

**EXECUTIVE
11 FEBRUARY 2020
5.00 - 5.22 PM**



Present:

Councillors D Birch (Chairman), Brunel-Walker, Harrison, Mrs Hayes MBE, Heydon and Turrell

Apologies for absence were received from:

Councillors Bettison OBE and Dr Barnard

44. Declarations of Interest

There were no declarations of interest.

45. Minutes

RESOLVED that the minutes of the meeting of the Executive on 28 January 2020 together with the accompanying decision records be confirmed as a correct record and signed by Councillor Birch.

Executive Decisions and Decision Records

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

46. Revenue Budget 2020/21

That the Executive, in recommending to Council a budget and Council Tax level for 2020/21:

- i. Confirms the original budget proposals, subject to the revisions in section 8.3 of the Director:Finance's report and those decisions to be taken elsewhere on this agenda on the capital programme;
- ii. Agrees the provision for inflation of £1.998m (section 8.2) of the Director:Finance's report;
- iii. Agrees the additional budget proposals as set out in Annexe A and Annexe D and in sections 6.2, 6.3, 7.3, 8.3, 9.1, 9.3 and 10.6 of the Director:Finance's report;
- iv. Agrees that the Council should make additional funding available for distribution to schools through the local funding formula at the level set out in section 9.1 of the Director:Finance's report, subject to any minor amendments made by the Executive Member for Children, Young People and Learning following the receipt of definitive funding allocations for Early Years and High Needs pupils;
- v. Includes contingencies totalling £2.250m (section 10.6 of the Director:Finance's report), use of which are to be authorised by the

Chief Executive in consultation with the Director of Finance in accordance with the delegations included in the Council's constitution;

- vi. Subject to the above recommendations, confirms the draft budget proposals;
- vii. Approves the Net Revenue Budget before allowance for additional interest from any use of balances as set out in Annexe G of the Director:Finance's report;
- viii. Agrees the contribution of £0.375m to be made from revenue balances (before additional interest from the use of balances) to support revenue expenditure;
- ix. Recommends a 3.99% increase in the Council Tax for the Council's services and that the Council Tax requirement, excluding Parish and Town Council precepts, be set as £63.475m;
- x. Recommends that the Council Tax for the Council's services and that each Valuation Band is set as follows:

Band	Tax Level Relative to Band D	£
A	6/9	903.90
B	7/9	1,054.55
C	8/9	1,205.20
D	9/9	1,355.85
E	11/9	1,657.15
F	13/9	1,958.45
G	15/9	2,259.75
H	18/9	2,711.70

- xi. Recommends that the Council approves the following indicators, limits, strategies and policies included in Annexe E of the Director:Finance's report:
 - The Prudential Indicators and Limits for 2020/21 to 2022/23 contained within Annexe E(i);
 - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
 - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
 - The Authorised Limit Prudential Indicator in Annexe E(iii);
 - The Investment Strategy 2020/21 to 2022/23 and Treasury Management Limits on Activity contained in Annexe E(iv);
- xii. Approves the virements relating to the 2019/20 budget as set out in Annexe H of the Director:Finance's report.

47. **Capital Programme 2019/2020**

That the Executive recommends to the Council:

- i. General Fund capital funding of £19.225m for 2020/21 in respect of those schemes listed in Annexes A – D of the Director:Finance's report.

- a) The inclusion of an additional budget of £1m for Invest to Save schemes.
 - b) The inclusion of £3.97m of expenditure to be funded from S106 and SANG as outlined in paragraph 5.15 of the Director:Finance's report.
 - c) That those schemes that attract external grant funding are included within the Capital Programme at the level of funding received.
- ii. Agrees that capital schemes that require external funding can only proceed once the Council is certain of receiving the grant.
 - iii. Confirms its support to investing land and cash to help secure development through a Property Joint Venture once it is established, noting that the financial parameters will be clearly set out in an initial Business Plan that will be approved by the Council later this year.

48. Exclusion of Public and Press

RESOLVED that pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, members of the public and press be excluded from the meeting for the consideration of items 8 & 9 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

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

49. Heathlands Redevelopment

RESOLVED that:

- i. the appointment of Stepnell Ltd. is confirmed to undertake enabling works, which include site set up, demolition, utility investigation and surveys.
- ii. the appointment of Stepnell Ltd is confirmed to undertake the construction of a new facility at Heathlands subject to the scheme achieving planning permission, following a value for money assessment which is set out in confidential Annex A of the Director: Finance's report;
- iii. the use of the ground floor of the new Heathlands facility is endorsed to be used for the first 24 months of operation (subject to 6 monthly reviews) for short-term support for individuals, notably those who are elderly and infirm with some mental health issues including a dementia diagnosis, who would otherwise be placed in an Acute setting (as described in paragraphs 5.23 to 5.27 in the Director: Finance's report);
- iv. the Borough Solicitor be authorised to enter into discussions with Frimley Health Foundation Trust to establish a joint venture in the form of a private limited company to operate the facility and to enter into the relevant contractual documentation to give effect to its governance arrangements, reflecting the Heads of Terms previously agreed by the Executive in September 2019 and the legal advice attached as Annex C Director: Finance's report.

