

To: Council  
19 April 2023

---

## Executive Report to Council The Leader

### 1 Purpose of Report

- 1.1 Since the Council agenda for the meeting on the 22 February 2023 was published, the Executive met on the 21 March 2023. This report summarises decisions taken by reference to the relevant portfolio within which they fall.
- 1.2 Updated Forward Plans are published every Friday and can be viewed online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk). Full details on the decisions taken by individual portfolio holders can also be accessed online through the Council's website.

### 2 Recommendation

- 2.1 Council is asked to approve the recommendations set out at paragraph 5.8.2 and 5.12.2.

### 3 Reasons for Recommendations

- 3.1 The reasons for recommendations are set out in the supporting information and in the reports considered by the Executive. The relevant reports that the Executive considered can be found [here](#).

### 4 Alternative Options Considered

- 4.1 Alternative options are discussed in the relevant individual reports considered by the Executive. The relevant reports that the Executive considered can be found [here](#).

### 5 Supporting Information

#### Planning & Transport

#### 5.1 Proposed Main Modifications to the Bracknell Forest Local Plan ([Ref - I113012](#))

- 5.1.1 The Executive agreed the principle of making Proposed Main Modifications to the Bracknell Forest Local Plan (Pre Submission version), and associated changes to the Policies Map, and they also agreed that the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning and Transport, agree the draft wording of the Proposed Main Modifications and any consequential changes together with associated changes to the Policies Map and supporting documents, prior to being submitted to the Inspectors for final agreement.
- 5.1.2 Agreement was also given by the Executive that the Executive Director: Place Planning and Regeneration, in consultation with the Executive Member for Planning

and Transport, be authorised to agree the wording of the schedule of Minor Modifications and that the consultation on the Proposed Main Modifications to the Bracknell Forest Local Plan (Pre Submission version), consequential changes, amended Policies Map and supporting documents be agreed for a period of at least six weeks over the Summer of 2023.

- 5.1.3 The Bracknell Forest Local Plan (BFLP), was submitted to the Secretary of State on 20 December 2021. This marked the beginning of the examination phase. Public hearings had been held in May, June and October 2022.
- 5.1.4 The Inspectors' Post Hearings letter was received by the Council on 19 January 2023. Whilst the letter confirmed that the production of the BFLP had met the Duty to Co-operate and was legally compliant, it made it clear that Main Modifications were required to make it sound. The Inspectors asked the Council to prepare a schedule of all proposed changes (including consequential changes) for consultation with the detailed wording to be agreed by the Inspectors.
- 5.1.5 The nature and duration of the consultation should reflect that of the consultation held at the Regulation 19 stage, prior to submission. This means that it should last at least 6 weeks. The final set of Proposed Main Modifications must be supported by a revised Policies Map. Consideration needed to be given to whether or not the Proposed Main Modifications need to be subject to Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and/or Habitats Regulation Assessment (HRA). Addenda would be produced to cover these issues and would also be made available for comment.
- 5.1.6 A schedule covering a further category of proposed changes termed Minor Modifications will also be produced by the Council. These would cover factual updates and textual corrections. These would be published for information only and not be put before the Inspectors for consideration.

## **5.2 Highways and Transport Capital Programme 2023/24 ([Ref - I113024](#))**

- 5.2.1 The Executive approved the overall Highways and Transport Capital Programme for 2023/24.
- 5.2.2 The overall Highways and Transport Capital Programme for 2023/24 totals £4.55m, of which over 75% of funding is derived from external sources. Alongside the annual DfT grants for Transport and Highway Maintenance, the programme includes further DfT funding for electric vehicle charging provision following a successful bid. Developer contributions via S106 agreements and Community Infrastructure Levy (CIL) supplements the programme along with a local contribution from Borough Capital. Given the ongoing highway maintenance challenges being experienced by all local authorities, the Council has increased its core capital contribution to £1.2m in 2023/24.

## **5.3 SANG capacity agreements between Bracknell Forest Council and Surrey Heath Borough Council ([Ref - I110981](#))**

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

- 5.3.2 Bracknell Forest Council had an existing agreement with SHBC to provide up to 500 dwellings SANG capacity to mitigate developments in Surrey Heath in the current plan period. This was approved by the Executive in 2015. Up to the end of December 2022, Shepherd Meadows SANG had mitigated 387 dwellings in Surrey Heath with a further 113 dwellings capacity still available. It is proposed to end this agreement during 2023 with SHBC paying the outstanding amount for the remaining SANG capacity.
- 5.3.3 In 2022 SHBC approached BFC to request further SANG capacity to mitigate residential developments that are being planned through its emerging Local Plan. Given that there was SANG capacity still available for Shepherd Meadows SANG and in other SANGs in the southern half of Bracknell Forest, it was considered that Bracknell Forest Council could offer up to 500 dwellings capacity through a new agreement, without affecting capacity needs in Bracknell Forest.

