

**OVERVIEW AND SCRUTINY COMMISSION
23 MARCH 2011
7.30 - 8.40 PM**



Present:

Councillors Edger (Chairman), McLean (Vice-Chairman), Mrs Birch, Dudley, Finnie, Harrison, Leake, Mrs Shillcock, Turrell, Virgo and Worrall

Also Present:

Councillor Baily

Apologies for absence were received from:

Councillors Mrs McCracken and Ms Whitbread
Mr G Anderson, Church Representative
Miss V Richardson, Teachers' Associations' Representative

In attendance:

Alex Jack, Borough Solicitor
Richard Beaumont, Head of Overview and Scrutiny
Sue Hills, Democratic Services Officer

60. Substitute Members

The Committee noted the attendance of the following Substitute Members:

Councillor Dudley for Councillor Mrs McCracken

61. 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 Birch declared a personal interest as the spouse of the Executive Member for Adult Services, Health and Housing.

62. Exclusion of the Public and Press

RESOLVED that pursuant to section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for consideration of item 5 which involved the likely disclosure of exempt information under category 3 of Schedule 12A of that Act:

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

63. Report of the Review of the Bracknell Healthspace

The Lead Member of the Working Group, Councillor Virgo, introduced the addendum report to the review of the Bracknell Healthspace. In January 2010 the Commission adopted the report of the working group of the Health Overview & Scrutiny (O&S)

Panel relating to the review of the Bracknell Healthspace. The working group was reconvened in July 2010 to view the new plans for the Healthspace, to seek responses of outstanding queries and to consider whether the January 2010 report should be updated.

The Commission received the working group's addendum to the report which was agreed by the Health O&S Panel on 10 February 2011, subject to finalisation by the Chairman and working group lead member. The report was confidential as it contained sensitive information relating to the financial and business affairs of NHS Berkshire East.

The Borough Solicitor advised members that there was no legal basis on which the PCT could require the Council to withhold publication of the report. The Commission had a discretion to publish the report, or not. Also, the Code of Guidance issued in connection with local authority publications advised that reports on controversial matters should not be published between the notice of elections and the elections date.

Members were informed that the Planning and Highways Committee on 17 March 2011 authorised the Head of Development Management to approve the planning application, subject to conditions and the signing of a section 106 agreement. Permission would not be issued until the section 106 agreement had been signed. The Committee expressed concerns about the car parking provision, and had required that travel plans were submitted to it for approval.

Members of the Commission voiced views on the adequacy of the car parking and discussed at length when the report should be published.

AGREED that

- (i) The addendum to the report of the review of the Bracknell Healthspace be adopted for sending formally to the relevant Executive Member and the Chief Executive of NHS Berkshire East.
- (ii) The report be published in its entirety (both the January 2010 report and the addendum of March 2011) once the period of restriction leading up to the 5 May 2011 local elections had passed.

Members noted that the Section 106 agreement should be signed and the planning process should have been completed by the election date, and publication of the report should go ahead even if it had not been signed.

CHAIRMAN