50. Microsoft Licensing Procurement Plan

RESOLVED that the procurement approach outlined in the Procurement Plan is agreed.

CHAIRMAN

Bracknell Forest Council Record of Decision

Work Programme Reference	1084706
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1. **TITLE:** Revenue Budget 2020/21

2. **SERVICE AREA:** Finance

3. **PURPOSE OF DECISION**

To recommend to Council the annual budget

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive, in recommending to Council a budget and Council Tax level for 2020/21:

- i. Confirms the original budget proposals, subject to the revisions in section 8.3 of the Director:Finance's report and those decisions to be taken elsewhere on this agenda on the capital programme;
- ii. Agrees the provision for inflation of £1.998m (section 8.2) of the Director:Finance's report;
- iii. Agrees the additional budget proposals as set out in Annexe A and Annexe D and in sections 6.2, 6.3, 7.3, 8.3, 9.1, 9.3 and 10.6 of the Director:Finance's report;
- iv. Agrees that the Council should make additional funding available for distribution to schools through the local funding formula at the level set out in section 9.1 of the Director:Finance's report, subject to any minor amendments made by the Executive Member for Children, Young People and Learning following the receipt of definitive funding allocations for Early Years and High Needs pupils;
- v. Includes contingencies totalling £2.250m (section 10.6 of the Director:Finance's report), use of which are to be authorised by the Chief Executive in consultation with the Director of Finance in accordance with the delegations included in the Council's constitution;
- vi. Subject to the above recommendations, confirms the draft budget proposals;
- vii. Approves the Net Revenue Budget before allowance for additional interest from any use of balances as set out in Annexe G of the Director:Finance's report;
- viii. Agrees the contribution of £0.375m to be made from revenue balances (before additional interest from the use of balances) to support revenue expenditure;

- ix. Recommends a 3.99% increase in the Council Tax for the Council's services and that the Council Tax requirement, excluding Parish and Town Council precepts, be set as £63.475m;
- x. Recommends that the Council Tax for the Council's services and that each Valuation Band is set as follows:

Band	Tax Level Relative to Band D	£
A	6/9	903.90
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C	8/9	1,205.20
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- xi. Recommends that the Council approves the following indicators, limits, strategies and policies included in Annexe E of the Director:Finance's report:
- The Prudential Indicators and Limits for 2020/21 to 2022/23 contained within Annexe E(i);
 - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
 - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
 - The Authorised Limit Prudential Indicator in Annexe E(iii);
 - The Investment Strategy 2020/21 to 2022/23 and Treasury Management Limits on Activity contained in Annexe E(iv);
- xii. Approves the virements relating to the 2019/20 budget as set out in Annexe H of the Director:Finance's report.

7. REASON FOR DECISION

The recommendations are designed to enable the Executive to propose a revenue budget and Council Tax level for approval by Council on 26 February.

8. ALTERNATIVE OPTIONS CONSIDERED

Background information relating to the options considered is included in the report.

9. **PRINCIPAL GROUPS CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, 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.

10. **DOCUMENT CONSIDERED:** Report of the Director: Finance

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

Date Decision Made	Final Day of Call-in Period
11 February 2020	19 February 2020

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	1087920
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1. **TITLE:** Capital Programme 2019/2020

2. **SERVICE AREA:** Finance

3. **PURPOSE OF DECISION**

To recommend to Council the annual budget.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive recommends to the Council:

- i. General Fund capital funding of £19.225m for 2020/21 in respect of those schemes listed in Annexes A – D of the Director:Finance's report.
 - a) The inclusion of an additional budget of £1m for Invest to Save schemes.
 - b) The inclusion of £3.97m of expenditure to be funded from S106 and SANG as outlined in paragraph 5.15 of the Director:Finance's report.
 - c) That those schemes that attract external grant funding are included within the Capital Programme at the level of funding received.
- ii. Agrees that capital schemes that require external funding can only proceed once the Council is certain of receiving the grant.
- iii. Confirms its support to investing land and cash to help secure development through a Property Joint Venture once it is established, noting that the financial parameters will be clearly set out in an initial Business Plan that will be approved by the Council later this year.