### **Children, Young People & Learning**

#### **5.4 School Places Plan & Capital Strategy 2023-2028 ([Ref - I110076](#))**

- 5.4.1 The Executive approved the School Places Plan and Capacity Strategy 2023-2028 and agreed for its publication in April 2023. The Executive agreed that the document could be further amended to incorporate its feedback before publication.
- 5.4.2 The Council had the statutory duty to provide sufficient school places and an agreed vision and approach to doing this would be a key tool in achieving this going forward.
- 5.4.3 Headteachers and Further Education providers had been consulted on what planning for school places should look like in the future during November 2021 to October 2022. Headteachers welcomed this engagement and actively participated in helping shape the Council's vision and approach.
- 5.4.4 The vision and approach would be used to inform the School Places Plan and School Capacity Strategy 2023-28.
- 5.4.5 It is anticipated that the specific needs to be identified at that time will include:
- Closely monitoring mainstream secondary school places and North Bracknell primary school places.
  - Reduction of surplus primary places in South Bracknell and Crowthorne & Sandhurst.
  - Creation of additional capacity for SEND.

#### **5.5 Household Support Fund (Phase four) ([Ref - I111749](#))**

- 5.5.1 The Executive agreed that the Household Support Fund (phase four) be distributed through:
- Purchasing supermarket vouchers, or for opted schools to make equivalent arrangements, for children qualifying for Free School Meals in Bracknell Forest primary and secondary schools. Households will receive a £15 voucher per child per week of the holidays.

- Purchasing pre-paid cards or supermarket vouchers to distribute to low income households receiving income-based council tax reduction or housing benefit but not the benefits, such as universal credit, which would.
  - Enhancing the Local Welfare Scheme provision, allowing applications from households in hardship who would not otherwise automatically qualify for the support above.
  - Providing application-based grants to the voluntary, community and faith sector organisations to provide direct support to residents.
- 5.5.2 The Executive also agreed that the contract be awarded as per the strategic procurement plan using the Crown Commercial Framework RM6248. This would provide the required vouchers and payments and the scope for further purchases, should additional grant funding be allocated.
- 5.5.3 The Household Support Fund (HSF) was provided by the Department for Work and Pensions (DWP), with local authorities determining how it is spent within the scope of the guidance issued. The local authority was required by the DWP to create a local eligibility framework to disburse the funding.
- 5.5.4 Recommendations were established based on learning from how the previous equivalent Covid Winter Grant, Covid Local Support Grant and Household Support Fund was spent.

## **Council Strategy & Community Cohesion**

### **5.6 Council Plan Overview Report ([Ref – I109191](#))**

- 5.6.1 The Executive noted the performance of the council over the period from October to December 2022 highlighted in the Overview Report.
- 5.6.2 At the end of the third quarter, 98 actions (83%) were rated as “green” and 18 actions (15%) were “amber”. 2 actions (2%) were complete and 1 action (1%) did not yet require an update.
- 5.6.3 Progress against key performance indicators across the council for each of the Council Plan’s strategic themes was positive. 21 (40%) were “green”, 6 (11%) were “amber” and 7 (13%) were “red”. 18 further indicators (34%) have no set target or data was currently unavailable.

### **5.7 Service Plans 2023 ([Ref - I110637](#))**

- 5.7.1 The Executive endorsed the new service plans and agreed that they be published on the website in April 2023 following the final budget information being added. The Executive also agreed that authority be delegated to the Assistant Director: Chief Executive’s Office for finalisation of the service plans.
- 5.7.2 All directorates have reviewed the content of their individual service plans in preparation for the 2023/24 financial year. The work has been a light touch review, to refresh the plans until September 2023, when it is anticipated that a new Council Plan will be agreed.
- 5.7.3 A total of 35 actions linked to the Council Plan objectives were achieved and therefore removed over the last year and a further 15 have been added for the

upcoming period. Fewer actions have been added compared to last year, primarily reflecting that this was a light touch review and that actions are set for the shorter period until September 2023.

## **Adult Services, Health and Housing**

### **5.8 Local Authority Housing Fund ([Ref - I113564](#))**

5.8.1 The Executive considered and approved the proposals for the Council to acquire 7 x three bedroom homes and to refurbish 2 x three bedroom properties in existing stock under the Government's Local Authority Housing Fund (LAHF) scheme.

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

5.8.3 There was an opportunity to acquire additional three bedroom temporary accommodation to help alleviate current and anticipated pressure on the housing service for larger family homes due to the additional demand from Ukrainian households in the area as well as Afghan households placed in the borough.

5.8.4 The Council's current temporary accommodation was predominately two bedroom homes, with a need to increase larger family homes due to current and anticipated demand.

5.8.5 Any units acquired will be owned and managed by the Council and would be available for use by the housing service as required, including but not limited to Ukrainian and Afghan households in the borough. The exception to this would be for the four bedroom unit which would need to be provided to a household in bridging accommodation and would become available to the service when no longer required for this purpose.

