of issues. Reduced administration – To reduce the amount of times data needs to be entered. Self Service Web Portal – To allow staff to raise, track and close calls. 	

**TO: OVERVIEW & SCRUTINY COMMISSION
30 JANUARY 2013**

**EXECUTIVE KEY AND NON-KEY DECISIONS RELATING TO
CORPORATE ISSUES
Assistant Chief Executive**

1 PURPOSE OF REPORT

- 1.1 This report presents scheduled Executive Key and Non-Key Decisions relating to corporate issues for the Commission's consideration.

2 RECOMMENDATION(S)

- 2.1 That the Overview and Scrutiny Commission considers the scheduled Executive Key and Non-Key Decisions relating to corporate issues appended to this report.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 To invite the Commission to consider scheduled Executive Key and Non-Key Decisions.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5 SUPPORTING INFORMATION

- 5.1 Consideration of Executive Key and Non-Key Decisions alerts the Commission to forthcoming Executive decisions and facilitates pre-decision scrutiny.
- 5.2 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.
- 5.3 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.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

No advice was sought from the Borough Solicitor, the Borough Treasurer or Other Officers or sought in terms of Equalities Impact Assessment or Strategic Risk Management Issues. Such advice will be sought in respect of each Executive Forward Plan item prior to its consideration by the Executive.

7 CONSULTATION

None.

Background Papers

Local Government Act 2000

Contact for further information

Richard Beaumont – 01344 352283

e-mail: richard.beaumont@bracknell-forest.gov.uk

OVERVIEW & SCRUTINY COMMISSION

EXECUTIVE WORK PROGRAMME

REFERENCE	1039237
------------------	---------

TITLE: Binfield Nursery Update

PURPOSE OF DECISION: To advise the Executive of a revised offer received for the Binfield Nursery site and to seek the Executive's agreement that the Chief Officer: Property be authorised to enter negotiations with the developers before a decision is taken on the sale of the site.

FINANCIAL IMPACT:

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: Not applicable

METHOD OF CONSULTATION: Not applicable

DATE OF DECISION: 13 Feb 2013

REFERENCE	1038112
------------------	---------

TITLE: Bracknell Forest Council - Peer Review - Self-Assessment

PURPOSE OF DECISION: To advise the Executive of the Council's Self-Assessment regarding the Peer Review in March 2013.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: None.

METHOD OF CONSULTATION: None.

DATE OF DECISION: 13 Feb 2013

REFERENCE	I034743
------------------	---------

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: 13 Feb 2013

REFERENCE	I038964
------------------	---------

TITLE: Community Safety Partnership 2012 Strategic Assessment

PURPOSE OF DECISION: To inform the Executive of the final Community Safety Partnership 2012 Strategic Assessment and invite comments.

FINANCIAL IMPACT: None

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: None

METHOD OF CONSULTATION: None

DATE OF DECISION: 13 Feb 2013

REFERENCE	I034983
------------------	---------

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: 13 Feb 2013

REFERENCE	I037632
------------------	---------

TITLE: ICT Category Strategy

PURPOSE OF DECISION: To approve the ICT Category Strategy

FINANCIAL IMPACT: Revenue savings anticipated

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: ICT Steering Group.

METHOD OF CONSULTATION: Meetings.

DATE OF DECISION: 13 Feb 2013

REFERENCE	I034612
------------------	---------

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: 13 Feb 2013

REFERENCE	I038634
------------------	---------

TITLE: Service Plan 2013/14 - Revised Key Actions and Indicators

PURPOSE OF DECISION: The Medium Term Objectives (MTOs) 2011/15 were adopted in October 2011. The Council now needs to develop these into detailed, practical actions to be pursued during 2012/13. This report sets out the detail of these actions.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: Departments

METHOD OF CONSULTATION: Departmental Management Teams

DATE OF DECISION: 13 Feb 2013

REFERENCE	I038934
------------------	---------

TITLE: Superfast Broadband Project

PURPOSE OF DECISION: To enter into an agreement with the selected contractor and to get senior delegated authority to take decisions under the Superfast Broadband contract.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: None.

METHOD OF CONSULTATION: Not applicable.

DATE OF DECISION: 13 Feb 2013

REFERENCE	I039333
------------------	---------

TITLE: Miscellaneous IT Equipment Procurement Plan

PURPOSE OF DECISION: To approve the procurement plan for the supply of miscellaneous IT equipment

FINANCIAL IMPACT: Within existing budget

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

PRINCIPAL GROUPS TO BE CONSULTED: Head of Procurement
ICT Category Manager
Assistant Borough Solicitor
IT Procurement Project Board

METHOD OF CONSULTATION: Meeting with interested parties

DATE OF DECISION: 26 Feb 2013

REFERENCE	I036145
------------------	---------

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

REFERENCE	I038977
------------------	---------

TITLE: Voluntary Sector Core Revenue Grants 2013/14

PURPOSE OF DECISION: Subject to Service Level Agreements being concluded between the Council and each grantee, to award grants to various voluntary bodies for 2013/14

FINANCIAL IMPACT: Contained within the report

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

PRINCIPAL GROUPS TO BE CONSULTED: Chief Executive's Office
Borough Treasurer
Borough Solicitor

METHOD OF CONSULTATION: Internal email only

DATE OF DECISION: 14 Mar 2013

REFERENCE	I036944
------------------	---------

TITLE: Bracknell Town Centre Regeneration Update

PURPOSE OF DECISION: To obtain endorsement and approval to the continuing approach to the Town Centre Regeneration.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Bracknell Town Centre Regeneration Committee

PRINCIPAL GROUPS TO BE CONSULTED: N/A

METHOD OF CONSULTATION: N/A

DATE OF DECISION: 18 Mar 2013

REFERENCE	I032940
------------------	---------

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

REFERENCE	I036588
------------------	---------

TITLE: Award of the Works Contract for Time Square and Easthampstead House

PURPOSE OF DECISION: To award the works contract in relation to refurbishment of Time Square and Easthampstead House.

FINANCIAL IMPACT: Within existing budget.

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: Accommodation Strategy Steering Group.

METHOD OF CONSULTATION: Meetings with interested parties.

DATE OF DECISION: 16 Apr 2013

REFERENCE	I038307
------------------	---------

TITLE: Corporate Asset Management Plan

PURPOSE OF DECISION: To inform the Executive of annual revisions and upgrades to the Council's Corporate Asset Management Plan.

FINANCIAL IMPACT: No financial implications

WHO WILL TAKE DECISION: Executive

PRINCIPAL GROUPS TO BE CONSULTED: Asset Management Group

METHOD OF CONSULTATION: Meetings

DATE OF DECISION: 16 Apr 2013

REFERENCE	I036946
------------------	---------

TITLE: Bracknell Town Centre Regeneration Update

PURPOSE OF DECISION: To obtain endorsement and approval to the continuing approach to the Town Centre Regeneration.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Bracknell Town Centre Regeneration Committee

PRINCIPAL GROUPS TO BE CONSULTED: N/A

METHOD OF CONSULTATION: N/A

DATE OF DECISION: 20 May 2013

REFERENCE	I038042
------------------	---------

TITLE: Community Consultation and Engagement Services Contract Award

PURPOSE OF DECISION: To approve the contract award for the Community Consultation and Engagement Services Contract.

FINANCIAL IMPACT: Within existing budgets.

WHO WILL TAKE DECISION: Director of Corporate Services

PRINCIPAL GROUPS TO BE CONSULTED: Service Efficiency Group Members
Corporate Management Team

METHOD OF CONSULTATION: Email and meetings in May 2013.

DATE OF DECISION: 20 May 2013

REFERENCE	I039183
------------------	---------

TITLE: Discretionary Rates Relief - New Applications

PURPOSE OF DECISION: Discretionary Rates Relief new applications

FINANCIAL IMPACT: Within existing budget

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

PRINCIPAL GROUPS TO BE CONSULTED: Not required

METHOD OF CONSULTATION: Not required

DATE OF DECISION: 28 Jun 2013

REFERENCE	I039185
------------------	---------

TITLE: Discretionary Rates Relief - New Applications

PURPOSE OF DECISION: Discretionary Rates Relief new applications

FINANCIAL IMPACT: Within existing budget

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

PRINCIPAL GROUPS TO BE CONSULTED: Not required

METHOD OF CONSULTATION: Not required

DATE OF DECISION: 30 Sep 2013

REFERENCE	I039186
------------------	---------

TITLE: Discretionary Rates Relief - New Applications

PURPOSE OF DECISION: Discretionary Rates Relief new applications

FINANCIAL IMPACT: Within existing budget

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

PRINCIPAL GROUPS TO BE CONSULTED: Not required

METHOD OF CONSULTATION: Not required

DATE OF DECISION: 31 Dec 2013

REFERENCE	I039187
------------------	---------

TITLE: Discretionary Rates Relief - New Applications

PURPOSE OF DECISION: Discretionary Rates Relief new applications

FINANCIAL IMPACT: Within existing budget

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

PRINCIPAL GROUPS TO BE CONSULTED: Not required

METHOD OF CONSULTATION: Not required

DATE OF DECISION: 31 Mar 2014

REFERENCE	I036946
------------------	---------

TITLE: Bracknell Town Centre Regeneration Update

PURPOSE OF DECISION: To obtain endorsement and approval to the continuing approach to the Town Centre Regeneration.

FINANCIAL IMPACT: Contained within the report

WHO WILL TAKE DECISION: Bracknell Town Centre Regeneration Committee

PRINCIPAL GROUPS TO BE CONSULTED: N/A

METHOD OF CONSULTATION: N/A

DATE OF DECISION: 20 May 2013

REFERENCE	I038042
------------------	---------

TITLE: Community Consultation and Engagement Services Contract Award

PURPOSE OF DECISION: To approve the contract award for the Community Consultation and Engagement Services Contract.

FINANCIAL IMPACT: Within existing budgets.

WHO WILL TAKE DECISION: Director of Corporate Services

PRINCIPAL GROUPS TO BE CONSULTED: Service Efficiency Group Members
Corporate Management Team

METHOD OF CONSULTATION: Email and meetings in May 2013.

DATE OF DECISION: 20 May 2013

**TO: OVERVIEW AND SCRUTINY COMMISSION
30 JANUARY 2013**

OVERVIEW AND SCRUTINY OF THE BRACKNELL FOREST PARTNERSHIP

Assistant Chief Executive

1 PURPOSE OF REPORT

- 1.1 This report invites the Overview and Scrutiny (O&S) Commission to reaffirm the Commission's decisions on 28 October 2010 concerning O&S of the Bracknell Forest Partnership.

2 RECOMMENDATION

That the Overview and Scrutiny Commission reaffirms the Commission's decisions in 2010 that:

- 2.1 The Bracknell Forest Partnership Overview and Scrutiny (O&S) Group should exist in a reference capacity only, meeting exceptionally if required.**
- 2.2 O&S reviews of partner organisations' activities should only be carried out when they form an integral part of an O&S review of the Council's own activities, or NHS services.**

3 SUPPORTING INFORMATION

- 3.1 At its meeting on 28 October 2010, the O&S Commission received a report on the review of partnership scrutiny in Bracknell Forest¹. The Commission agreed the recommendations in the report, which included:

5.18 The Partnership Overview and Scrutiny Group, having fulfilled its initial functions regrettably can no longer be supported unless and until new resources are made available. In future, the group should exist in a reference capacity only, meeting exceptionally if required. Similarly, the resource constraints mean that O&S reviews of partner organisations' activities should only be carried out when they form an integral part of an O&S review of the Council's own activities, or NHS services (paragraphs 4.20-4.21).

5.19 The approach to O&S of the Bracknell Forest Partnership should be reviewed in the light of the responses to this report's recommendations and in the event that: the powers or funding of the Bracknell Forest Partnership grow; or priorities change; or more resources become available (paragraph 5.14); or in two years' time at the latest.

- 3.2 With the agreement of the Chairman of the O&S Commission, this report was delayed slightly beyond the two years time interval, to await the outcome of the Bracknell Forest Partnership (BFP) Board's review of the BFP's future in the light of less

¹ The Minutes of the meeting and the related reports can be viewed on the Council's website at <http://democratic.bracknell-forest.gov.uk/ieListDocuments.aspx?CId=151&MId=3391>

emphasis being placed by central government on Local Strategic Partnerships, and financial pressure on all public sector organisations.

- 3.3 At its meeting on 22 November 2012 the Bracknell Forest Partnership (BFP) Board considered a report on a review of the BFP. The minutes record:

It was acknowledged that the real value of the Bracknell Forest Partnership Board was that it provided a mechanism to gather together the heads of the main public sector bodies in the area to discuss cross cutting issues. It was stressed that just because it was no longer a statutory requirement to have a local strategic partnership or a Sustainable Community Strategy not having one was not an option because partners considered it to be an effective and efficient method of ensuring both joined up working and joined up thinking.

BFP Board meetings are now held less frequently, and there are fewer Theme Partnerships.

- 3.4 Since October 2010, O&S Reviews have included the activities of partner organisations as appropriate, for example, the recent review of Substance Misuse included discussions with Thames Valley Police and National Health Service staff. With reference to the earlier report's recommendations (paragraph 3.1 above):
- The responses from the Executive and the BFP Board to the report's recommendations were supportive of the approach proposed;
 - The powers and funding of the BFP have not grown, neither have the BFP's priorities changed materially;
 - No more resources have become available.

- 3.5 In conclusion, nothing has changed since October 2010 to cause the Commission's decision to be altered; indeed it has been reinforced by no need having arisen to reconvene the Partnership Overview and Scrutiny Group in the intervening period. Furthermore, should the Partnership O&S Group need to meet again, it would require to be re-formed as the Thames Valley Police Authority has ceased to exist, and the Primary Care Trust is also due to cease in April 2013.