7. **REASON FOR DECISION**

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

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative options are considered in the report.

9. **PRINCIPAL GROUPS CONSULTED:** Business rate payers, the Over 50s Forum, the Schools Forum, Parish Councils and voluntary organisations.

10. **DOCUMENT CONSIDERED:** Report of the Director: Finance

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

Date Decision Made	Final Day of Call-in Period
11 February 2020	19 February 2020

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	1089277
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1. **TITLE:** Heathlands Redevelopment

2. **SERVICE AREA:** Finance

3. **PURPOSE OF DECISION**

For the Executive to approve the main works contract for the redevelopment of Heathlands care home in line with the procurement plan and to note the partnership arrangements that consider and allocate risk and reward appropriately between the various parties in line with the draft Heads of Terms.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the appointment of Stepnell Ltd. is confirmed to undertake enabling works, which include site set up, demolition, utility investigation and surveys.
- ii. the appointment of Stepnell Ltd is confirmed to undertake the construction of a new facility at Heathlands subject to the scheme achieving planning permission, following a value for money assessment which is set out in confidential Annex A of the Director: Finance's report;
- iii. the use of the ground floor of the new Heathlands facility is endorsed to be used for the first 24 months of operation (subject to 6 monthly reviews) for short-term support for individuals, notably those who are elderly and infirm with some mental health issues including a dementia diagnosis, who would otherwise be placed in an Acute setting (as described in paragraphs 5.23 to 5.27 in the Director: Finance's report);
- iv. the Borough Solicitor be authorised to enter into discussions with Frimley Health Foundation Trust to establish a joint venture in the form of a private limited company to operate the facility and to enter into the relevant contractual documentation to give effect to its governance arrangements, reflecting the Heads of Terms previously agreed by the Executive in September 2019 and the legal advice attached as Annex C Director: Finance's report.

7. **REASON FOR DECISION**

A Business Case was presented to the Executive at its March 2019 meeting, which included the key strategic and financial considerations for the Council in redeveloping Heathlands to address the current shortfall in capacity for Elderly and Mentally Infirm (EMI) nursing and Health intermediate care beds in Bracknell Forest. The Executive supported the Business Case, noting that further updates would be brought forward for decision regarding both the construction and operational arrangements, once further details had been identified and evaluated. This report provides updates on these issues, confirms that the Business Case remains strong and therefore proposes further decisions to ensure the scheme can be

brought forward as soon as possible.

8. ALTERNATIVE OPTIONS CONSIDERED

The Council could decide to sell the Heathlands site and generate a capital receipt. However, there is a covenant on the site restricting its use to adult social care which means it has limited financial value.

Selling the site to a private care home provider could result in a care facility being provided, however the Council would lose the ability to determine the nature of the facility, which client groups it would target and to place specific clients in it (particularly those with most complex care needs). System benefits identified across health and social care would not be fully realised under an alternative proposal. The cost incurred by the Council and its partners to date would be irrecoverable.

9. **PRINCIPAL GROUPS CONSULTED:** East Berkshire CCG, Frimley Health NHS Foundation Trust for and the Local Planning Authority.

10. **DOCUMENT CONSIDERED:** Report of the Director: Finance

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

Date Decision Made	Final Day of Call-in Period
11 February 2020	19 February 2020

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I089078
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1. **TITLE:** Microsoft Licensing Procurement Plan

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

The Council's licensing agreement to use Microsoft products expires on 30th June 2020 and therefore a tender exercise is required to enable the use of Microsoft licenses under an Enterprise Agreement from 1st July 2020. This procurement plan sets out the process to achieve this.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

The procurement approach outlined in the Procurement Plan is agreed.

7. **REASON FOR DECISION**

The council's current three-year Enterprise Licensing Agreement for the majority of Microsoft software expires on 30 June 2020. To enable the council to continue using this software, a new agreement must be in place with effect from 1 July 2020.

The council is part way through the implementation of Office 365 products, and it is advisable that the Council continues to implement these products with appropriate security applied to get the best value and outcomes. It would probably not be cost effective to change to an alternative provider of similar products at this stage.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The council could potentially secure Microsoft software licensing outside an Enterprise Agreement, but this is likely to be significantly more expensive.

9. **PRINCIPAL GROUPS CONSULTED:** None.

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

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

Date Decision Made	Final Day of Call-in Period
11 February 2020	19 February 2020