

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I027471</b>
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1. **TITLE:** Site Allocations Development Plan Document - Publication and Submission

2. **SERVICE AREA:** Environment, Culture & Communities

3. **PURPOSE OF DECISION**

Recommendation to Council to approve the publication of the proposed Site Allocations Development Plan Document and associated documents for a statutory period of six weeks and subsequent submission to the Secretary of State.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 Under the provisions of Section 20 of the Planning and Compulsory Purchase Act 2004, that it be **recommended** to Council that the Draft Submission Site Allocations Development Plan Document (SADPD), the Proposals Map changes and all supporting documents be formally submitted to the Secretary of State for independent examination.

2 That subject to Council accepting the recommendation set out above, the Draft Submission SADPD at Appendix B to the report (along with the supporting documents and revised Proposals Map at Appendices A, and C through to Y) be approved for publication for a statutory six week consultation to commence on 16 January 2012.

3 That subject to Council accepting the recommendation above, the consultation on the Draft Submission SADPD and the proposed changes to the Proposals Map be carried out as described in Section 8 of the associated report be approved.

7. **REASON FOR DECISION**

Production of the Site Allocations DPD is an important element in delivering the Council's adopted Core Strategy Vision to 2026 and to:

- ensure that major future developments in the Borough are properly planned and accompanied by the necessary infrastructure
- ensure that the Council has a robust and continuous five year supply of housing land and is therefore less vulnerable to inappropriate developments being allowed on appeal; and,
- ensure that the Council has an up-to-date development plan to enable it to introduce the Community Infrastructure Levy.

The publication of the Draft Submission SADPD and its subsequent Submission to the Secretary of State are statutory stages in the process of adopting a Development Plan Document as set out in the Town and Country Planning (Local Development) (England)

Regulations 2004 (as amended 2008).

## 8. ALTERNATIVE OPTIONS CONSIDERED

The options of abandoning the SADPD and re-commencing work as a Review of the Core Strategy and of delaying the SADPD in order to await greater certainty over the Localism Bill and the National Planning Policy Framework were both considered and rejected for the following reasons:

- The Core Strategy Review will need to look at a longer timeframe (probably at least to 2031). This will require the allocation of significant additional sites to those proposed in the current draft Site Allocations document. At current levels of requirement this would mean finding sites for another 2,695 homes in addition to those identified in the SADPD. This would require a lot of additional consultation and technical work which would add years of delay to securing a defensible land supply and increasing the likelihood of inappropriate development, such as development in areas with poor access to services or lacking infrastructure provision, being permitted (potentially through the appeal process) in the meantime.
- The Council currently lacks a five year housing supply against both the Regional Plan target and the lower target in the Council's adopted Core Strategy. We are therefore vulnerable to inappropriate housing applications. In spite of the downturn in the housing market there is still significant interest in securing sites for development both in the short and longer term. The lengthy period required following allocation for large sites to start delivering completed new homes means we need plan for this now.
- Significant delay in establishing an up to date plan would also result in the Council being unable to secure developer funding for some essential infrastructure as the Community Infrastructure Levy Regulations mean that after April 2014 the Council will not be able to pool contributions from more than five developments towards any single infrastructure project. The Community Infrastructure Levy can only be introduced on the basis of an up to date plan which this Council currently lacks in relation to the identification of development sites and the associated infrastructure delivery. This would have serious implications for the provision of improvements to the highway network and securing such things as the new secondary school needed in the north of the Borough. Without the SADPD in place it will be very hard to achieve properly planned infrastructure through reactive responses to developers' proposals.
- The draft National Planning Policy Framework (NPPF) states that "In the absence of an up-to-date and consistent plan, planning applications should be determined accordance with this Framework, including its presumption in favour of sustainable development" (Paragraph 26). This presumption will make it even harder to refuse inappropriate planning applications if the Council does not have a robust housing land supply position established through the SADPD. The draft NPPF is already capable of being a material consideration in the determination of planning applications and appeal decisions.

9. **PRINCIPAL GROUPS CONSULTED:** Consultation to be in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 as amended.

10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities
11. **DECLARED CONFLICTS OF INTEREST:** None.

