

**OVERVIEW AND SCRUTINY COMMISSION  
28 OCTOBER 2010  
7.30 - 9.30 PM**



**Present:**

Councillors Edger (Chairman), McLean (Vice-Chairman),  
Mrs Birch, Finnie, Harrison, Leake, Mrs McCracken, Turrell and Worrall  
Miss V Richardson, Teacher Representative

**Executive Members:**

Councillor McCracken

**Apologies for absence were received from:**

Councillors Mrs Shillcock and Ms Whitbread  
Mr G S Anderson

**In Attendance:**

Alison Sanders, Director of Corporate Services  
Victor Nichols, Assistant Chief Executive  
Richard Beaumont, Head of Overview & Scrutiny  
Sue Hills, Democratic Services

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

In accordance with the Members' Code of Conduct, Part 4, Section 12 of the Council's Constitution:

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

**28. Urgent Items of Business**

The Chairman said that a request had been received for Call-In of the Executive decision to approve a Preferred Option of the Site Allocation Development Plan Document for consultation. This would be considered by the Overview and Scrutiny Commission at an additional meeting on 1 November 2010.

**29. Report of the Review of the Council's Response to Severe Weather**

The Commission received the report of the Executive response to the report resulting from the review by a working group of the Commission of the Council's response to the severe weather experienced in Bracknell Forest during December 2009 and January 2010 and noted that as the Executive had agreed the recommendations without any change it had not been considered necessary for the Leader of the Council to attend the meeting.

The Commission noted that the Executive had agreed that, subject to the outcome of the Comprehensive Spending Review and continued analysis of the Council's financial outturn in the current financial year, authority be delegated to the Director of

Environment, Culture and Communities in consultation with the Executive Member: Finance and Resources, to determine how, if at all, the equipment described in recommendation 6.2 of the working group report be funded.

Arising from a questions –

- Recommendation 6.12, Councillor Turrell reported that the working group report coupled with the winter maintenance plan was discussed at a recent meeting of the Parish and Town Councils' Liaison Group. More consideration was needed around how the Parish and Town Councils worked with Bracknell Forest Council.
- Recommendation 6.9, the vulnerability to litigation of property owners if clearing snow/ice from the front of their premises/accommodation. The Department of Transport guide to help the public understand this area of the law was expected by the end of this month and the Commission asked the Director of Environment, Culture and Communities to follow up this and advise when this guidance should be issued. The Commission also requested some clear legal advice on this issue.

### 30. **Bracknell Forest Town Centre Theme Partnership**

The Commission received the report of the Assistant Chief Executive and the questionnaire completed by the Chairman and Lead Officer of the Town Centre Partnership.

The Assistant Chief Executive gave a presentation to the Commission on the Bracknell Town Centre Partnership, whose purpose was to keep the town centre vibrant and alive. He particularly referred to this partnership being completely separate to the Bracknell Town Centre Regeneration Partnership.

The partnership was in the early stages of development and new terms of reference would be agreed in November. The Commission noted the initial director level membership, and that it would in the future be expanded. Sub groups operated under the partnership to complete the following actions –

- Review the short term improvements to physical fabric
- Review car parking
- Develop business plan
- Assessing viability of housing
- Events and promotions
- Planning application for re-modelling of Princess Square entrance
- Transport/rail/Airtrack

Arising from questions –

- The shops opposite Skimped Hill Health Centre were scheduled for redevelopment.
- Car parking costs – balancing the pricing, in order to take enough income without the cost deterring people coming into the town centre.
- The possibility of the partnership membership being expanded to include elected members and other organisations. The Commission noted that other people are involved in the partnership through its sub groups.
- The Chairman referred to the success of Bracknell Forest Homes where local residents were involved in the Board right from the beginning.

The Chairman thanked the Assistant Chief Executive for an interesting presentation.

31. **Minutes and Matters Arising**

**RESOLVED** that the minutes of the meeting of the Commission held on 15 July 2010 be approved as a correct record and signed by the Chairman.

Arising from the minutes –

Minute 15, Review of the Bracknell Healthspace – the working group had reconvened and met four times. They would meet again in November to decide how to bring the review to a conclusion.

32. **Report on the Review of Preparedness for Public Health Emergencies**

The Commission noted the response of the Executive to the report resulting from the review of preparedness for public health emergencies undertaken by a working group of the Health Overview and Scrutiny Panel. The report had been well received by the Executive. The Commission considered that the Executive's responses were fair. The response would be submitted to the next meeting of the Panel in February.

The Commission noted that

- The Executive Member for Adult Services, Health and Housing would write to the South Central Ambulance Service asking it to review its contingency arrangements with other strategic health authorities to ensure that sufficient resources were available on demand when required to respond to public health emergencies.
- A White Paper on the NHS had been produced by the new government which involved changing responsibilities for local authorities who would be responsible for health improvement and public health.

Councillor Leake advised that, in his capacity as Chairman of the Joint East Berks Health Overview and Scrutiny Committee, he had sought assurances of sufficient funding to local authorities to take up that function. This was a major issue at a time when the government was demanding 50% cuts in NHS management costs.