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

Richard Beaumont – 01344 352283
e-mail: richard.beaumont@bracknell-forest.gov.uk

**OVERVIEW AND SCRUTINY COMMISSION
30 JANUARY 2013**

REVIEW OF THE PREPARATIONS FOR THE COMMUNITY INFRASTRUCTURE LEVY

Assistant Chief Executive

1 PURPOSE OF REPORT

- 1.1 This report presents the attached report resulting from the review of the preparations for the Community Infrastructure Levy (CIL) undertaken by a working group of the Overview and Scrutiny Commission.

2 RECOMMENDATIONS

That, as recommended by the Working Group, the Overview and Scrutiny Commission:

- 2.1 **Adopts the attached report of the review of the preparations for the Community Infrastructure Levy undertaken by a working group of the Overview and Scrutiny Commission, for sending formally to the relevant Executive Member.**
- 2.2 **Stands down the Working group unless/until further Regulations affecting CIL are published and materially affect the conclusions and recommendations of the Working Group's report.**
- 2.3 **Requests from the Executive regular updates on any further developments in the CIL project, and to arrange for prior consultation with the Commission on any new CIL proposals.**
- 2.4 **Asks the Environment, Culture and Communities O&S Panel to monitor the outcome of the Public Examination of the Site Allocations proposals.**

SUPPORTING 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

Richard Beaumont – 01344 352283
e-mail: richard.beaumont@bracknell-forest.gov.uk

This page is intentionally left blank

DRAFT 18.1.13

A Review of the Preparations for the Community Infrastructure Levy

by a Working Group of the Overview and Scrutiny
Commission



January 2013

Table of Contents

	Page Number
1. Foreword by the Lead Member	1
2. Executive Summary	2
3. Background	4
4. Investigation, Information Gathering and Analysis	10
5. Conclusions and Recommendations	27
6. Glossary	35
Appendix 1 – The scoping plan for the review	36

Acknowledgements

The Working Group would like to express its thanks and appreciation to the following people for their co-operation and time. All those who have participated in the review have been thanked for their contribution and received a copy of this report if wished.

Councillor John Ellis	Winkfield Parish Council
Councillor Graham Ellis	Bracknell Town Council
Councillor Colleen Healy	Warfield Parish Council
Anthony Lee	Senior Director of BNP Paribas Real Estate
Councillor Richard Price	Crowthorne Parish Council
Andrew Whitaker	Planning Director, Home Builders Federation

Portsmouth City Council

Councillor Lee Hunt	Chair of Planning Committee
Jacqueline Boulter	Principal Planning Officer
Claire Upton Brown	Assistant Head of Planning

Officers of Huntingdonshire District Council

Bracknell Forest Council

Councillor Mrs Ballin	Executive Member for Planning and Transport
Max Baker	Head of Spatial Policy
Richard Beaumont	Head of Overview and Scrutiny
Alex Jack	Borough Solicitor
Bev Hindle	Chief Officer: Planning and Transport
Alan Nash	Borough Treasurer
Vincent Paliczka	Director, Environment, Culture and Communities

1. Foreword by the Lead Member

- 1.1 The work undertaken by the Working Group on the whole of this topic – including the previous work done on recommendations in respect of the Charging Rates – has been extensive and prolonged. It has been the most important task we have undertaken, especially in view of the long term effect decisions on this matter will have on the funding for this Borough.
- 1.2 Extending my thanks to the WG for the dedication that they have shown throughout this period hardly seems adequate for the commitment that they have shown and the assiduity with which they have pursued the task. We have learnt much and have brought an experience of commercial reality and knowledge, which I believe, has enhanced the outputs that have been achieved.
- 1.3 There have been concerns. We remain to be convinced that this project should have been ‘planning led’. While there is no doubt they have an important role to play, the ramifications and impact of CIL affect departments and directorates across the Borough. It is for that reason that we believe strategic responsibility should lie in the Chief Executive’s office. This is reflected in one of our recommendations.
- 1.4 Likewise, we were disturbed to learn that until the matter was raised by the Working Group, no external views had been taken from other outside bodies – despite the long-term prior existence of an officer group. We also felt strongly that a ‘second consultant opinion’ should have been sought to test the viability and soundness of conclusions drawn by the consultant initially engaged by the department. The Working Group appreciates the cost involved in this, but bearing in mind we are talking about funding an Infrastructure Delivery Plan in the region of £126 million, the costs are negligible and would provide enhanced evidence when submissions to the Regulator are made.
- 1.5 It is clear, however, that both Officers and Members have learnt a great deal – far more, we suspect, than most other authorities.
- 1.6 I commend this report to both the Commission and the Executive. In doing so I would like to emphasise the Working Group’s thanks and appreciation to our Head of Overview and Scrutiny Officer Richard Beaumont, whose help, assistance and guidance has been invaluable and demonstrates yet again how valuable is the role of this under-resourced section.

Councillor Ian Leake
Lead Working Group Member

2. Executive Summary

- 2.1 Bracknell Forest Council ('the Council'), like other Local Authorities (LA), has a responsibility to provide adequate public infrastructure for everyone who lives, works and travels through the Borough. National government provides other public infrastructure (such as motorways and trunk roads) and Utility companies provide infrastructure too (such as railways). The LA infrastructure provisions are diverse – for example providing enough places in schools, building and maintaining local roads, and providing public open spaces. Public money alone is insufficient to meet these demands, so it is a well-established principle that people who build new houses or other developments which add significantly to the demands on the local infrastructure and facilities should contribute to those additional costs.
- 2.2 Traditionally, property developers have contributed to public infrastructure costs through 'Planning Obligations' - providing infrastructure themselves (for example a new road junction to serve a new housing development) and/or making a cash payment to the local authority through an agreement under Section 106 (S106) of the Town and Country Planning Act.
- 2.3 In 2008, new legislation introduced the Community Infrastructure Levy (CIL), as an alternative – but not a complete replacement for – the existing mechanisms for obtaining contributions towards public infrastructure costs. The Government intended that CIL would become the key mechanism by which councils will secure money to create and modify infrastructure to ensure the impact of development is mitigated. The CIL is therefore important for delivering essential public works and services across Bracknell Forest.
- 2.4 At its meeting on 10 January 2012, the Council's Executive asked the Overview and Scrutiny ('O&S') Commission to establish a working group to support the development of the Council's CIL arrangements; also asking that the Commission should consider inviting a representative of the Town and Parish Councils (T&PC) onto the Working Group.
- 2.5 This report describes the work of the Working Group Between February 2012 and January 2013, and it is organised in the following sections:
- Part 3 Gives background information in respect of the Community Infrastructure Levy, and summarises how we set about our review.
 - Part 4 Summarises the information and evidence gathered by the Working Group.
 - Part 5 Contains the conclusions we have reached following our review, on which we have based a number of recommendations to the Council's Executive and to the O&S Commission.
- At the end of our report is a glossary of terms used and an appendix containing detailed supporting information.
- 2.6 Members of the Working Group hope that this report will be well received and we look forward to receiving responses to its recommendations, and their implementation.

2.7 The Working Group comprised:
Councillor Leake (Lead Member)
Councillor Mrs Birch
Councillor Virgo

Councillor Angell
Councillor Heydon
Councillor Worrall

3. Background

What is the Community Infrastructure Levy?

- 3.1 The Community Infrastructure Levy (CIL) was introduced under the Planning Act 2008, as amended by the Localism Act 2011. It came into force in April 2010. The Government has issued a series of detailed regulations and guidance on CIL, most recently in December 2012; and further regulations are expected. CIL allows local authorities (LA) in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, park improvements, green spaces and leisure centres.
- 3.2 CIL is intended to complement rather than replace other funding streams and is intended to promote sustainable development rather than hinder it.
- 3.3 Councils, like Bracknell Forest, which are 'Charging Authorities' have a choice as to whether or not to introduce the CIL. Only a few councils are at an advanced stage in introducing CIL, and it seems likely that some councils will not adopt CIL. If a council decides not to introduce a CIL, from 6 April 2014, they will not be able to continue with their own system via S.106 planning obligations for pooled contributions, as the Council presently does through the 'Limiting the Impact of Development' Supplementary Planning Document. 'Charging authorities' all prepare development plans for their areas, which are informed by assessments of the infrastructure needs for which the levy may be collected.
- 3.4 CIL is seen by the Council's leadership as being very important for Bracknell Forest where large scale planned housing developments will result in the need for significant highway improvement works and a new secondary school, among other infrastructure requirements. The new limit on pooling S.106 contributions for a piece of infrastructure from more than five developments is seen as particularly significant, for example, when levies collected from a number of separate developments would necessarily have to be pooled to deliver sufficient funding to construct a new secondary school to serve a wide area of the Borough. In this respect, it is important to remember that significant areas of the Borough have been recommended to have a nil charging rate under CIL, but will still require infrastructure to be funded from CIL levy from other charging areas.
- 3.5 The law states that CIL payments will be calculated by applying a tariff rate to the net increase in floor area resulting from a development. This applies to the net additional floorspace on all floors of a building, i.e. not just the footprint of the building. The rate to be set will be based on a schedule that can set different levels of charge for different land uses (residential, business, retail, etc.) and for different geographic areas. The rates, and any variations within them must be set at a level that will ensure that most development is viable. Any variations between uses and geographic areas must be based on there being quantifiable differences in their viability. CIL is not charged on affordable housing and buildings used for charitable purposes. The amount payable on smaller schemes will be set at the time planning permission is granted and payment will be due at the



Community Infrastructure Levy

An overview



commencement of development. It is proposed that larger amounts will be payable in instalments over fixed time periods.

The Intended Benefits of the Community Infrastructure levy

- 3.6 The Government has decided that this tariff-based approach provides the best framework to fund new infrastructure to unlock land for growth. The CIL is intended to be fairer, faster and more certain and transparent than the system of planning obligations. Levy rates are to be set in consultation with local communities and developers. CIL is a fixed, non-negotiable charge and will provide developers with much more certainty 'up front' about how much money they will be expected to contribute. Also, it is intended to be less time-consuming and complicated than S.106 planning obligations, with less need for protracted negotiations with applicants and the drawing up of legal agreements.
- 3.7 Unlike funding from S.106 agreements, CIL funds can be spent on a wide range of infrastructure to support development without the need for a direct geographical or functional relationship with the development. Planning obligations / S.106 Agreements will still be used, but in a more focused way to directly provide both 'off-site' infrastructure, through S106 contributions, and 'on site' improvements through planning conditions to mitigate the direct impact of the development proposed (e.g. landscaping, access roads). The regulations rule out the application of the levy for providing affordable housing, which will still need to be secured through S.106 agreements.
- 3.8 The Government has said that under the system of planning obligations only six per cent of all planning permissions brought any contribution to the cost of supporting infrastructure, whereas even small developments can create a need for new services. Almost all development has some impact on the need for infrastructure, services and amenities - or benefits from it - so the Government argues that it is only fair that such development pays a share of the cost, also that those who benefit financially when planning permission is given should share some of that gain with the community which granted it.

Calculation and Charging of CIL

- 3.9 The LA firstly needs to demonstrate that new or improved infrastructure is needed to support planned development and mitigate its impacts. It must also show that there is a 'gap' in the available funding for the necessary infrastructure that requires the use of CIL.
- 3.10 The LA must also show that the proposed levy rates would not have an unacceptably adverse impact on the commercial viability across the area as a whole. It is not necessary to show that all developments would be viable, but that the majority of planned developments would not be made unviable by the proposed CIL level. The viability assessment needs to take account of the costs of other on-site infrastructure including affordable housing.
- 3.11 The law requires that the level of CIL proposed by the charging authority shall be tested by an independent examiner. This involves an assessment of whether a charge is justified by the need for, and cost of infrastructure, and whether the charge will have an unacceptably negative impact on the economic viability of development. In setting its CIL rate the Council must: '... aim to strike what appears to the charging authority to be an appropriate balance between:

- ‘The desirability of funding CIL and the actual and expected costs of infrastructure required to support development; and
- The potential effects of the imposition of CIL on the economic viability of development across its area.’

3.12 The amount of the CIL charge is set at the time of granting of planning permission. Payment is due on commencement of works or grant of retrospective planning permission. For larger developments, the Council intends to allow CIL payments in instalments.

How will the Income from CIL be spent?

3.13 The Government estimates that introducing CIL has the potential to raise an additional £1 billion a year of funding for local infrastructure by 2016. LAs are required to spend the CIL funds on the infrastructure needed to support the development of their area. The levy is intended to focus on the provision of new infrastructure, but can be used to increase or repair existing infrastructure, if that is necessary to support development.

3.14 Using new powers in the Localism Act, the Government intends to require charging authorities to allocate a ‘meaningful proportion’ of CIL revenues raised in each neighbourhood back to that neighbourhood. Government regulations specifying what that proportion actually is have been delayed. Meanwhile the Government’s Planning Minister stated on 10 January 2013, ‘

Neighbourhoods thatdraw up a neighbourhood development plan....will receive 25% of the revenues from the Community Infrastructure Levy arising from the development that they choose to accept..... Neighbourhoods without a neighbourhood development planwill still receive a capped 15% share of the levy revenue arising from development in their area.....Where the money is transferred to a parish council (in England)..... they will decide how the money will be spent - although they will be expected to work with the local planning authority.....In areas that have not been subject to neighbourhood planning there will be a cap of £100 per council tax dwelling on the neighbourhood funds.....We aim to have these incentives in place from Spring 2013.’

3.15 The ‘meaningful proportion’ device is intended to ensure that where a neighbourhood bears the brunt of a new development, it receives sufficient money to help it manage those impacts. The Government has said that LAs will need to work closely with neighbourhoods to decide what infrastructure they require, and balance neighbourhood funding with wider infrastructure funding that supports growth. They will retain the ability to use the levy income to address the cumulative impact on infrastructure that may occur further away from the development.