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I030524</b>
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1. **TITLE:** Polling District and Polling Place Review

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

Review required by legislation every four years - Steering Group to report to Council/Executive and consider if any representations should be made for changes to be effected from the publication of the revised register on 1 December 2011.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

It be **RECOMMENDED** to Council that:

1. No changes be made to the following Polling Districts and Polling Places which meet the statutory criteria and provide reasonable and accessible facilities;

BA	BG	BM	CN	SP	WN	WV	WZ
BD	BH	BN	CS	SQ	WP	WW	
BE	BJ	BP	SJ	WG	WQ	WX	
BF	BK	BW	SO	WM	WS	WY	

2. No changes be made to polling districts BB (Binfield) and BL (Harmans Water) which also meet the statutory criteria and provide reasonable and accessible facilities, but that they be kept under review as developments progress;

3. The new Jennett's Park Community Centre be designated as the Polling Place for BQ (for reasons given in the associated report);

4. No change be made to Polling District BT but that the Kerith Centre buildings be designated as the new Polling Place (for reasons given in the associated report);

5. The Polling Districts and Polling Places for the Borough of Bracknell Forest be approved, as set out at Annex C to the associated report, with effect from 1 December 2011.

7. **REASON FOR DECISION**

The Steering Group considered carefully the present arrangements for polling districts and polling places in the Borough and paid particular attention to representations received, available alternative options and the following issues:

- Polling districts where polling places were outside the polling district;

- Schools used as polling places, specifically BW, SO and BJ;
- Areas where significant development had commenced or was planned and the impact on current arrangements and facilities;
- Issues brought to light following the May 2011 elections

The Group considered whether the current arrangements met the needs of voters in the area and considered their accessibility particularly for disabled people. The Group were of the opinion that changes should be made only where absolutely necessary to avoid confusion and disruption and only where this brought a material benefit to voters and disabled voters. As a result changes to only two polling places are recommended, one as a result of the opening of a new facility within a polling district to replace an existing polling place which was outside the polling district (BQ) and the other to provide improved access and facilities and more sustainable, longer term arrangements for voters (BT).

#### 8. **ALTERNATIVE OPTIONS CONSIDERED**

This review is a statutory requirement. The Group received and considered a number of representations in addition to the views of the (Acting) Returning Officer, and these are contained at Annex A to this report.

9. **PRINCIPAL GROUPS CONSULTED:** All members of the Council; all main constituency parties; all independent candidates and candidates with no description at the May 2011 elections; all designated polling stations; Age Concern, Bracknell; Acting Returning Officer at both Wokingham Borough Council and Royal Borough of Windsor and Maidenhead; Berkshire Blind Society; BFVA; DIS: Course at the Ark Studio; The Look In on the Broadway; Scope

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

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

Date Decision Made	Final Day of Call-in Period
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>1029821</b>
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1. **TITLE:** Regulation of Investigatory Powers Act 2000 (RIPA)

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To approve the Policy on Directed Surveillance and use of Covert Human Intelligence Sources.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Policy on Directed Surveillance and use of Covert Human Intelligence Sources, at Annex A to the associated report, be approved..

7. **REASON FOR DECISION**

The Council's Policy ensures compliance with Regulation of Investigatory Powers Act 2000 and the Human Rights Act 2000.

The statutory Code of Practice issued by the Home Office states elected members should set the Policy once a year.

In March 2011 the Council was subject to an inspection from the Office of Surveillance Commissioners. The report states "Formal ratification of the revised Policy by the Council has been deferred pending my inspection, but can now proceed". The report described the Council's policy as "clear, accurate and practical" and that there was a sound RIPA structure in place. It also described the Council's use of RIPA as moderate.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None. The Council should have a Policy which is up to date, reflects the Code of Practice and recent case law about the appropriate use of RIPA.

9. **PRINCIPAL GROUPS CONSULTED:** Overview and Scrutiny Working Group.

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

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

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I030335</b>
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1. **TITLE:** Blue Badge Reform
2. **SERVICE AREA:** Adult Social Care and Health
3. **PURPOSE OF DECISION**

Executive are asked to approve the implementation of the Blue Badge Reform.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the changes and additional responsibilities placed upon Adult Social Care and Health in administering the Reformed Blue Badge Scheme be noted.
2. The cost of administering this scheme as identified in the associated report be noted and that the funding for a full time Blue Badge Co-ordinator to undertake assessments to meet the newly acquired responsibilities be agreed.
3. That the charge of a Blue Badge be raised in line with guidance from Department of Transport from £2.00 for three years to £10.00.

7. **REASON FOR DECISION**

The government has announced a significant reform of the Blue Badge Scheme aimed at ensuring a fair allocation of badges against a backdrop of rising demand so that the scheme remains sustainable in the long term.

The new reforms which are to be implemented from 1st January 2012 include extra responsibilities allocated to the Council as follows:-

- Transfer of current NHS spend on badge eligibility assessments to local authorities.
- Delivering efficiency savings and improving customer services by establishing a common improvement project (Blue Badge Improvement Service) that will deliver operational efficiency savings. This project is expected to be self-funding and should deliver efficiency savings nationally of between £6.5 and £20 million per year.
- Enforcement procedures which are in accordance with governing legislation.
- In improving customer services, an online application facility will be developed in partnership with Customer Services during 2012. It should result in faster, more automatic renewals for people whose circumstances do not change between renewal periods.