### **5.9 Section 75 Agreement (NHS Act 2006) 2023 and Onwards ([Ref - I111501](#))**

5.9.1 The Executive agreed that:

- Approval be given to the Executive Director: People, on behalf of Bracknell Forest Council, to agree and enter into a S75 agreement from 1 April 2023 effective for a period of 3 years, with added service schedule information for 1 April 2023 – 31 March 2024.
- The recommended model of future S75 agreements and noted the proposed improvements in development with Frimley Integrated Care Board (ICB) to the current S75 Agreement.
- Authority be delegated to the Executive Director: People and the Executive Member for Adult Services, Health and Housing to approve and sign off the core S75 Agreement and Schedules and that the spend for these schedules be determined by the Better Care Fund policy framework/budget and Adult Social Care budget.
- The Better Care Fund Budget for 22/23 is noted, as £18,136,342 with the Bracknell Forest Council contribution £10,132,342. In addition, it was noted that the Adult

Social Care Discharge Fund is reported through the Better Care Fund with a total value of £433,416.

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

#### **5.10 Strategic Procurement Plan – Sexual & Reproductive Health ([Ref - I113315](#))**

- 5.10.1 The Executive agreed that the Strategic Procurement Plan for the provision of Sexual and Reproductive Health be approved, with Bracknell Forest Council taking a lead on the procurement on behalf of all three councils in East Berkshire Public Health, and that the proposed contractual term be 5 years (3 +2) with a review of the provision in year 3. The Executive also agreed that authority for the contract award and subsequent contract extensions be delegated to the Director of Public Health.
- 5.10.2 The proposed procurement, through a competitive tender process would help maximise tender opportunities that would generate value for money and a high-quality Integrated Sexual and Reproductive Health Service.
- 5.10.3 Bracknell Forest Council in partnership with Slough Borough Council and the Royal Borough of Windsor and Maidenhead wish to deliver an effective and integrated sexual and reproductive health service provision, in line their statutory functions, and in support of the key objectives in their respective Health and Wellbeing strategies, and Boards, Joint Strategic Needs assessments and the Sexual Health, Health Needs assessment.
- 5.10.4 The procurement will ensure that the Council is compliant with Public Contract Regulations 2015 and the Councils' respective Contract Standing Orders, and for timely completion of the tender, award, and mobilisation phases in time for the contract to commence as of July 2024.

#### **Culture, Delivery and Public Protection**

##### **5.11 Procurement of Microsoft M365 Licences ([Ref – I113243](#))**

- 5.11.1 The Executive agreed that the approved framework be accessed for Microsoft M365 licences via a direct award, to retain the Council's current professional partnership with its current Microsoft Gold Partner, Phoenix Software Ltd.
- 5.11.2 Bracknell Forest Council were currently in contract with Phoenix Software Limited via the current framework agreement. Phoenix Software Limited are a Microsoft accredited reseller and have worked with Bracknell Forest Council for a number of

years and therefore understand the Council's requirements, technology stack, risk appetite and skill sets.

- 5.11.3 Utilising an existing framework allows the procurement to meet the timeframes required as well as enabling a direct award under the terms of Regulation 33(8)(a) of the Public Contracts Regulations 2015 (PCR 2015).

## **Transformation and Finance**

### **5.12 Joint Venture Business Plan Review ([Ref - I111615](#))**

- 5.12.1 The Executive noted the progress made by Bracknell Forest Cambium Partnership for the period December 2021 to December 2022.

**5.12.2 The Executive supported the annual refresh of the Joint Venture Business Plan 2020-2023 for the Bracknell Forest Cambium Partnership, alongside the financial budget and forecast, and RECOMMENDED to Council that they be approved.**

- 5.12.3 The Executive agreed that the Bracknell Forest Cambium Partnership enters into the Bond and Co-indemnities required to undertake the enabling works related to the sewer move that was required to prepare the council owned land at Market Street for development and noted that there was no flow of liability from this arrangement to the Council. It was also agreed that for future development sites where a similar arrangement was required by a statutory body, that authority be delegated to the Borough Solicitor to provide such approval on the Council's behalf.

- 5.12.4 The Joint Venture Business Plan had not changed materially, although the Jubilee Gardens site would now be considered as part of a wider master planning of secondary sites, such as the Southern Gateway and Eastern Gateway Development area, that had been commissioned by the Council. There was no obligation for the Council to enter any exclusivity arrangements on additional sites and each site would be subject to Executive approval prior to any initial site development proposal (ISDP) being put to the Council for consideration. The Executive had previously agreed to offer surplus land at the Depot site to the Joint Venture under a 12-month exclusivity agreement, ending October 2023.

## **6 Advice Received from Statutory and Other Officers**

### Legal Advice

- 6.1 The Borough Solicitor's comments have been addressed in the reports to the Executive.

### Financial Advice

- 6.2 The Executive Director: Resources' comments have been addressed in the reports to the Executive.

### Equalities Impact Assessment

- 6.3 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

### Strategic Risk Management Issues

- 6.4 Any strategic risks have been identified in the reports to the Executive.

### Climate Change Implications

- 6.5 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>.

The reason the Council believes that this will have no impact on emissions is that the report is providing an update on decisions taken rather than proposing any action. The impact or not of each of the individual decisions was set out in the respective reports.

### Health & Wellbeing Considerations

- 6.6 There are no considerations.

### Background Papers

Executive Agenda – 21 March 2023

### Contact for further information

Hannah Harding, Delivery - 01344 352308

Hannah.harding@bracknell-forest.gov.uk