3.16 Charging authorities are allowed to use up to 5 per cent of their total receipts on CIL to recover the costs of administering the levy.

What is infrastructure?

- 3.17 The Planning Act 2008 provides a wide definition of the infrastructure which can be funded by the CIL, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, district heating schemes and police stations and other community safety facilities. This gives local communities flexibility to choose what infrastructure they need to deliver their development plan. The regulations rule out the application of the levy for providing affordable housing, so the Council will need to continue to require developers to provide for that through S106 contributions or other means.

Bracknell Forest Borough's Infrastructure Requirements

- 3.18 At its meeting on 12 June 2012, the Executive was informed that the estimated costs for various types of infrastructure needed to support growth, which had been identified as requiring CIL to help fill the gap in available funding were as follows.

Infrastructure	Estimated cost
Local Road Network	£16,300,000
Footpaths and Cycleways	£2,000,000
Public Transport	£6,000,000
Primary Education	£26,500,000
Secondary Education	£28,000,000
Special Education Needs	£11,600,000
Community Facilities	£2,300,000
Libraries	£1,200,000
Built Sports	£4,500,000
Open Space	£20,800,000
Biodiversity	£620,000
Public Rights of Way	£880,000
Suitable Alternative Natural Greenspaces SANG ¹	£5,100,000
Police	£460,000
Total Costs	£126,260,000

- 3.19 The table above does not include the costs of administering CIL for which the Council can use a percentage of CIL receipts. Neither does it include the 'meaningful proportion' of CIL receipts that the Council will pass on to T&PCs within whose areas development takes place (the regulations on the size of this are awaited). More detail on infrastructure requirements is contained in the Infrastructure Delivery Plan – Draft Submission Site Allocations Development Plan Document approved by Council² as part of the Site Allocations documentation in November 2011. **NB** – At the time of writing this report, the Site Allocations were undergoing a public examination.

¹ Suitable Alternative Natural Greenspaces or 'SANGs' are a group of existing open spaces that are due to undergo enhancements designed to attract more visitors by providing an enjoyable natural environment for recreation as an alternative to the Thames Basin Heaths Special Protection Area

² The document can be viewed on the Council's website at <http://democratic.bracknell-forest.gov.uk/ieListDocuments.aspx?CId=141&MId=3797>

Monitoring and reporting spending of the levy

- 3.20 To ensure that the levy is open and transparent, charging authorities are required to publish short reports on the levy for the previous financial year which must be placed on their websites by 31 December each year. They may prepare a bespoke report or use an existing reporting mechanism. These reports are aimed at ensuring accountability and to enable the local community to see what infrastructure is being funded from the levy. Charging authorities must report on how much monies they received from the levy in the last financial year and on how much was unspent at the end of the financial year. They must also report total expenditure from the levy in the preceding financial year, with summary details of what infrastructure the levy funded, how much of the levy was spent on each item of infrastructure and how much on administrative expenses.

Progress on the Bracknell Forest CIL Arrangements

- 3.21 Council officers, in a Council-wide senior officer steering group led by the Director of Environment, Culture and Communities, have been monitoring the emerging legislative position on CIL for some years, and developing the arrangements for the CIL. They have operated under the direction and guidance of the Executive and the Corporate Management Team. This culminated in a special Council meeting on 12 June 2012, when Council endorsed for public consultation the Preliminary Draft Charging Schedule for CIL. The public consultation ran from 25 June to 13 August 2012. It proposed dividing the Borough into four charging zones, with varying CIL charging rates per square metre of:

- £Nil up to £220 for residential;
- £Nil up to £150 for residential care homes;
- £Nil up to £95 for large retail stores;
- £25 for hotels; and
- No charge for office, industrial or other developments, across the whole Borough



Bracknell Forest Borough Local Development Framework
www.bracknell-forest.gov.uk/communityinfrastructurelevy
June 2012

- 3.22 The consultation attracted a large number of responses, which gave rise to a need for further work to assess in more detail the viability of some of the Borough's major development sites. The outcome of the consultation was due to be reported to the Executive in early 2013, but this has recently been postponed to April.
- 3.23 The planned timetable for the introduction of CIL has been extended. In November 2011 it was planned to secure Council approval to the final terms of the scheme in April 2013, for CIL to commence operation in June 2013. Subsequently, the examination was re-timed for April 2013, leading to Council adoption of the scheme in July, and for CIL to commence in Bracknell Forest in the autumn of 2013. More recently, the timetable has been moved back another three months (though actual CIL income is not anticipated for some time after that).

How we Organised this Overview and Scrutiny Review

- 3.24 The O&S Commission decided to form a Working Group ('the Group') to progress the review. Having had some briefing on the subject, and in consultation with councillors

and officers, the Group agreed its objectives and approach at the outset, as set out at Appendix 1.

- 3.25 The Group endeavoured to involve the Town and Parish Councils (T&PC) throughout the review. On 6 February 2012, the Lead Member of the Group wrote to the Chairmen/Mayors of all the T&PCs in Bracknell Forest, copied to the Clerks/Executive Officer, to invite their input to the Group's work, and seeking views on how to achieve their proper and meaningful involvement. The Lead Member also invited the T&PC representatives to attend the Group's first meeting, to receive a briefing from officers on the CIL; and to discuss the approach to be taken by the Group.
- 3.26 The Group intended to include representation from one or more T&PC, but this proved to be impracticable as all T&PCs wished to be represented. The involvement of T&P councils was important but the Group decided that all T&PCs should be treated equally, and having six additional members would make for a very large and slow moving Group, which was unacceptable. Instead, the Group decided to inform and engage T&PCs by:
- Sending to all T&PC representatives: the factual briefing material on the CIL, and notes of the Group's meetings.
 - Inviting the T&PC's views on the proposed approach to the Group's work; and giving the opportunity to comment on any recommendations the Group might make at the end of the work.
 - Giving an update on the work to each meeting of the Parish and Town Councils' Liaison Group, and answer any questions in that forum.
 - Inviting comments from T&PC's throughout the work; and the Group might then decide to invite a T&PC to one of its meetings.
 - Any T&PC was welcome to invite the Lead Member to attend one of their meetings, to talk about the review.

4 Investigation, Information Gathering and Analysis

- 4.1 The Working Group (the Group) met 11 times during the course of its work. This included visits to Portsmouth and Huntingdon, and we are appreciative of the time and co-operation of all the people we met, also for the helpful advice and assistance of council officers throughout our review. We describe below what we learnt from those meetings, in chronological order. Additionally, a member of the Working Group and the Head of Overview and Scrutiny attended meetings of the Parish and Town Councils' Liaison Group on 28 March, 11 July, and 17 October 2012, and 9 January 2013 to give progress updates on the Group's work, and to answer any questions.

Introductory Review Work

- 4.2 On **23 February 2012** the Group, also representatives of the Borough's Town and Parish Councils (T&PCs), received an introductory and comprehensive briefing on the Community Infrastructure Levy (CIL) from Council officers. This covered the background to CIL, its role and relationship to the "Section 106" (S.106) levy system, opportunities for Bracknell Forest, infrastructure needs, CIL Governance, work to date, and next steps. Much of the information provided to us is included in the preceding section 3 of this report.
- 4.3 Matters arising in discussion on the presentation, and in response to members' questions were:
- a) Approximately £90 million worth of projects had been identified that could attract CIL funding up to 2026. The overall level of expected development was set out in the Borough Council's Core Strategy and the emerging Site Allocations document. The relatively high proportion relating to Education was not typical nationally; needs vary between areas, and in Bracknell Forest there is an emerging need for another secondary school, for example. Depending on the viability of development, it was quite possible that the infrastructure 'shopping list' would not all be affordable, therefore good prioritisation of infrastructure needs will be important.
 - b) An officer steering group had been established on CIL, chaired by the Director of Environment, Culture and Communities. A lot of preparatory work on the CIL had been completed, and the Borough's Local Development Framework indicated that the CIL regime would be suitable for the Borough.
 - c) Officers anticipated the CIL Examination would take place in December 2012, ultimately leading to the commencement of CIL in June 2013.
 - d) Funding of infrastructure works would come from a variety of sources, including CIL.
 - e) Different types of development, and their location, will have differing impacts on infrastructure needs. This was addressed in the Local Development Plan.
 - f) Officers stressed the importance of setting the right expectation for CIL. This funding will come from the same 'pot' which has paid for S106 obligations; as such, CIL is essentially a different way of collecting money from developers (i.e. it should not be seen as additional, new funding). Neither can it be used to prevent development. Calculating the net increase in developed space can be complex.
 - g) The Government had not yet determined whether CIL could be applied to affordable housing. Section 106 cannot be applied to any development which is on the list of developments for which CIL is being charged.
 - h) Regulations were awaited from Government on what percentage element of CIL would constitute a 'meaningful proportion' to be passed on to T&PC's.

- i) The Council's response to the consultation on the draft CIL regulations expressed concern that the regulations might be in conflict with legal obligations relating to Special Protection Areas.
- j) The cost of engaging BNP Paribas for viability assessment work would be met from the element of CIL income which can be retained for administrative costs. BNP Paribas had been selected following competitive tendering, and they had extensive experience with local authorities, including CIL viability assessment. Officers stressed the importance of arriving at a well-evidenced and robust CIL Charging Schedule, leading to viable charge rates. The other key issue would be to complete the list of CIL infrastructure projects and prioritise them.
- k) The 'Regulation 123' list of CIL chargeable developments can be updated fairly easily. By contrast, any change to the CIL Charging Schedule would require consultation and Inspection; consequently it would probably not be changed very frequently, perhaps after around three to five years depending on whether there are significant changes in the market. The legislation provides for CIL charges to be increased annually in line with building cost inflation. Previously, indexation of S106 had been favourable for the Council. For major, long-running developments, there is also the scope for a number of separate planning permissions, each with their own CIL charge determined on the appropriate date.
- l) S.106 would have a continued application, for site specific issues (some of which might be covered by conditions attached to planning permission). Wider infrastructure needs, for example cycle routes, were more appropriate for CIL (and needed to be included in the Infrastructure Plan). CIL was not intended to meet the needs of water and other utilities, for which separate arrangements applied. Transport infrastructure costs of developments comprise developers' own costs (e.g. minor roads within new housing estates) and more major public road network changes (such as additional junctions) falling to be met by CIL or S106.
- m) There is no provision for a 'negative CIL charge', for example if developments entail a net reduction in developed space. Some councils have decided to have a zero-rated CIL, probably in an attempt to attract new development into their areas.
- n) T&PC's had been consulted on the Infrastructure Delivery Plan, but it would not be necessary to consult them on the commercial viability of developments. It would be open to T&PC's to use their share of CIL income to progress infrastructure works of importance locally.
- o) The liability for CIL arises on commencement of development works. At that point, developers are required to serve a notice on the Council, which will then raise an invoice for the full amount/staged payment as appropriate. There is no requirement to repay CIL.

4.4 **The Borough Solicitor, Alex Jack** briefed the Group on the legal considerations applying to CIL. The key issue for the Inspector in the examination in public to be held into the Council's proposed charging schedule would be whether development will be viable. There is scope for charging differential rates of CIL, for example on business or residential development, but differentiation might bring a risk of contravening EU State Aid restrictions. The Localism Act changes to CIL had been issued, clarifying for example that CIL can be used for the maintenance of infrastructure, also allowing CIL income to be used for a wide range of purposes. The Borough Solicitor also advised us that:

- a) Adopting CIL is optional and the Council's Executive had not yet decided on that. However, there is no doubt as to the best choice since from 2014 councils will not be allowed to pool more than five S106 funding streams for an

infrastructure project, besides there is much more freedom for councils over the retention and usage of CIL than that which the rules allow for S106.

- b) The CIL regulations had brought in a new restriction for S106. There is now no scope for a tariff-based S106, and the Council now needs to demonstrate more precisely than previously what the S106 monies are to be used for.
- c) Differential rates of CIL are not permitted to selectively encourage/discourage particular types of business development, and any differential rates would need to be properly evidenced and reasonable.

The Assessment of Viability

- 4.5 On **15 March**, the Group met **Anthony Lee MRTPI MRICS, Senior Director of BNP Paribas Real Estate**, to consider their CIL Viability Assessment for the Borough, and to learn about the wider picture on the development of CIL nationally. Mr Lee told us that, in terms of the legal framework, the burden of proof and evidence to justify its CIL levels fell to the charging authority. The charging authority should endeavour to set its CIL at an appropriate rate to balance meeting all or part of its infrastructure funding gap with the potentially negative impact of high CIL levels upon the economic viability of development across its area. It was suggested that overly complex CIL charging schedules should be avoided in the interests of clarity. Bracknell Forest's Infrastructure Development Plan addressed the Borough's infrastructure needs.
- 4.6 The Council's draft charging schedule would be the subject of consultation and would be examined by an inspector to determine whether it complied with regulations and did not put development in the area at risk. Officers had drawn up a list of landowners and those with an interest in developing land in Bracknell Forest and would inform them of the consultation. The public, residential groups and T&PCs would also be consulted. Other local authorities were statutory consultees and would be invited to respond to the consultation. The duty to co-operate introduced by the Localism Act would assist in this area. Neighbouring authorities had reached a similar stage of CIL development as Bracknell Forest.
- 4.7 Mr Lee explained that, although it was possible to have a single CIL rate spanning an entire Borough, which was the approach that some councils had adopted, this would need to be based on the lowest common denominator site value, making it harder to meet the infrastructure 'funding gap'. The property market tended to follow a three to four year cycle and therefore it was possible that CIL rates would need to be adjusted at intervals to reflect this. Such adjustments would be subject to consultation. Allowing a buffer margin below maximum CIL rates would offer some developer protection against reducing values and would be favoured by inspectors, who were able to reduce rates. Alternatively, two or more CIL rates could be applied in a council area according to the location and nature of development. This would create increased income and there was a balance to be struck between simplicity and maximising income. With regard to other charging authorities, we were told that Shropshire had pursued two CIL rates of £40 and £80 per square metre (m²) according to whether the site was in an urban or rural location, respectively. Newham had adopted twenty different rates to reflect value variations between areas and types of development although this represented a complex system to implement and explain to landowners. Croydon had opted for differential rates and Redbridge favoured a flat rate of £70 m² based on the lower development value, which equated to a less than average amount. There were three tiers of CIL across central London to reflect house prices. Colchester had adopted rates of £120 - £240 m² in retail whilst residential rates in Bristol spanned from £50 - 70 m², retail was £120 m², commercial was zero and hotels were subject to another level.