33. **Executive Forward Plan**

The Commission noted the Forward Plan relating to corporate issues. The following issues were raised –

1025284, Designated Public Place Order for the Town Centre/Study

Councillor Finnie asked for this consultation to be referred to the Parish and Town Councils' Liaison Group. The Assistant Chief Executive agreed to do so and advised the Commission that a decision on this would be deferred as more work was required.

1020064, Office Accommodation Strategy

The Director of Corporate Services advised the Commission that a report on the strategy would be submitted to the Executive in December and she would give a presentation on the subject at the next meeting of the Commission.

#### 34. **Performance Monitoring Reports (PMR)**

The Commission considered the Performance Monitoring Reports for the first quarter, April to June 2010/11 for the Chief Executive's Office and the Corporate Services Department.

##### Chief Executive's Office

The Assistant Chief Executive reported highlights from the PMR, particularly –

- A 26% decrease in the levels of serious acquisitive crime
- The piloting of Facebook as a channel of communication to reach sections of the community. Particularly successful were the pages for the libraries and leisure centre.
- Updated 'Welcome to the borough' booklet which was distributed by the Good Neighbour Scheme. It was hoped to improve this publication and make it a partnership booklet. Members asked for a copy of the new booklet.
- The formation of a bid for a Local Enterprise Partnership for Berkshire, which had been successful.

The forward look included understanding and addressing the rate of sexual offences. This area of work had been identified by Thames Valley Police was being co-ordinated by the Sexual Exploitation Sub Group of the Local Safeguarding Children Board. An issue connected to this was the lack of provision of specialist medical examination staff for children subjected to sexual offences. A specialist centre had been established north of Slough.

The Assistant Chief Executive responded to a question on the vacancy rate of the Chief Executive's Office and would send a response to Councillor Worrall.

##### Corporate Services

The Director of Corporate Services responded to a question about reducing the water use in Council buildings, to explain that this action was being taken to support the Climate Change action plan. It had proved challenging as some alternative options would cost more than the cost of the water being saved. All departments would contribute in some way to the action plan.

The Chairman commented on the plans developed to provide Ringway with accommodation at the Depot and Lorry Park instead of at Bagshot.

The Chairman thanked the officers for their reports.

#### 35. **Corporate Performance Overview Report (CPOR)**

The Commission received and noted the Chief Executive's Corporate Performance Overview Report (CPOR) for the first quarter, April to June 2010/11.

Arising from questions –

- The increase in placements for Looked After Children resulted in a projected overspend. The increase reflected the national trend and increased sensitivity to these issues following the Laming Report and the Baby Peter case which may have made professionals more cautious. This topic was investigated by the Working Group on Safeguarding Children and the Commission noted that Bracknell Forest research and a review of cases by the Government Office for

the South East concluded that the cases were properly justified. Councillor Worrall referred to a programme on this evening's South Today television programme on this subject.

- Councillor Harrison referred to the shortfall in income at Downshire Golf Course and questioned whether that land could be built upon. It was suggested that he could raise that point at Monday's meeting of the Commission to consider the call-in.
- For LAA indicator 177, bus passenger journeys, information on progress against the target was awaited.

### 36. **Personalisation - Safeguarding Adults Overview and Scrutiny Report**

*Councillor Mrs Birch had not been present at the beginning of the meeting when declarations of interest had been given. She declared a personal interest as spouse of the Executive Member for Adult Services, Housing and Health.*

The 'Staying Safe' report of the review of safeguarding adults in the context of the personalisation of adult social care was presented to the Commission. Subject to the addition of a further recommendation concerning the development of a Self-Neglect Policy for Bracknell Forest, the report had been agreed by the Adult Social Care Overview and Scrutiny Panel.

The lead member, Councillor Turrell, referred to the working group meetings held, the officers and service users interviewed and a visit to West Sussex County Council to explore best practice in terms of safeguarding adults in the context of the personalisation agenda.

West Sussex was selected as it was a council that performed highly in terms of personalisation and safeguarding adults and it had been one of thirteen national individual budget pilot sites and had therefore advanced two years further into the process than other local authorities. West Sussex had identified self-neglect as a new and growing problem and had Positive Risk Enablement and Self-Neglect policies in place.

Councillor Turrell expressed the working group's thanks to Andrea Carr for her support to the working group and in the preparation of the report.

The Commission adopted the report to send formally to the Executive Member for Adult Services, Housing and Health

### 37. **Review of Partnership Scrutiny**

The Commission received the report summarising the Overview and Scrutiny work involving the Bracknell Forest Partnership in 2009/10 which had been endorsed by the Partnership Overview and Scrutiny Group.

Arising in discussion –

- The Transport Partnership had been dormant for two years and had been replaced by a newly formed Infrastructure Reference Group with a wider remit which was outside the structure of the Bracknell Forest Partnership. The Commission felt that the IRG failed to give any focus in the Bracknell Forest Partnership to transport issues which affected all residents and which were so important for the borough's economy and quality of life.

