

**OVERVIEW AND SCRUTINY COMMISSION
5 SEPTEMBER 2013
7.30 - 9.35 PM**



Present:

Councillors Leake (Chairman), Angell (Vice-Chairman), Baily, Mrs Birch, Gbadebo, Harrison, Mrs McCracken, McLean, Turrell and Virgo

Reverend Canon Parish, Church Of England Representative
Mr R Briscoe, Parent Governor Representative

Executive Members:

Councillors Mrs Ballin and McCracken

Apologies for absence were received from:

Councillors Ms Brown, Finnie and Heydon

In Attendance:

Andrea Carr, Policy Officer (Overview and Scrutiny)
Alan Nash, Borough Treasurer
Victor Nicholls, Assistant Chief Executive
Alison Sanders, Director of Corporate Services
Bev Hindle, Chief Officer: Planning & Transport
Max Baker, Head of Spatial Policy

18. Apologies for Absence/Substitute Members

The Commission noted the attendance of the following substitute member:

Councillor Mrs McCracken for Councillor Finnie

19. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Commission held on 1 July 2013 be approved as a correct record and signed by the Chairman.

There were no matters arising.

20. Declarations of Interest and Party Whip

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

Councillor Mrs McCracken declared a personal interest in that she was the spouse of the Executive Member for Culture, Corporate Services and Public Protection.

21. Urgent Items of Business

The Chairman gave notice that he had agreed to the addition of an item of urgent business to the agenda for the meeting. The item was in relation to the Public Participation Scheme for Overview and Scrutiny.

22. Public Participation

There were no representations submitted under the public participation scheme.

23. Council Budgetary Position

The Borough Treasurer gave a presentation in respect of the emerging budget position for the 2014/15 financial year. The presentation included an overview of the underlying principles of the Council's budget setting process, an overview of the assumptions made when initially planning the 2014/15 budget, the projected funding gap to 2016/17, an overview of the approaches adopted by the Council when addressing the funding gap and a timetable setting out the key steps in the approval of the 2014/15 budget. Arising from Members' questions and comments the following points were noted:

- Although savings wherever possible were focussed on efficiencies and the back office functions cuts would impact on front line services
- Inflation affected many of the contractual agreements entered into by the Council and whilst some were open to negotiation others weren't for example the Waste Public Finance Initiative (PFI) contract made provision for fixed inflationary increases
- Fees and charges were set at a level that the market would bear and did not track inflation
- The rate of inflation applied to the Waste PFI contract could not be looked at in isolation because the calculations used took into account a wide range of factors including the tonnage of waste collected
- It was estimated that the £4million set aside for increasing school capacity would as a general rule give an additional 4 or 5 forms of entry. The amount spent on a school would vary according to need and site
- It had been assumed that money raised through the Community Infrastructure Levy would be spent on capital projects and would therefore have no impact on the revenue budget
- At this current juncture it would be difficult to quantify the level of income that would be generated from Business Rates collected following the regeneration of Bracknell town centre
- The Public Health Grant had been ring fenced for two years and it was thought that the ring fencing could continue for a third
- If the Government withdrew the Council Tax Freeze Budget then additional savings would have to be identified
- It was agreed that the presentation would be circulated to the Commission

The Commission thanked the Borough Treasurer for the informative update.

24. Community Infrastructure Levy

The Chief Officer: Planning and Transport and the Head of Spatial Policy presented a report providing an update on the introduction of the Community Infrastructure Levy (CIL) in Bracknell Forest. The report included an update on progress made to date, details of the next steps in the approval process, potential changes to CIL

regulations, a summary of the responses received during consultation on the CIL's Draft Charging Schedule and an update on the status of Neighbourhood Plans in the Borough.

It was reported that the Draft Charging Schedule would, with a number of supporting documents including a summary of the main points raised during the consultation period, be submitted to the Secretary of State. Once this had been done the Planning Inspectorate would allocate an examiner and a date set for examination. It was expected that the earliest date that the CIL would be brought to the Council for approval would be January 2014.