- 4.8 Mr Lee described how the value of a development scheme reflected land values that development could generate over and above the existing use value, and £300k per hectare was a typical development scheme value. Commercial development was generally less viable than residential development and therefore commercial CIL rates needed to be set low to encourage commerce. For example, Portsmouth had set a £120 m² charge for residential developments and a zero CIL for commercial schemes. There was variation amongst different types of commercial schemes with out of town stores, particularly supermarkets, being more viable than offices and town centre retail. It was therefore logical to set CIL levels at zero where commercial development would otherwise be unviable.
- 4.9 Every site has an existing value and landowners have perceptions of worth. BNP Paribas's CIL viability assessment for the Borough was based on a residual value approach which deducted development costs including building, fees, loan interest, land price and Section 106 contributions, to establish the residual value against which CIL could be applied. Viable levels of CIL could be identified from residual land values following the deduction of benchmark land values for each type of net developable hectare. An illustrative scenario estimated that the granting of planning permission for residential development could raise the existing land use value from £6m to £12m with a zero CIL and no affordable housing element. The application of CIL and affordable housing at level one was estimated to achieve a value of £7m giving a profit of £1m to the developer and income to the Council whereas level 2 would result in a break-even development benchmark of £6m and therefore deter developers. The exercise of setting the CIL should explore the extent to which the level could be raised before the developer withdrew. A graph giving an example of CIL for different house numbers, levels of density and land types assisted with calculating viability and suggested a 'tipping point' of £160 m². Developments of 500 or more units had a SANG requirement of one hectare of land per 1,000 occupants which was onerous on developers to provide. Suggestions for maximum residential CIL levels at different densities for inner and outer Bracknell, Binfield, Crowthorne, Warfield, Sandhurst and Ascot utilising a maximum 'buffer' of 40% below the 'tipping point' were given. The Group considered the buffer of 40% to be wide and a mid point was favoured.
- 4.10 Mr Lee explained that the viability assessment included hypothetical commercial appraisals of offices, retail and commerce in the Borough. This suggested a higher CIL for out of town retail owing to lower land prices and strong profitability. Sunday trading laws were a CIL variable. High street retail tended to feature refurbishment of existing units, which did not attract CIL liability. CIL discounts would not apply where buildings had been empty for six of the previous twelve months and therefore conversions of unoccupied buildings could produce CIL income and existing premises could be discounted if extended. Charities meeting their charitable objectives, such as providing social housing, were not subject to CIL charges. The Group was advised of the impact on development of additions and reductions of 10% against a CIL rate of £100 m².
- 4.11 The following points arose from questions and discussion with Mr Lee:
- a) The parameters within which the CIL charge may be set was at the local authority's discretion. As house values in individual wards could vary significantly this was a factor in setting charge levels. The affordable housing component of new residential development could vary from 35% to 15% according to the area. Commuting was only a factor in determining CIL rates in so far as it affected house prices and employment opportunities.

- b) BNP Paribas operated several models to predict sale price, building costs, re-sale price and development values based on different numbers of units and the markets in various areas with the assistance of information from development land registry and estate agents.
- c) Although CIL could be aligned to Council Tax bands, this would not accurately reflect the market viability of an area as it related to individual property prices.
- d) Officers were currently evaluating a draft version of Paribas' CIL viability assessment for Bracknell Forest which involved undertaking an exercise to calculate the percentage of possible additional floorspace.
- e) The potential for receiving CIL from redeveloping brownfield sites was less than that for developing greenfield sites as the latter offered a greater net increase in floorspace. It was possible that this would encourage the redevelopment of existing sites in place of new build.
- f) Use of CIL income would need to be prioritised as there would be numerous education and transport demands on it. Unlike Section 106 contributions, CIL was not ring-fenced.

4.12 The Group also noted the Major Infrastructure Schedule for the Borough which listed infrastructure projects identifying the service area, host strategic site, estimated cost and funding source. The net infrastructure funding gap, to be partly funded by CIL payments, totalled approximately £89.3m. The schedule included some smaller sites in addition to the site allocations. Some infrastructure improvements would be funded by S.106 contributions. The schedule, an extract from the Infrastructure Development Plan which had been approved by Council, was an accurate assessment of infrastructure need to 2026 and justification for CIL rates. It would be subject to change as priorities and funding sources altered. Additions to the schedule were likely owing to the local high value development potential and low affordable housing requirement. Although it was possible to borrow against future CIL income in order to fund infrastructure improvements, this posed a potential risk that the proposed development was not pursued.

4.13 The Group discussed and noted the schedule. The following points arose from that discussion:

- a) CIL was not an alternative to existing Government grant in areas such as education.
- b) In response to concerns expressed in relation to possible increased burden on the council tax payer, the Working Group was advised that some items on the schedule were aspirational whilst others represented previously planned improvements to be funded by the capital programme. Infrastructure improvements would need to be financed in a phased manner.
- c) The Site Allocations Development Plan Document was currently at the inspection stage and it was possible that the inspector's response could prompt changes to the schedule.

Views of the Executive Member

4.14 On **18 April**, the Group discussed with the **Executive Member for Planning and Transport, Councillor Mrs Ballin**, the arrangements for introducing the CIL. Cllr Mrs Ballin said that the Executive had considered the CIL at length on two occasions, to date. They recognised that, actioned properly, the CIL was an opportunity to raise substantial income to fund infrastructure works. The timing of the introduction of CIL was important; the Executive saw a need to have the policy in place to apply CIL to new planning applications. A two stage approach was envisaged, firstly establishing

the tariff, and next the governance arrangements including determining how the CIL income would be spent.

Refining The Viability Assessment

- 4.15 At the same meeting, the Group considered the draft Viability Study report by BNP Paribas Real Estate of March 2012, which was to be revised in the light of officers' comments. We were shown a map of the Borough with initial proposals for three CIL charging zones. The zones were driven by a clear difference in valuations across the Borough, and we decided that this required further consideration. For example, the higher values in Sandhurst, Binfield and Ascot could justify the creation of a fourth charging zone for CIL. The map would also need further consideration in the light of future responses to the consultation on the preliminary charging schedule. Officers advised us that the greater the number of 'gradations' in the charging zones, the higher the potential CIL income, but some councils saw an advantage in simplicity with few zones, or even one. Other matters arising in discussion were:
- a) All major new housing development sites were currently in the blue ('Rest of Borough') zone. CIL – being applied at the time of granting planning permission - would not be applied to the Jennets Park development, which was already part-built.
 - b) CIL rates were being determined at the bottom of the property market cycle. When the cycle improves and the market returns for developers increased, the CIL rates should be re-considered (albeit the process of changing the rates would take around 12-18 months). Officers advised that the sensitivity analyses around market rates in the BNP report assisted the robustness of the viability assessment, and officers were endeavouring to 'future proof' the CIL arrangements as far as possible. A stronger economy with annual growth would have a significant effect on the viability of residential development, in particular. When publishing the CIL charging schedule, the Council would not be obliged to state when it will be reviewed.
 - c) Alternative funding sources for infrastructure were being explored by officers, but there were huge uncertainties over CIL income and infrastructure costs over the long-term, as there are many variables, not least in terms of the schemes a developer might possibly bring forward. CIL income flows were being estimated, despite these being unavoidably and heavily caveated.
 - d) CIL rates would not be negotiable by development scheme; the charge would be related to the net increase in floor area; instalment payments could be made; and the CIL rates would increase in line with the prescribed index.
 - e) The Group saw it as advantageous that BFC are ahead of neighbouring councils on the introduction of CIL. It was noted that other councils had experienced a surge in planning applications in the run-up to commencing their CIL scheme.
 - f) The Group expressed concern that some of the proposed CIL rates seemed low, and incorporated a substantial 'buffer' from the maximum rates which BNP assessed as being commercially viable. Officers advised that setting the CIL rates was a delicate balance requiring judgement of various factors; it must be recognised that excessively high rates would deter development and mean BFC would miss out on the associated CIL income. Realism was key, and there was a need to build up information over time.
 - g) The government's regulations were still awaited on the proportion of CIL to be paid over to T&PC's. The regulations might possibly set a minimum rate only, and the range was expected to be between 5 and 10%.
 - h) The first consultation would be around the CIL tariff. The next stage would be on governance issues and the arrangements for T&PC's usage of CIL income.

- 4.16 The Group reviewed the revised timetable for the introduction of the CIL, noting that the Executive aimed to introduce CIL as soon as possible in order to maximise income. Consultation on the Preliminary draft charging schedule would commence in June, with further stages leading to the examination/inspection and the 'Declaration' to Council in January 2013, with submission of the CIL schedule in February.
- 4.17 The Group then met the **Borough Treasurer, Alan Nash**, to explore the financial consequences of CIL. He told us that at this stage, the Council could not know how much income would be generated by CIL. There were no other obvious sources of funding for infrastructure expenditure, thus any shortfall of income to meet needs would be a consideration for the Capital Programme. The regulations require the CIL Examination to check that the CIL rates do not generate income in excess of the estimated funding shortfall on the Infrastructure Delivery Plan. However, in the event that the CIL income did exceed the funding gap, there would be no obligation on the Council to repay the CIL income. It was noted that there are huge variables when estimating CIL income. The main concern was that there might be a flood of planning applications in the run-up to the introduction of CIL. We were advised that it was unlikely that a CIL exemption would stimulate an increase in developments of affordable housing.

Other Councils' CIL Charging Schedules

- 4.18 The Group reviewed the summary information of CIL Charging Schedules from other local authorities. It was noted there were no direct comparators for Bracknell Forest, the most similar probably being Wycombe and Elmbridge. The Group decided to meet members and officers of another council which was more advanced in its CIL preparations, to learn from their experience, particularly as to the processes they followed and the factors they had taken into account (see paragraphs 4.28 – 4.29 and 4.33 below).
- 4.19 On **11 May 2012** the Group considered the revised CIL Viability Study report by BNP Paribas Real Estate, noting that the main changes from the earlier draft report as being: introducing a proposed CIL charge for Care Homes in some areas; the maximum CIL rates achievable had been revised downwards in some cases; The CIL map now included more zones; and the CIL rate for residential developments was now nil in the town centre, but had been increased elsewhere. Other matters arising in discussion were:
- a) There was no special provision for contaminated or brownfield sites, instead the 'buffer' within the proposed CIL rates was aimed at providing for site-specific costs. BNP's modelling had also been based on a range of sites and development uses.
 - b) The Group considered the 50% 'buffer' within the proposed CIL rates was very high, and when the economy recovered the Council could be missing out on a deal of potential income. Officers explained that the actual size of the buffer would be much lower than this for some types of development and site variations.
 - c) In line with the government's regulations, CIL on conversion of empty office space for residential purposes was avoidable if there was no increase in floor area. This would however require planning permission and might therefore attract a S106 liability.
 - d) Some new schools might not appear on the CIL infrastructure list if it was anticipated they could be funded by contributions from fewer than five developments.

- e) Due to variations in development value between areas, some developments would not be viable, but this was expected and allowed under the CIL regulations.
- f) Lines on the CIL zone map tend to follow roads and avoid running through known development sites. Members asked for absolute clarity over where the lines were, for example on which side of the road a CIL boundary line lay.
- g) Members queried whether the Council ought to seek a 'second opinion' on the Viability Assessment by BNP, given the significant financial consequences of the CIL rates. Officers advised that: the assessment and determination of the rates required a degree of judgement and it was not an exact science; the Council's Chief Officer: Property was satisfied with the BNP assessment; BNP used the methodology of residual land values and any other consultant would probably employ the same approach; also that – subject to the consultation and other regulatory requirements - CIL rates could be changed in the light of practical experience. The Working Group considered that there should be a firm commitment to reviewing the CIL rates periodically, to ascertain whether changes were needed. Members stressed the need to ensure the underlying data for the Viability Assessment was robust.
- h) The Group observed that the responses to the consultation would probably be on the lines that the proposed CIL rates were too high, consequently it would be advisable to consult on higher rates at the outset. Officers cautioned against consulting on proposed figures which were not supported by the Viability Assessment.
- i) Members queried why a nil CIL rate was proposed for hotel developments, and based on the viability assessment, indicated that a modest CIL charge of up to £25 per m² outside the town centre might be appropriate.
- j) The Director commented that the proposed CIL rates for residential development had already been revised in the light of the Group's views. The rates effectively doubled what was customarily levied through S.106.
- k) Officers currently anticipated CIL income at being £100 to £110 million, i.e. less than the £126m infrastructure funding needed.

Views of the Private Sector

4.20 On **14 May** the Group met **Andrew Whitaker (AW), Planning Director, Home Builders Federation (HBF) Ltd**, to gain an understanding of the HBF's perspective on how the CIL is viewed by developers, both in terms of what would be a viable tariff and what would be suitable CIL arrangements. The HBF has some 350 members, of which 295 are house builders accounting for around 80% of all houses built in Britain (there are tens of thousands of builders registered with the National House Building Council. The HBF membership includes the eleven largest house builders, which account for 50% of all house building.