- A theme throughout the report was the issue of resources and members were sad that there were not the resources to continue the work. Overview and Scrutiny had produced a number of beneficial reports and Councillor Leake suggested that it was necessary to emphasise that this function needed the maximum amount of resource. The Head of Scrutiny confirmed that, subject to the Crime and Disorder Committee meeting at the frequency set in legislation, the Council would not be in breach of its statutory duty in relation to Overview and Scrutiny and it was largely for members to decide in light of the economic situation and competing priorities.
- The Partnership Overview and Scrutiny Group could reconvene if the need arose.

The Commission agreed that

- (i) Paragraph 3.16 the report be updated after the Commission meeting with the Town Centre Partnership tonight.
- (ii) The Partnership Overview and Scrutiny Group, having fulfilled its initial functions regrettably could no longer be supported unless and until new resources were made available. Similarly, the resource constraints meant that O&S reviews of partner organisations' activities should only be carried out when they formed an integral part of an O&S review of the Council's own activities, or NHS services.
- (iii) 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 of funding of the Bracknell Forest Partnership grew or priorities changed or more resources became available or in two years time at the latest.

**RESOLVED** that the report of the review of partnership scrutiny be amended as above and adopted for sending formally to the Leader of the Council and the Board of the Bracknell Forest Partnership.

### 38. **Overview and Scrutiny Bi-Annual Progress Report**

The Commission considered the progress report which set out the overview and scrutiny activity from February to August 2010 and significant national and local developments. The frequency of this report had been reduced from quarterly to six monthly.

Arising in discussion –

- It was uncertain what would be included in the Localism Bill.
- A meeting of O&S Chairmen had concluded that quarterly Commission meetings and four monthly Panel meetings had not been a success and there had been a unanimous feeling that Commission meetings should revert to every other month and Panel meetings every three months.
- A report would be made to the next meeting on a meeting to be held of the Leader of the Council, the Chief Executive, the Assistant Chief Executive, the Director of Corporate Services and the Head of Overview and Scrutiny on 8 November to discuss resources for Overview and Scrutiny.

- Councillor Worrall asked if there had been any follow-up of feedback scores of 2.5 on appendix 2. The Head of Overview and Scrutiny confirmed that follow ups were undertaken and explained the process for each working group review report.

**RESOLVED** that

- (i) the overview and scrutiny activity for the period February to August 2010 set out in section 3 and appendices 1 and 2 be noted;
- (ii) the developments in overview and scrutiny set out in section 4 of the report be noted.

**39. Updates from Panel Chairmen**

Adult Social Care O&S Panel

Councillor Turrell updated the Commission on the Panel, including

- a presentation received on Downside Resource Centre and
- the Working Group reviewing adult safeguarding.

Environment, Culture and Communities O&S Panel

Councillor Finnie updated the Commission on the work of the Panel, including

- the highway maintenance working group,
- the Commercial Sponsorship Member Reference Group, and
- a new working group to look at the Streetscene Supplementary Planning Document.

Children, Young People and Learning O&S Panel

Councillor Mrs Birch updated the Commission on the work of the Panel, including

- a presentation focussing on school performance, OFSTED inspection outcomes and provisional test results
- the Safeguarding Children Working Group hoped to present their report to the Panel in January
- the annual report of the Local Safeguarding Children Board for 2009/20
- the review of school meals had included visits to five schools to date.

She advised the Commission that the Panel hoped to be able to include the following in future reviews –

- Standards, assessment and recording
- Common Assessment Framework
- School Governance
- School placement and admissions

Joint East Berks Health O&S Committee

The Head of Overview and Scrutiny updated the Commission on the work of the Committee which included

- a very successful and informative tour of Wexham Park Hospital was undertaken on 6 October
- a presentation on the consultation on mental health inpatient facilities

- a presentation on Heatherwood and Wexham Park Hospitals Trust's Turnaround Plan and on the registration by the Care Quality Commission
- an update on NHS Berkshire East budget plans
- some revisions to be made to the report on car parking charges.

#### Health O&S Panel

The Head of Overview and Scrutiny updated the Commission on the work of the Panel which included

- the co-option of Mr Terry Pearce of Bracknell Forest LiNK
- a presentation on the implications of the White Paper 'Equality and Excellence - Liberating the NHS'
- a presentation on Royal Berks Hospital's services to residents of Bracknell and the cancer and renal services facility under construction at Brants Bridge.

#### 40. **Work Programme 2011/12**

The Commission considered the draft indicative work programme for the Commission for 2011/12, as set out in appendix 1 to the report. The Commission noted that the programme may need to be amended to meet new requirements arising during the year. The Commission also noted that the programme provisionally excluded scrutiny of the Bracknell Forest Partnership, but this would be reviewed in the event that resources for O&S officer support for a continuation of partnership scrutiny were identified.

Before finalising the Commission's work programme, the O&S Panel's work programmes would be considered at the next meeting.

**CHAIRMAN**