Arising from the subsequent discussion the following points were noted:

- The IT system that would be used for CIL payments forms part of the system used currently for S06 payments. Dummy runs using the system would be carried out in the coming weeks to ensure that there were no problems
- Clarification would be given over the definition of 'discount market housing'
- There were currently no Neighbourhood Plans in place and no requests had been received by the Council to designate Neighbourhood Plan areas, the first step in the process
- If CIL was collected on a development then the relevant parish council could claim 15% of the sum agreed if there was no Neighbourhood Plan. If a Neighbourhood Plan was in place then the parish council could claim 25% of the CIL. However CIL could not be claimed retrospectively
- CIL could only be charged if its application did not make a development unviable
- It was not unusual to have zones that were zero rated for CIL
- Funding claims for infrastructure projects could be levied on a site specific basis even if the development was in a zero rated area. However zero rated areas tended to be urban areas that were unable to bear a CIL to the same level as a green field site
- Suitable Alternative Natural Greenspace (SANG) funding was also used to pay for infrastructure work and whilst there would be developments that wouldn't attract CIL payments they could attract SANG payments. However Central Government has said that SANG payments could only be claimed through the CIL scheme consequently allowances have had to be made in the CIL Charging Scheme for this situation
- During the development of the CIL Charging Schedule there had to be a clear demonstration that the Local Authority was working co-operatively with neighbouring authorities with regard to infrastructure planning
- Developers had to make CIL payments within 60 days of the commencement of development. However developers of larger schemes could opt to make staged payments
- Local authorities would be able to impose stringent legal and financial penalties on a developer for non-payment of CIL
- CIL levels were likely to be key for developers when considering where to locate a development. Proposed CIL Levels in Bracknell Forest were currently thought to be at a viable and sustainable level

The Commission thanked officers for the update.

25. **Executive Forward Plan**

The Commission received, and noted, a report summarising the Executive Key and Non-Key decisions relating to corporate issues.

26. **Quarterly Service Reports 2013/14**

The Commission considered the latest trends, priorities and pressures in terms of departmental performance as reported in the Quarterly Service Reports for the first quarter of 2013/14 (April to June) relating to the Chief Executive's Office and the Corporate Services Department and the following points were noted:

Chief Executive's Office

- The issues relating to Government funding of superfast broadband had now been resolved
- Work to brand Bracknell Forest as a place to do business had been initiated by a Member Task Group. Staff changes had impacted on the progress of the project. An update on the project would be brought to the Commission's November meeting
- The performance of the Economic Strategy was overseen by the Economic and Skills Development Partnership. A review of the Strategy had been carried out earlier in the year and the Review Report and economic indicators would be circulated to the Commission. An update would be brought to the Commission's November meeting.

Corporate Services

- The Customer Contact Centre would, during the next quarter, start to provide an appointment booking system for the Registrars. This would ease pressure on the Registrars' Service and provide residents with a more consistent service when the Registrars' Office was closed
- Compliments were routinely reported in the Annual Complaints Reports for Adults and Children's Social Care. Whilst many compliments were received in relation to the Corporate staff it was not mandatory to record these officially in order to ease pressure on staff
- The length of the delay in the annual electoral registration canvass owing to the work required in relation to individual electoral registration would be confirmed

The Commission noted the report.

27. **Review of Delegated Authorities**

The Commission received a report containing the outcomes of the review of delegated authorities carried out by a working group of the Overview and Scrutiny Commission.

The Working Group's Lead Member informed the Commission that the review had concluded that throughout the Council there was a high degree of confidence in the Scheme of Delegated Authorities and that the Council had sound and well understood arrangements in place for delegated authorities. The Working Group thanked all those who had assisted with the review.

RESOLVED that:

- i. The report of the review of Delegated Authorities undertaken by a working group of the Overview and Scrutiny Commission be adopted and sent formally to the Leader of the Council
- ii. The Delegated Authorities Working Group be stood down

28. **Work Programme Update**

The Commission received a report providing an update on Overview and Scrutiny activity contained in the work programme since its last meeting. It was confirmed that all work streams of the Adult Social Care and Housing Overview and Scrutiny Panel were either complete or on course for completion within the timescales specified.

29. **Overview and Scrutiny Public Participation Scheme**

A Member raised concerns that the prescriptive nature of the Overview and Scrutiny Public Participation Scheme was discouraging the public from becoming more involved in the scrutiny process.

It was reported that the Health and Wellbeing Board had recently adopted a public participation scheme that gave members of the public the opportunity to ask any question that they wished of the Board subject to their request being made to the meeting clerk at least fifteen minutes in advance of the start of the meeting.

It was agreed that Councillor Virgo would liaise with officers on the matter and a revised scheme would be brought to the Commission's November meeting for consideration.

CHAIRMAN