4.21 AW described the background to the introduction of the CIL. The house building industry had wanted to move away from site-by-site S106 negotiations; these took a great deal of time to negotiate, and they often approached the margin of viability, as opposed to reflecting a fair contribution to funding appropriate infrastructure needs. The industry felt increasingly that they were seen to be a 'cash cow', and this had come to a head with the downturn in the housing market in 2007. The industry accepted that it was reasonable to contribute to meeting the impact of development, but a simpler and fairer system was needed. AW counselled against having too many CIL charging zones, though strategic or other special sites could be separately provided for. AW suggested that LAs should aim to have an early review of their CIL rates, as it was unlikely they would be 'right' at the first attempt.

- 4.22 AW related how the HBF had responded to the 'Planning Gain Supplement' proposals by Government – a tax regime based on development - in 2004/05. At that time, the government and industry were unable to reach agreement on a viable solution, particularly as it was aimed at completed developments; and not knowing at the outset what the 'tax' would be was a major difficulty for the house building industry, which instead needed more certainty over future costs. This desire for an 'up-front' system was the subject of long discussions with government, culminating in the concept of the CIL. The standard CIL charge gave a developer certainty at the outset as to the contribution required to the locality's infrastructure. Given that most developments have a cumulative impact on a locality's infrastructure needs, the HBF saw the CIL reducing the need for site-by-site specific S106 charges, unless there are very site-specific infrastructure consequences of a development. The HBF would like to see as much of the Borough's infrastructure needs as possible covered by CIL (as opposed to S106).
- 4.23 AW said the HBF recognised that LAs are facilitating development, and that brought with it a need for additional infrastructure. This was to be set out in the Infrastructure Delivery Plan, which probably shows a shortfall in funding for those works. It would be unrealistic to expect CIL income to wholly meet that funding gap, and LAs needed to establish what were viable CIL charges in their area. One option to increase income could be to allow more development; and the infrastructure needs were lower for some types of development. The HBF also considered that CIL gave LAs a more predictable income flow than was possible with S106, and that might give LAs the confidence to borrow against the future CIL income flow, to commence the infrastructure works earlier. AW considered it to be unlikely that CIL would generate more income than S106 had in the Bracknell area, particularly as most developments would be on green-field sites. It was important to be realistic about what would be viable CIL charges. AW observed that CIL charging schedules had higher levels of charge for residential developments than other types, indicating that housing was seen as a sort of 'cash cow'. CIL applied to all developments with few exceptions, whereas S106 tended to apply only to larger developments. Smaller builders had not been accustomed to S106, and the imposition of CIL charges on individual house building might come as a shock to some. AW said the key issues were establishing viability levels, based on robust evidence; and the industry was happy to work with LAs to build that evidence base.
- 4.24 AW explained that serviced land as opposed to unserviced land was a major factor for development cost viability. He estimated that in the Bracknell area, serviced land had a value of around £1.5 million per acre, compared to some £120,000 for unserviced green-field land. Viability was also affected by an LA's Development Policies, for example on the required percentage of affordable housing. The HBF recognise that whilst some prospective developments will not be viable, CIL should not prevent development from occurring. The HBF's view is that CIL rates should be affordable and the Industry should be content they are fair. To achieve that, LA's should explain the cumulative impact of both large and small developments, demonstrating that the CIL rates are necessary and viable. AW also counselled against setting CIL rates which are viable for major developments but not for smaller developments. AW encouraged the Council to involve the house building industry in Bracknell Forest in the determination of CIL rates. AW advised that the issue was not so much with the viability methodology, more the accuracy of the inputs to it. Industry could assist by advising as to their costs and their approach to viability. AW cautioned against modelling Bracknell Forest CIL rates on a London Borough's, as the circumstances are very different; indeed Bracknell is very different to many other areas.

- 4.25 We were told that the HBF were disappointed that CIL is not as easy to operate as it might have been. The HBF consider that the CIL Regulations lack balance between the obligations of developers on the one hand, and Planning Authorities on the other. The HBF regard affordable housing to be an issue. Developers will be 'squeezed' between landowners who want the highest land price, and LAs which want to maximise affordable housing. The HBF would like to see the Affordable Housing component included in CIL.
- 4.26 AW considered that house builders were happy to consider direct build of infrastructure (e.g. the new school at Jennets Park) and this could be achieved by offsetting the cost against the CIL liability.
- 4.27 The HBF had reservations about passing CIL income on to Town & Parish councils, because CIL was to address cumulative infrastructure needs, and these were best actioned by the borough councils. To the extent that T&PC's spent CIL income meeting local needs, this could leave the borough councils short of funds for meeting the infrastructure needs of the whole borough.

Visit to Portsmouth City Council

- 4.28 On **21 June**, two members of the Group visited **Portsmouth City Council (PCC)**, meeting **Councillor Lee Hunt, Chair of Planning Committee, Jacqueline Boulter, Principal Planning Officer, and Claire Upton Brown, Assistant Head of Planning**, to learn about their experience of introducing CIL thus far. PCC are more advanced in introducing CIL than most other councils. Portsmouth has some 207,000 residents, the Council's annual budget is some £600m (including schools), and they receive around 1200 planning applications annually. It is a Unitary Authority, with some joint working with Hampshire County Council. Portsmouth has a large need for affordable housing, and the Council see the CIL as providing added confidence for planning future infrastructure developments, which included a new bridge over part of Portsmouth Harbour.
- 4.29 The PCC officers gave us a briefing on the introduction of the CIL to date, and their experience of lessons to be learnt. This had commenced on 1 April 2012; consequently it was still early days: no CIL monies had actually been received yet, and only small schemes had passed through the CIL process (with no land offered in lieu of cash). We were impressed by PCC's 'quick reference guide to CIL'. The main matters arising in the ensuing discussion were:
- a) The results of PCC's CIL Examination had been positive, and the Examiner had recognised that there is a limit to the viability work that can sensibly be carried out.
 - b) PCC employed a consultancy to carry out their CIL Viability Assessment work. They carried out appraisals for a variety of sites and uses. This generated a set of 'sensible' CIL rates comfortably below the maximum rates theoretically achievable. PCC regarded a 'Basic' rate of £105 per M² (for every development unless stated otherwise) to be appropriate.
 - c) PCC decided to treat all areas of the city the same and wanted to keep the charging schedule as simple as possible. The meeting noted that Bracknell Forest had more diversity in its development scene than Portsmouth.
 - d) PCC's list of infrastructure key projects requiring CIL funding totalled some £208 million, requiring CIL funding of some £85m. PCC saw the need for good communication to counter confusion externally over: the contribution of CIL income towards funding the £85m; the basis of the infrastructure list; the relationship between CIL and S106; and that CIL is a non-negotiable charge.

PCC saw the need to make efforts to engage and inform regular users of the planning system about the CIL in the run-up to its implementation date.

- e) PCC had received few responses to their CIL consultations (10 on the first, and 11 on the second), and none from residents. Some developers commented in their response to the consultation that the draft CIL rates were too high, but they did not support this with evidence. PCC had not received any feedback on the £53 hotel charge. No rates were changed as a consequence of the consultation.
- f) No-one indicated that they wished to speak at the Examination. There were written representations from the Council, mainly on the viability work, in response to the Examiners questions.
- g) PCC are giving further thought to their policy on CIL exceptional circumstances relief. This was seen to be a complex issue, requiring extensive disclosure by developers and the policy may have EU State Aid implications.
- h) Officers commented that some people seeking planning permission for small developments were trying to argue for no CIL charge, for example on the basis that the attic to be converted was already in some form of use. The Council was maintaining a firm application of the CIL regulations and policies, though they recognise that it remains difficult for individual householders to understand the justification for CIL. It was noted that some small developments will pay a lot more in CIL than they would have under S106.
- i) PCC's Regulation 123 list was agreed by Cabinet and cleared at the same time as the CIL Examination outcome. The list is based on the information in PCC's Core Strategy. The Annual Monitoring Report would be the vehicle for updating the Regulation 123 list.
- j) CIL notifications were being handled, and liability assessed by the same officer in the PCC's Planning Team who is responsible for coordinating S106 Notifications. The officer works closely with the Finance team, for example on the raising of invoices. The enforcement and building control teams were being used to identify liable developments. A separate team is responsible for chasing payment of the amounts due, and bad debt recovery.
- k) PCC use the 'Uniform' IT package, though calculations were being made outside the system, and the outcome of the calculations was then stored on the system.
- l) PCC have payment terms allowing payment by instalments. In the consultative process, they had received comments and concerns about phasing of payments.
- m) PCC do not have Parish & Town councils, consequently they have not yet decided where to pass on the required percentage of CIL income to. One possibility was forming Neighbourhood Panels, with Councillor representatives included in them.
- n) PCC did not experience a glut of planning applications in the run-up to the introduction of CIL, and had endeavoured to process all outstanding planning applications in advance, as applying the CIL charge would have fundamentally altered the viability assumptions of most of the developments, possibly affecting their delivery.
- o) Officers described how the next phase of work around CIL was to design the arrangements for handling CIL income. The income would accrue to the Capital Programme. It would need co-ordination to ensure it was applied to meeting strategically important infrastructure needs, in a prioritised manner, all under the umbrella of the Council's Regeneration Strategy. This might require some form of infrastructure project plan, to show how the CIL income is spent.

4.30 On **18 July**, the Group met to take stock of its progress to date, and to determine future planned activity. The Group noted that the Infrastructure Projects list for the CIL would need to form part of an overall cohesive plan for the Borough's development, alongside other drivers including the Local Enterprise Partnership. Further to the submission of our interim recommendations to the Executive (see

paragraph 5.2), Officers advised that the public consultation on the CIL Preliminary Draft Charging Schedule was underway, with a closing date of 13 August.

CIL Consultation Responses

4.31 On **14 September** the Group reviewed the responses received to the consultation on the Preliminary Draft Charging Schedule for the CIL, which were greater in number than expected, and which covered a wide range of issues. Officers advised that the responses showed there was still a lot of confusion about CIL and Section 106, and some disagreement over how much money is effectively 'in the pot'. A consistent message is that there is only one 'pot' of developer money available for CIL/S.106/remediation of the effects of development/providing associated infrastructure/providing affordable housing, and there cannot be any 'double counting' – i.e. adding to the limit of what is affordable. All councils are in the position with CIL, being very new, that they cannot be certain whether the presence of a charge has prevented a development from progressing. However, 'Open Book' appraisals are now in widespread usage and that helps build understanding and assurance. In response to members' questions, the following points arose:

- a) The misunderstandings shown by some respondents underlined the need for a good Communications Strategy for the introduction of CIL, explaining more fully what CIL comprises and how it is designed to be of benefit to the Borough as a whole, so as to manage expectations and concerns better.
- b) A particular requirement was the need to justify more persuasively the geographical delineation of CIL charging zones.
- c) The thrust of the responses was not unexpected, but the level of detail had been greater than expected.
- d) Officers saw the need to commission more consultancy work to provide answers to those responses which challenged the viability assessment. Before the next formal stage in the process of setting the CIL rates, officers would probably seek an open and detailed discussion with some developers on the viability rates, using the 'open book' process. Separate CIL rates might be needed for some major development sites.
- e) The additional work meant that the timescale for the CIL project was being put back. The Infrastructure Delivery Plan (IDP) was due to be refined by early November. Examination should take place in the Spring of 2013, aiming for implementation of CIL in the Autumn of 2013.
- f) Nationally, more councils were now progressing to the CIL Examination stage. BFC was ahead of most councils in the Berkshire locality in introducing CIL.
- g) The Council's objective for CIL remained – of achieving the right balance between attracting good development for the Borough whilst also maximising income to fund delivery of the works in the Infrastructure Delivery Plan.
- h) It was clear that developers wished to carry out developments in Bracknell Forest, but the current economic climate made it difficult for developers to secure approval from their Boards for developments at lower than 15% profit. Access to finance remained the main obstacle to development.
- i) S.106 rates will need to be increased, in line with the increased costs of providing infrastructure.
- j) Production of the updated Infrastructure Delivery Plan (IDP), had been delayed, and we were told that some of the consultation responses sought further justification of the costs of individual items in the IDP.

Governance

4.32 The Group was advised that a number of governance issues were being addressed by the CIL officer working group, including the key principles on CIL. These included:

- a) The Capital Programme machinery would probably be used for CIL, though there were additional needs for prioritisation and being able to adjust to changing circumstances.
- b) Officers were considering possible software solutions, with the ICT Team's assistance. The current expectation was that the Council's Planning IT system would be usable for CIL purposes.
- c) The Government's regulations on the 'meaningful proportion' of CIL receipts for passing on to Town & Parish councils were not now expected until 2013.

We return to these points in our conclusions and recommendations at paragraph 5.7 – 5.8, 5.14 and 5.18.

4.33 On **2 October** two members of the Group attended a conference on CIL at **Huntingdonshire District Council** (HDC), as they were among the first councils to implement the CIL. HDC is a district council, with a population of 166,000 and an estimated 14,000 dwellings are expected to be built there in the next 14 years, generating an estimated £33million in CIL. HDC officers described the steps taken by that Council to introduce CIL and drew attention to various learning points.