- Improved and effective prevention of abuse by introducing a new badge design that is harder to copy, forge or alter. Implement (via the common service improvement project) new arrangements for printing and distribution to prevent fraud and effectively monitor cancelled, lost and stolen badges.

To help local authorities cover costs more and to enable the delivery of the new badge design and the common improvement project, the maximum fee for a badge that the local authorities can charge will rise from £2 to £10.

In June 2011, funding for GP assessment was transferred from Health to the Local Authority, therefore, the cost of individuals needing further assessment to determine eligibility falls to the Local Authority.

**8. ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options. The Local Authority must adhere to legislation relating to administering the Blue Badge Scheme.

**9. PRINCIPAL GROUPS CONSULTED:** National Consultation undertaken by DOH

**10. DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care & Health

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

Date Decision Made	Final Day of Call-in Period
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>1031242</b>
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1. **TITLE:** Agency Staff Contract
2. **SERVICE AREA:** Adult Social Care and Health
3. **PURPOSE OF DECISION**

The Council has been undertaking a mini competition under a recently established National Framework Agreement managed by the Eastern Shires Purchasing Organisation (ESPO). The evaluation of tenders has now been completed, agreement is sought to place the Council's own contract under the ESPO Framework for a period of 4 years.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive
6. **DECISION:**

That the Agency Staff Contract be awarded to Tenderer B.

7. **REASON FOR DECISION**

To ensure, that the Council has an effective and reliable contractor offering an efficient and reliable service to hiring managers minimising the need for intervention by Council officers, and which delivers best value for money.

To ensure that the Council adopts, in accordance with the principles of Category Management, a solution which addresses the needs of the whole Council and maximises the Council's spending power, delivering both direct savings and process improvements.

To ensure that the Council has a contract in place which enables compliance with the Agency Workers Regulations which are effective from 1 October 2011.

8. **ALTERNATIVE OPTIONS CONSIDERED**

As set out in the Procurement Plan, consideration was given to a range of options including the establishment of the Council's own frameworks and the identification of other frameworks to join. The former case was discounted as it would involve a labour intensive process and was considered to stand very little chance of delivering best value for money. In the latter case, no other suitable frameworks were identified and, indeed, the ESPO framework, because of its potential size and scope, is being actively pursued by other Local Authorities in Berkshire and throughout the Country.

9. **PRINCIPAL GROUPS CONSULTED:** Hiring Managers  
Project Board/Group
10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care & Health
11. **DECLARED CONFLICTS OF INTEREST:** None.

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I030390</b>
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1. **TITLE:** Section 75 Pooled Budget for Community Equipment Services

2. **SERVICE AREA:** Adult Social Care and Health

3. **PURPOSE OF DECISION**

Executive are asked to approve the participation of Bracknell Forest in the Berkshire-wide approach to the provision of specialist equipment to support people in their own homes.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Council become a partner to the new Pooled Budget Agreement (see Appendix 1 to the associated report) for the provision of a Community Equipment Service be agreed.

7. **REASON FOR DECISION**

The six Berkshire Unitary Authorities and the Berkshire NHS (PCT Cluster) propose to establish a renewed joint agreement from March 2012, for the funding of a Community Equipment Service (CES) for people in the community using powers granted under Section 75 of the National Health Service Act 2006, to replace that which has operated since 2004. Slough Borough Council is the lead commissioning body for Community Equipment Service.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative would be to withdraw from the Berkshire partnership and to tender for a Bracknell Forest service.

9. **PRINCIPAL GROUPS CONSULTED:** People who have equipment, staff and providers

10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care & Health

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

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
15 November 2011	23 November 2011

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I031578</b>
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1. **TITLE:** Annual Audit Letter
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To receive the District Auditor's Annual Audit letter.

4. **IS KEY DECISION** No
5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Annual Audit Letter 2010/11 at Appendix 1 to the associated report be noted.

That recommendations set out in the Annual Audit Letter 2010/11 be reflected in the Corporate Services Service Plan for the coming year.

7. **REASON FOR DECISION**

The Annual Audit Letter must be considered in public by those charged with governance. In Bracknell Forest this is the Governance and Audit Committee. However, given the Executive's overall responsibilities it is important that it also receives the report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None.

9. **PRINCIPAL GROUPS CONSULTED:** Not applicable.
10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive
11. **DECLARED CONFLICTS OF INTEREST:** None.

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
15 November 2011	23 November 2011