Particularly noteworthy points included:

- a) A lot of property developments had previously made no S.106 contribution, being infill development; and this had not made a fair contribution to infrastructure costs.
- b) HDC estimated they would receive some £33 million in CIL during their planning period. This would be well short of their infrastructure funding gap of c.£121m, consequently they needed to identify further sources of funding.
- c) HDC, due to the complexity of CIL, had developed a 'SharePoint' bespoke IT system to administer CIL, which we saw demonstrated and which appeared to have extensive functionality. This was based on CIL process maps which HDC had developed. CIL is a long process, so a good system with work-flow emails and thorough work processes was seen to be needed.
- d) HDC had not received any CIL receipts to date. HDC, in close collaboration with their Local Strategic Partnership (LSP) had decided to 'bank' their CIL receipts in the first year, giving them time to work out their governance arrangements and in particular how to prioritise and handle the spending of CIL income.
- e) HDC had given plenty of advance warning to all of the implementation date for CIL. HDC had cleared all pending planning applications before CIL started. There had been no rush of planning applications in the run-up to CIL commencing. Since the commencement of CIL, the flow of planning applications had been light.
- f) HDC had deliberated at length on whether to apply a CIL charge on health developments, and finally decided to levy a charge, on the basis of viability assessments. HDC had adopted a separate treatment for major housing sites in excess of 200 units. Nevertheless, HDC had been very careful not to be seen to be 'double counting'. For example they had made use of an affordable housing element, and an on-site S106 to build a primary school.

- g) HDC have used their Local Strategic partnership (LSP) as it represents all the partner organisations including the T&PCs, to act as 'honest broker' in recommending to the HDC Cabinet what the CIL money should be spent on.
- h) These recommendations were based on a Business Plan (BP) which had been devised by the LSP. HDC envisaged submitting the BP to their Cabinet once annually, incorporating some flexibility to meet changes in between times. Detailed work on the BP was carried out by the LSP's 'Growth and Infrastructure Group', supported by an officer working group.
- i) The T&PC's retain their autonomy to spend their 'meaningful proportion' of CIL as they see fit, but they are being *encouraged* to identify their own local priorities, using the shared business planning process.
- j) HDC carried out detailed viability assessments of varying sized retail developments to support their differential rate change at 500 M². HDC had opted for CIL rates of 40-50% of the viable 'headroom', and had ensured this was a corporate decision. HDC advised that, when setting rates, it was important to keep challenging assumptions and asking 'what if...?'
- k) HDC stressed the importance of early engagement with local communities.
- l) HDC advised everyone to be aware of the complexities in the day-to-day management of CIL, as the regulations have many complex requirements.
- m) HDC had spent a good deal of time and money devising their CIL arrangements, and they anticipated this being at least 5% of the expected CIL income.

Analysis of CIL Consultation Responses

4.34 On **26 October** the Group reviewed the 31 responses received to the public consultation on the preliminary draft CIL charging schedule, which had run from 25 June to 13 August, together with draft views by officers on the responses. These covered a wide range of issues. Many of the comments related to the Viability Assessment, and there were also some detailed comments on the Infrastructure Delivery Plan, many seeking justification for the infrastructure requirements and the estimated costs. Officers advised that none of the responses presented fundamental difficulties, but many responses reflected misunderstanding of the CIL Regulations, particularly that rates must be set on viability and not used as a policy tool. Several respondents thought that CIL should relate to the specific impacts of the development being charged, like S.106. The key points made in the representations were:

- a) Greater clarity was sought on what infrastructure will be funded via CIL and what will remain as S106.
- b) Concern that the assumptions in the viability model do not reflect the high S106 costs associated with some of the major strategic sites.
- c) High rates applying to large strategic sites will make them unviable and adversely affect delivery of housing.
- d) Requests that the Council adopt an exceptions policy in accordance with the provisions of the regulations to allow some flexibility on sites which would be unviable with CIL.
- e) Objections that CIL charging for SANG will not satisfy the Habitat Regulations.
- f) The charging zones were not seen to be properly justified.
- g) Requests for special consideration of certain housing types (mobile homes and care homes).
- h) The proposed instalments policy was not seen to be flexible enough, nor offered a sufficiently long payment period.

- 4.35 In view of these responses, officers decided to propose the Council consider introducing an exceptions policy and possibly an exemptions policy; to carry out further specific viability work on a limited number of key strategic sites (including meeting with landowners / developers); consider some adjustment to the CIL charging zone boundaries; to pursue alternative SANG agreements in some cases; and to prepare an updated Infrastructure Delivery Plan to support the next version of the CIL schedule.
- 4.36 In discussion and in response to members' questions, the following points arose:
- a) Some members were concerned at the cross subsidisation from those parts of the Borough with higher CIL rates, towards those other parts of the Borough where the CIL rates were lower or nil.
 - b) The Group was concerned that CIL income was likely to fall significantly short of the 'funding gap' for infrastructure requirements, as identified in the Infrastructure Delivery Plan (IDP) submitted to support the Council's case for the Site Allocations Development Plan Document (SADDPD).
 - c) Officers had invited developers of the major sites to send in their own company information to assist in the viability assessments. The further work on this by BNP Paribas was anticipated to be completed by 9 November.
 - d) In most housing development cases, CIL was expected to generate more income than S106 would have done. This was particularly the case with infill developments.

Governance Update

- 4.37 The Group saw the usage of the 'meaningful proportion' of CIL monies by Town & Parish councils (T&PC) to be a very important issue. Very few restrictions applied in practice, and it would be necessary for the Council to win over T&PCs to the infrastructure list and the benefits to the community at large by pooling and investing CIL monies in major infrastructure projects. Government regulations on the 'meaningful proportion' of CIL to be paid over to T&PCs were not now expected until 2013. Even when that percentage is announced, T&PCs would still not know how much they would receive or when, as this depended on the flow of approved planning applications and progress on developments, for example.
- 4.38 Officers described what was being done to arrange officer resources, short of a dedicated CIL officer, and systems for the introduction of CIL. Officers were exploring using the additional CIL software package for the UNIFORM Planning system currently in use. The raising of invoices, debt chasing and related finance functions would probably be handled by the department's finance team. Officers were proceeding on the assumption that the Capital Programme apparatus would be used to prioritise and determine CIL – funded projects (see paragraphs 5.7 – 5.8 below). The Group expressed the importance of having a transparent process, including Non-Executive Member involvement, for the allocation of CIL priorities and monies.

Prioritisation and Approval of CIL-Funded Capital Projects

- 4.39 On **26 November**, the Group met the **Borough Treasurer, Alan Nash (AN)**, to discuss the prioritisation and decision-taking process for the capital programme, and how CIL-funded projects might be handled in that apparatus. We were shown a flow diagram, setting out possible key steps in the initial stages of identifying prospective CIL income from developments, the identification of infrastructure schemes, determination of funding sources and prioritisation, by reference to the Infrastructure Delivery Plan. This would involve consultation with Ward Members and the

appropriate Executive Member. These possible steps led to the existing steps for review, consultation and approval of capital schemes, leading to their implementation. This enabled integration with the Council's current financial planning processes. The existing process incorporated the gathering of ideas for capital programme schemes, and refining the list through consideration by the Corporate Management Team and the Executive, and then the Majority Group. The draft budgets each year incorporated the proposed capital programme. The Group considered that the flow diagram could usefully be amended to show how CIL monies are used to meet infrastructure bids from external organisations. An example would be Thames Valley Police asking for space in community centres. This required an open and transparent process.

- 4.40 AN pointed to a particular difficulty in anticipating how much CIL income would arise, and its timing, though this was a common problem with various funding streams. Best estimates of prospective income would need to be made, based on the information available, consequently it might be appropriate to forecast a range of income rather than an exact figure. CIL liabilities would be firmed up for individual developments on granting of planning permission. Larger developments might comprise a number of staged planning applications and starts to groups of housing units. The CIL liability would be fixed and automatic, though in some cases S106 might be negotiated additionally (for example to meet affordable housing requirements). If offered, land might be taken in lieu of CIL.
- 4.41 AN advocated a pragmatic and flexible approach, particularly whilst the Council felt its way forward with the CIL scheme in its early stages. AN described how the Council already held various S106 monies dedicated to certain purposes, but where there was insufficient funding to complete the schemes concerned. As no further S106 funding was expected to be available for those schemes, AN said that additional CIL and/or other funding would need to be identified to complete the schemes, alternatively the schemes would need to be scaled down to make them affordable; the Group was sceptical of the feasibility of this in all cases. AN added that there needs to be a means of assessing risks applying to the developments liable to CIL, also projects to be funded from CIL income. This would better enable decisions to be reached on the extent to which funding was needed from the Council's own resources, other non-CIL income, and possibly borrowing, in order to fund any essential infrastructure works on time; in the context of housing developments, some types of infrastructure works needed to be funded and delivered before any construction of housing could commence (and the related CIL income to the Council actually commencing).
- 4.42 The Group reviewed the summary of changes to the Infrastructure Delivery Plan (IDP), which would be among the documents for the forthcoming Examination. Most of the transport costs had increased, also some schools-related costs. Officers explained that these changes would not impact on the CIL rates, which were determined more by viability in Bracknell Forest's – and most other councils' - circumstances.

Update on the CIL Viability Assessment

- 4.43 Officers updated the Group concerning the further, site specific, viability assessment work. This had taken longer than anticipated, it seemed that some of the sites would not be viable developments if the CIL rates in the Provisional Draft Charging Schedule were to be applied. Therefore, there may be a case for having an exemptions policy to deal with exceptional circumstances, which might reduce CIL income. This delay meant that the planned date of January 2013 for Executive

consideration might need to be deferred. Furthermore, there may be a need for another round of public consultation.

- 4.44 On 17 January 2013, the Working Group met for the final time to receive updates on the further viability assessment by BNP and to consider its draft report.

Conclusions and Recommendations

- 5.1 From its investigations, the Working Group (the Group) has drawn the following conclusions, on which we have based some recommendations to the Council's Executive.

Interim Conclusions and Recommendations

- 5.2 During the course of its work, the Group decided that some of its emerging conclusions and recommendations needed to be raised with the Council's Executive before they made their decision on the preliminary draft charging schedule for the Community Infrastructure Levy (CIL). We sent these interim views to the Leader of the Council in a letter dated 16 May 2012. The Executive considered those views at their meeting on 12 June, at which a member of the Group was present. As a consequence of our recommendations, the Executive decided to:
- a) Amend the originally proposed nil CIL rate for Hotels to £25 per m²
 - b) Commit to reviewing the CIL rates 12-18 months' from commencement of charging (recognising that there is limited experience of operating CIL, its level must be set on the basis of assumptions and potential changes in development economics as we move through the economic cycle)
 - c) Increase the number of charging zones from three to four so that rates can be better related to geographical variations in viability; and,
 - d) Increase the maximum proposed CIL rate for housing to £220 per m².

We believe that the work we have done since May, along with the dangers of setting the charging rates too low, has borne out our interim recommendations.

General

- 5.3 The CIL is a very significant development in getting property developers to make a fair contribution towards paying for the infrastructure needed by people living in Bracknell Forest, both now and in the future. The Group believes that CIL presents an opportunity, but there are a number of risks and disadvantages to CIL, which we summarise below. Also, the CIL scheme is more complex than many people thought it would be at the outset, the government regulations are not yet complete, and the market reaction to the imposition of CIL charges has yet to be tested in practice. This latter point is particularly important when much of the country is dependent on building and other private sector activity to stimulate the economy and move us out of recession; we believe that public bodies have a duty to nurture and not put at risk the confidence of the private sector to invest in Bracknell Forest.
- 5.4 The Council is well ahead of the majority of other councils in preparing for the CIL. At the CIL conference we attended, with over 100 other council representatives from across England, a show of hands at the outset indicated that about half of those present were in councils 'working their way towards consultation', and a smaller number were 'thinking about it'. Only a small number had completed their consultation phase. This and other evidence indicates that very few local authorities have fully 'made the jump' on CIL so far, and many seem to be holding back. In short, there is a lot at stake in deciding on the best way forward, and a cautious approach is commended.

Recommendation 1 The Executive should proceed carefully with the planned introduction of CIL, after fully assessing the risks, advantages and oft overlooked disadvantages of the scheme.

The Borough's Infrastructure Needs

- 5.5 The Borough's infrastructure needs are extensive, reflecting the constantly growing demands for school places, roads and many other needs presented by a growing population: some 10,700 additional homes are expected to be built in the twenty years ending in 2026 (in this respect it should be noted that the SADPD Inspector has cast doubt on this figure and indicated that a further 2,000 houses may be needed to comply with legal requirements. If this should be the case it will have a number of important implications, not least the viability and relevance of the current 'Infrastructure Delivery Plan' (IDP). The currently assessed cost of the broad infrastructure items needed to support that growth in the Infrastructure Delivery Plan is £126 million in the next 15 years. It is not possible to accurately predict the availability of public funding a long way into the future as this will depend, among other things, on the spending priorities of future governments. However, it is clear that in the short to medium term there is a significant gap between available funds from government and other agencies and the cost of infrastructure needed to support and mitigate planned growth.
- 5.6 Government planning regulations require councils to produce an IDP for their area, and we are satisfied that this plan is basically sound. The IDP will require constant monitoring and regular review. A subset of that plan has been used to compile the 'Regulation 123 list', which lists those items or types of infrastructure that the Council intends to fund through CIL. The Council cannot then seek a planning obligation contribution towards the same infrastructure.

Recommendation 2 Particular care should be taken in drawing up the 'Regulation 123' list. It should not include any items where a S106 contribution would deliver a larger and more appropriate contribution towards meeting infrastructure needs. Of equal importance will be the need to include items in the Regulation 123 list where pooling of contributions from multiple sources will be needed after April 2014.

Determining priorities

- 5.7 It seems fairly clear that the income from CIL charges will be far from sufficient to meet all the Borough's infrastructure needs. A key danger would be to assume that income from CIL will very significantly fund the IDP. Other uncertainties include: councils cannot predict accurately how much the income from CIL will be, or when it will arrive; some infrastructure – such as schools expansion – can attract government or other funding; and the timing of infrastructure requirements varies, with some needing to be in place before the developments commence. All this requires an effective means of fairly and transparently determining priorities of individual infrastructure projects.

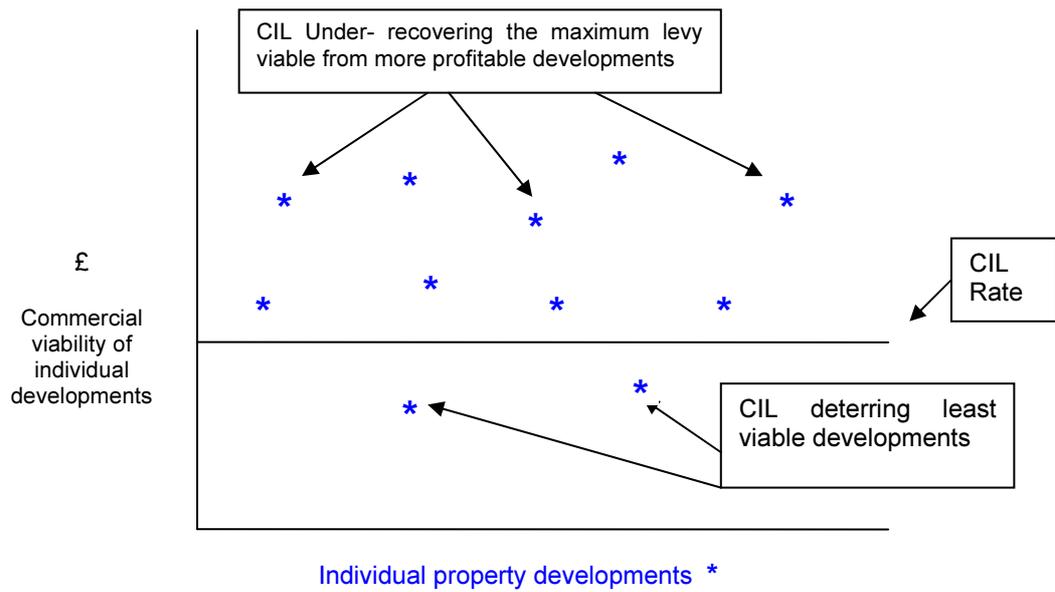
Recommendation 3 To assist consistent, transparent and informed planning and prioritisation, for every prospective infrastructure project a standard set of information should be produced. This should include any timing constraints, the sources of funding and its expected contribution to the Borough's infrastructure. This should ideally include some common ranking scores, showing how each meets the priorities set in – what needs to be - a clear and comprehensive infrastructure plan for the whole Borough. This is likely to require better integration of information and processes.

- 5.8 The Group concurs with the view that the Capital Programme apparatus would be an efficient and tested vehicle for marshalling prospective projects and ensuring they are properly and transparently approved by elected Members. However, we do not think this adequately meets the need for enhanced partnership input into decision-making, particularly in relation to Town & Parish Councils (see paragraph 5.14 below).

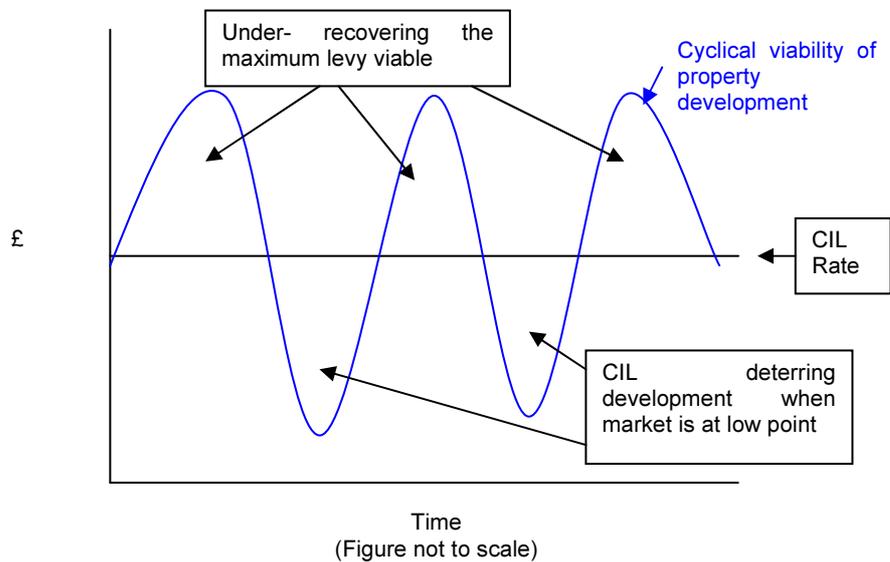
Recommendation 4 The Capital Programme apparatus is enhanced for use in CIL-funded projects, particularly to: incorporate the input of non-executive and ward members, along with other partners' input to decision-making; and to show how CIL monies are used to meet infrastructure bids from external organisations.

CIL Charging Rates

- 5.9 In determining what the CIL charges should be, there is a balance to be struck between simplicity and maximising income. Due to the nature of the CIL scheme, the fixing of the levy rates by geographical area and type of development is much cruder than the S.106 agreements which are tailored to the unique circumstances of individual developments. The Council has endeavoured to allow for this by adopting rates well below the assessed average viability of developments to be able to bear a levy charge. This is intended to allow the developer, for example: to meet any affordable housing requirements and other specific requirements to be met through a S.106 agreement, and to give a 'margin' for site-specific conditions. The viability of every site is different, for example by its location, site conditions, type of development and the interests of the land owner. The Council has partly recognised this by adopting charging boundaries which distinguish, for example, the higher residential property values in Ascot, Sandhurst and Binfield. But lines on a map can give rise to anomalies, and there is clearly a trade-off between simplicity of uniform charging levels on the one hand, alternatively having multiple CIL rates which are not unduly beneficial or harmful to individual developments. The government's CIL regulations recognise that however low the CIL rate is pitched, some developments may be insufficiently viable to cope with the charge. This is illustrated in the diagram overleaf:



5.10 A further issue arises with fluctuations in the property market. The CIL rates were determined at a time when the returns on most property developments were at a low point in the market cycle. That market changes over time, as illustrated below. The effect could be, that when the market reaches the height of profitability, developers could afford to pay a higher CIL levy to the Council; whereas in a market downturn, they could not afford the levy.



5.11 The reaction of the market to the Council's CIL rates has yet to be seen, market conditions change over time, and we have yet to learn what the CIL rates in adjoining boroughs are - and the impact which that might have on Bracknell Forest. For all those reasons, and the need to derive the maximum CIL income reasonably obtainable, so as to fund essential infrastructure, the CIL rates should be regularly reviewed.

Recommendation 5 That due to the many variables and uncertainties, the CIL rates are fundamentally reviewed after one year of operation, in consultation with major property developers, and at least at two yearly intervals thereafter.

The Balance Between Using CIL and other Mechanisms to Secure Developer Contributions towards Infrastructure Costs

5.12 Unavoidably, there will still be a future need for Section 106 agreements in relation to some property developments. The Council needs to decide on an appropriate balance between that means of securing developer contributions and using CIL; the Council does not have to introduce CIL, and should only do so if it is advantageous. At this stage, and due to the many variables and uncertainties, it is not clear where the best balance lies, but what is clear is that putting all the eggs in either basket would not be the right answer.

CIL has advantages over S.106 as:

- It is simpler to operate, with no expensive legal agreements
- It derives financial contributions from smaller developments which would not usually attract S.106 agreements
- It is estimated to generate more income overall than S106 alone would.
- It allows more 'pooling' of charges towards major infrastructure works
- There is more flexibility over the usage and retention of income from CIL charges

S106 has advantages over CIL as:

- Unlike CIL, it does not cause any development to become unviable. It more accurately reflects what is fair and affordable for each property development
- There is no automatic 'passporting' of a proportion of income on to T&PCs.

Recommendation 6 More work is done to assess the best balance between the usage of CIL as opposed to S.106, so as to get the best and fairest contributions towards infrastructure costs, without risking destabilising the property development market. It will be important to exclude from the CIL Infrastructure list those projects where S106 presents a more financially viable route for the Council.

Governance

5.13 The Group considers that there are a number of important governance issues to be addressed if the CIL is to be run safely and well.

a) Partnership working with Town and Parish Councils

5.14 Partnership working in Bracknell Forest has always been a strength, and the opportunity presented by CIL should be taken to forge even stronger partnership working with the Town and Parish Councils (T&PC). The regulations on a 'meaningful proportion' of CIL income to be passed on to

T&PCs have been continually delayed and are not now expected until later in 2013. However, the recent Ministerial announcement indicates that the proportion to be passed over is now much higher (at up to 25%) than originally expected. Subject to the terms of those regulations and the introduction of CIL, the T&PCs will be able to decide for themselves how to spend these monies, hence no-one knows what is to be paid over, when, or what purposes it could be applied for. A further complication will arise in that some parts of the borough will generate little CIL income, yet their infrastructure needs may be significant, and vice-versa. The challenge, in a tight financial climate will be to respect the autonomy of individual T&PCs over the funds at their disposal, whilst ensuring that essential infrastructure needs of everyone who lives in Bracknell Forest are provided for.

Recommendation 7 That the Executive reach a concord with the T&PCs on an equitable means of deploying the CIL funding allocated to them for the essential infrastructure needs of both their respective areas and for everyone who lives in Bracknell Forest. This is even more significant in the light of the recent Ministerial statement.

b) Member approval for decisions

- 5.15 The Group regard it to be significant that Government has required the CIL charging schedule to be approved by Full Council. There is also, through the budget process, Member approval of the Capital Programme. To achieve confidence in the CIL scheme, particularly in its early stages, the Group consider it to be important to maintain a good level of member involvement in decisions on CIL-funded works. This could extend to the application of CIL Exemptions, which is currently under consideration by officers, on the grounds that as the CIL charging rates are to be approved by Full Council, any decision not to apply them in a particular case should be made by councillors and not officers.

Recommendation 8 The Executive should ensure that all Members are given proper opportunity to participate in CIL decisions. As a minimum, this should extend to Ward Members being involved in decisions on projects in their wards; and the application of any CIL exemptions should be approved by the Council's Planning Committee, who are best placed to exercise that judgement.

c) Identifying and managing risks

- 5.16 The Group considered there are a variety of significant financial and other risks associated with the introduction of CIL, for example:
- i. It is uncertain when and how much CIL income will actually arise, and the extent to which it is insufficient to pay for important infrastructure works. The Council's Strategic Risk register has 'Infrastructure And Maintenance of Assets' as a red rating, but not identifying any additional risks from CIL. This issue should be addressed immediately and a specific risk rating allocated to funding raised by CIL bearing in mind the time scales involved.
 - ii. Adjoining boroughs had not all published their CIL rates, and their position relative to the Bracknell Forest rates might result in developers shunning some boroughs and being very active in others.

- iii. Whether T&PCs would be willing to act in partnership, using their 'meaningful proportion' of CIL income to contribute towards important infrastructure of benefit to all, for example new schools.
- iv. CIL rates which are too high or too low could have profound effects on income flow and the level of development in the Borough.
- v. Macro-economic effects, such as the availability of mortgage finance, energy prices, and the level of unemployment presented various risks to the housing and development market and hence CIL income. In some ways, availability of mortgage finance may have a greater impact on the developing housing market and therefore the money actually raised via CIL.
- vi. The rationale and operation of CIL might not be communicated effectively, or understood well enough.

Nevertheless, the Group acknowledges that, should the Council not introduce CIL, there would be even greater risks to securing developer contributions towards infrastructure costs.

Recommendation 9 The risks applying to the introduction and operation of CIL should be identified, enumerated, and a strategy be recorded for dealing with them. In view of the significance of CIL, this should be referred to in the Strategic Risk Register.

d) Staffing

- 5.17 The Group was encouraged to see that a Council-wide CIL officer working group was well established, and working through the key principles on CIL. Currently, the policy co-ordination of the CIL development, along with much of the detailed work, lies with the Head of Spatial Policy, who has other duties. We are concerned that knowledge of CIL is with a very small number of officers. In our view, the complexities of CIL, the need to design work systems and make all the necessary preparations means that this load needs to be shared quite soon, if this important income generation activity is to run well. Indeed, there is a serious issue as to whether or not, given the broad range and impact of CIL and its affect on many key infrastructure projects, it should be a planning-led function. Bearing in mind that it has a commercial and strategic effect on so many Council functions, that overall responsibility should lie in the Chief Executive's Office.

Recommendation 10 The staffing requirements for the design and operation of the CIL scheme should be fully assessed and provided for. Capacity building and knowledge sharing need to be stepped up. Consideration should be given to moving responsibility to the Chief Executive's Office as this is by no means a mainly planning function.

e) Information Systems

- 5.18 The Group noted that reports from other councils were that the more commonly used ICT systems for Local Authority Planning functions were not readily suitable for administering CIL, also that officers were exploring possible software solutions, with the ICT Team's assistance. The current expectation was that the Council's Planning IT system would be usable for CIL purposes. This work, which needs to be based on sound workflow processes, will of course

need to be brought to a conclusion and tested in good time before CIL commences.

f) Reporting the Collection and Usage of CIL

- 5.19 The government's regulations require annual reporting of the key details on CIL transactions. Given the need to retain the confidence of the property development industry, and to transparently show how monies are being deployed to meet the Borough's infrastructure needs, it is important that the reporting format is developed soon and regular reports commenced within one year of full Council approval to the CIL arrangements.

It is recommended to the Overview and Scrutiny Commission that:-

- 5.20 This report of the Working Group is adopted.
- 5.21 The Working group is stood down unless/until further Regulations affecting CIL are published and materially affect the conclusions and recommendations of this report.
- 5.22 The Overview and Scrutiny Commission request from the Executive regular updates on any further developments in the CIL project, and arrange for prior consultation with the Commission on any new CIL proposals.
- 5.23 The Environment, Culture and Communities O&S Panel is asked to monitor the outcome of the Public Examination of the Site Allocations proposals.

Glossary

BP	Business Plan
CIL	Community Infrastructure Levy. A levy that local authorities can choose to charge on new developments in their area to fund infrastructure.
HBF	Home Builders Federation
HDC	Huntingdonshire District Council
IDP	Infrastructure Delivery Plan
LA	Local Authority
LSP	Local Strategic Partnership
O&S	Overview and Scrutiny
PCC	Portsmouth City Council
SADDPD	Site Allocations Development Plan Document. A plan required under Planning Regulations, showing which areas of land are intended for housing developments and other purposes.
Section 106 funding	Contributions sought by local authorities from developers under Section 106 of the Town and Country Planning Act 1990, as amended, towards the costs of providing community and social infrastructure, the need for which has arisen as a result of a new development taking place.
'The Group'	The Working Group of the Overview and Scrutiny Commission.
T&PC	Town and Parish Councils. There are two Town and four Parish Councils in the Borough of Bracknell Forest, providing localised public services

BRACKNELL FOREST COUNCIL
OVERVIEW AND SCRUTINY COMMISSION
WORK PROGRAMME 2011 – 2012

Terms of Reference for

COMMUNITY INFRASTRUCTURE LEVY OVERVIEW AND SCRUTINY WORKING GROUP

Purpose of this Working Group / anticipated value of its work:

- | |
|--|
| <ol style="list-style-type: none">1. The purpose is to make an input to designing the arrangements for the introduction of the Community Infrastructure Levy (CIL), and to contribute to the formulation of the CIL charging levels.2. The principal anticipated value is to help ensure that the CIL arrangements properly protect the Borough's interests and generate an appropriate level of funding to contribute to the Borough's infrastructure needs. |
|--|

Key Objectives:

- | |
|--|
| <ol style="list-style-type: none">1. To build members' understanding of how the CIL will operate, including the legal parameters and financial implications, and the likely effect of CIL on both property development and helping to fund infrastructure needs2. To ensure that the Town and Parish Councils are appropriately engaged in the CIL, that their interests are taken into account, and that there are sound arrangements for their usage of CIL monies passed to them in accordance with government regulations.3. To ensure that this major change properly safeguards the interests of Borough and its residents, specifically in relation to income.4. To ensure that the Borough's infrastructure needs have been properly identified and prioritised.5. To consider whether the proposed CIL charges are set at an appropriate level, specifically in relation to the viability of the CIL Charging Schedule for inspection in public.6. To ensure that the CIL governance arrangements are sound.7. To understand – and apply as necessary - the lessons learnt by other local authorities which have already progressed their CIL arrangements.8. To gain an understanding of private sector developers' views about CIL9. To make recommendations to the Executive and others as necessary on the issues at 1-8 above and specifically:<ol style="list-style-type: none">a) possible alterations to the Constitution consequent on the introduction of CIL;b) the format and scheduled charging levels of the CIL; andc) the administration and usage of CIL income. |
|--|

Scope of the work:

- | |
|--|
| <ol style="list-style-type: none">1. All material issues connected with the successful introduction of the Community Infrastructure levy in Bracknell by June 2013. Specific issues to cover include:<ol style="list-style-type: none">a) The content of the Infrastructure Delivery Plan, including cost information.b) Examples of CIL Charging Schedules from other local authorities.c) Meeting the Executive Member, also the Director chairing the CIL Project |
|--|

	Steering Group.
d)	Meeting the Borough Treasurer to fully understand the financial consequences of CIL.
e)	Meeting the Borough Solicitor to fully understand the legal requirements pertaining to CIL.
f)	Learning from one of the 'pathfinder' councils ³ their experience of introducing CIL thus far.
g)	The calculation of the 'Viability gap', the case for any differential CIL rates, any proposals for exemptions and exceptions, and the draft schedule of CIL charges once available.
h)	The governance arrangements for CIL, including reporting.
i)	The arrangements for Town & Parish Councils receiving and using a proportion of CIL income.
2.	Throughout its work, the Working Group will keep the T&P Councils engaged and informed, as set out by Cllr Leake at the initial meeting on 23 February.

Not included in the scope:

Anything unrelated to, or unaffected by the Community Infrastructure Levy.
--

Terms of Reference prepared by: R M Beaumont

Terms of Reference agreed by: The Working Group

Working Group structure: Councillors Leake, Angell, Mrs Birch, Heydon, Virgo and Worrall

Working Group Lead Member: Cllr Leake

Portfolio Holder: Councillor Mrs Ballin. **NB** – the usage of CIL income will be applied to a wide range of Council activities within the portfolios of other Executive Members.

Departmental Link Officer: Bev Hindle

BACKGROUND:

1. At its meeting on 10 January 2012, the Executive received a report on the Community Infrastructure Levy (CIL) and resolved:
 - That the Overview and Scrutiny Commission be invited to establish a working group to support the development of the Council's first Community Infrastructure Levy;
 - That the Commission considers inviting a representative of the Town and Parish Councils onto the working group.

2. The report to the Executive explained that the CIL will become the key mechanism by which the Council will secure money to create and modify infrastructure to ensure the impact of development is mitigated. The levy is important for the entire Council and all

³ Newark & Sherwood, Shropshire CC, and Redbridge LBC.

its services and therefore it would be beneficial if a representative group of Members were to support the creation of it.

3. CIL is a standardised tariff system for collecting contributions towards infrastructure provision from developers of residential and commercial development. It is up to Councils whether or not to introduce a CIL, but if they do not, then by April 2014, they will not be able to continue with their own system via s106 planning obligations for pooled contributions as the Council presently does through the 'Limiting the Impact of Development' Supplementary Planning Document. CIL is very important for Bracknell Forest where planned development will result in the need for significant highway improvement works and a new secondary school, among other infrastructure requirements.

SPECIFIC QUESTIONS FOR THE PANEL TO ADDRESS:

1.	The nature, timing and estimated cost of the Borough's infrastructure needs
2.	The calculation of the 'viability gap' (see scope of review, above)
3.	Is there a sound case for any differential CIL rates, exemptions and exceptions?
4.	The estimated income from CIL and Section 106.
5.	What has the experience of other councils been of CIL to date?
6.	What do private sector property developers think about how CIL should be applied in Bracknell Forest?
7.	The financial and other risks associated with the introduction of CIL
8.	The Governance arrangements for the use of CIL income, to ensure funds are used fully and properly, and there is open annual reporting
9.	Do the arrangements with Town & Parish councils provide for their proper participation in the CIL?

INFORMATION GATHERING:

Witnesses to be invited

Name	Organisation/Position	Reason for Inviting
One or more councils which have already progressed their CIL arrangements	TBC – possibly Portsmouth, and Newark & Sherwood	To learn about the experience of other councils in introducing CIL
Representative(s) of private sector property developers	TBC	To learn about the perspective of private sector property developers about the CIL
Anthony Lee	BNP Paribas	To understand the Borough's CIL Viability Assessment and receive views on the development of CIL nationally
Councillor Mrs Ballin Vincent Paliczka Alan Nash Alex Jack Bev Hindle Max Baker	Bracknell Forest Council	To be informed about CIL, and to understand the roles and actions of the Executive Member and Officers involved in CIL

Site Visits

Location	Purpose of visit
TBC	It is likely that one or more visits will need to be made to meet the other councils which have already progressed their CIL arrangements

Key Documents / Background Data / Research

1.	Localism Act 2011 sections relating to CIL and associated government regulations
2.	DCLG guidance on CIL
3.	BFC Major Infrastructure Schedule/ Infrastructure Delivery Plan
4.	BFC Preliminary draft CIL Charging schedule

TIMESCALE

NB – Timescale to be reviewed when updated timeline for introducing CIL is available

Starting: February 2012

Ending: June 2013

OUTPUTS TO BE PRODUCED

A report containing recommendations as necessary to the Council's Executive.

REPORTING ARRANGEMENTS

Body	Date
Overview and Scrutiny Commission: Report of the Working Group for the Commission's adoption	TBC. The ongoing nature of the work up to the introduction of the CIL might require an interim report before a final report in c. June 2013

MONITORING / FEEDBACK ARRANGEMENTS

Body	Details	Date
Overview and Scrutiny Commission: - Progress reports to each Commission meeting	A brief summary of the progress of the Working Group, for information and discussion	29 March 2012 and subsequently
Parish and Town Councils Liaison Group: - Progress reports to each meeting	A brief summary of the progress of the Working Group, for information and discussion	28 March and subsequently

For further information on the work of Overview and Scrutiny in Bracknell Forest, please visit our website on <http://www.bracknell-forest.gov.uk/scrutiny> or contact us at:

Overview and Scrutiny, Chief Executive's Office, Bracknell Forest Council, Easthampstead House, Town Square, Bracknell, Berkshire, RG12 1AQ, or email us at overview.scrutiny@bracknell-forest.gov.uk or telephone the O&S Officer team on 01344 352283

**TO: OVERVIEW AND SCRUTINY COMMISSION
30 JANUARY 2013**

**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 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 its final meeting on 17 January 2013. The Working Group's report on its review of the Council's preparations for the CIL appears at item 10 on the agenda.

Communications Strategy Working Group

- 3.3 The Working Group, which comprised Councillors Leake (Lead Member), Gbadebo, Thompson and Wade, has now concluded. It met on 10 May to: receive a briefing, review an example of another council's communication strategy, consider the current communications arrangements, and to discuss prospective priorities and deliverables for the new strategy. At its final meeting on 17 July, the Working Group reviewed and provided comments on the draft Communications strategy, which were taken into account before the finalised strategy was approved by the Executive on 16 October.

Delegated Authorities

- 3.4 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

Richard Beaumont – 01344 352283

e-mail: richard.beaumont@bracknell-forest.gov.uk

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 completed as planned

OVERVIEW AND SCRUTINY COMMISSION	Status / Comment
Co-ordination of the work of the Overview and Scrutiny Panels	
Routine monitoring of the performance of the Council's corporate functions	
Exercising pre-decision scrutiny by reference to the Executive Forward Plan	
2013/14 Budget Scrutiny	
Crime and Disorder Committee	
Policy Development	
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'.	
Delegated Authorities	
To review the scheme of delegation and the extent of powers delegated to officers.	

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

Exercising pre-decision scrutiny by reference to the Executive Forward Plan	
2013/14 Budget Scrutiny	
Modernising Older People's Services 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.	
Substance Misuse 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.	
Policy Development	
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> .	

CHILDREN, YOUNG PEOPLE AND LEARNING OVERVIEW AND SCRUTINY PANEL	Status / Comment
Monitoring the performance of the Children, Young People and Learning Department	
Exercising pre-decision scrutiny by reference to the Executive Forward Plan	
2013/14 Budget Scrutiny	
Schools Governance 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.	
Policy Development To contribute to the formulation of the Council's new Early Intervention and Prevention strategy.	

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

<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>	
---	---

HEALTH OVERVIEW AND SCRUTINY PANEL	Status / Comment
<p>Health and Wellbeing Strategy</p> <p>To contribute to the development of the Council's statutory 'Health and Wellbeing' strategy [Working Group].</p>	
<p>Policy development and monitoring the implementation of the major changes from the 2012 Health and Social Care Act</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>Monitoring the performance and budget of the Berkshire Primary Care Trust and the NHS trusts serving Bracknell Forest</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>Responding to NHS Consultations</p> <p>The Health O&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>	

**OVERVIEW AND SCRUTINY COMMISSION
30 JANUARY 2013**

**2013/14 OVERVIEW AND SCRUTINY COMMISSION WORK PROGRAMME
Assistant Chief Executive**

1 PURPOSE OF REPORT

- 1.1 This report invites members to propose items for inclusion in the Overview and Scrutiny Commission's work programme for 2013/14.

2 RECOMMENDATION

- 2.1 **That the Overview and Scrutiny Commission proposes items for inclusion in the Commission's work programme for 2013/14.**

3 SUPPORTING INFORMATION

- 3.1 To assist Members' consideration of possible items for inclusion in the Commission's work programme for 2013/14, the previously completed reviews are listed on the following page, also the work programme for the current year.
- 3.2 The Overview and Scrutiny Panels have also been invited to consider, at their meetings in January 2013, items for their future work programmes. The complete draft programme will form part of the annual report of O&S for 2012-13, which will be put forward for Member approval, and consultation with the Corporate Management Team and the Executive, in due course.

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

Richard Beaumont – 01344 352283
e-mail: richard.beaumont@bracknell-forest.gov.uk

Previously Completed Overview and Scrutiny Commission Reviews

Date Completed	Title
May 2004	Review of Community & Voluntary Sector Grants
April 2005	Review of Members' Information Needs
December 2007	Review of the Council's Medium Term Objectives
September 2008	Scrutiny of Local Area Agreement
January 2010	Medium Term Objectives 2010/11
October 2010	Review of Partnership Scrutiny
June 2011	Office Accommodation Strategy
June 2011	Plans for Sustaining Economic Prosperity
September 2011	Performance Management Framework
September 2011	Review of the Council's Medium Term Objectives
October 2011	Plans for Neighbourhood Engagement
October 2011	Regulation of Investigatory Powers
February 2012	Information and Communications Technology Strategy
July 2012	Communications Strategy

2012-13 Overview and Scrutiny Commission Work Programme

Co-ordination of the work of the Overview and Scrutiny Panels
Routine monitoring of the performance of the Council's corporate functions
Exercising pre-decision scrutiny by reference to the Executive Forward Plan
2013/14 Budget Scrutiny
Crime and Disorder Committee
Policy Development
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'.

Delegated Authorities

To review the scheme of delegation and the extent of powers delegated to officers.

This page is intentionally left blank