

COUNCIL
22 JANUARY 2014
7.30 - 9.50 PM



Present:

The Mayor (Councillor Mrs Jan Angell), Councillors Kendall (Deputy Mayor), Allen, Angell, Baily, Mrs Barnard, Dr Barnard, Bettison, Birch, Mrs Birch, Blatchford, Brossard, Ms Brown, Brunel-Walker, Davison, Dudley, Finch, Finnie, Gbadebo, Mrs Hamilton, Harrison, Mrs Hayes, Ms Hayes, Heydon, Kensall, Leake, McCracken, Mrs McCracken, McLean, Ms Miller, Phillips, Mrs Pile, Porter, Sargeant, Mrs Temperton, Turrell, Virgo, Wade, Ward, Ms Wilson and Worrall

Apologies for absence were received from:

Councillor Thompson

39. Minutes of Previous Meeting

RESOLVED that the minutes of the Council meeting held on 27 November 2013 be approved and signed by the Mayor as a correct record.

40. Declarations of Interest

There were no declarations of interest.

41. Mayor's Announcements

Welcome to Councillor Mrs Phillips

The Mayor welcomed Councillor Mrs Phillips to the Council and the meeting and congratulated her on winning the Winkfield and Cranbourne by-election.

Ahmadiyya Muslim Association, Berkshire

The Mayor thanked the Ahmadiyya Muslim Association for their generous contribution of £500 to her charity, Thames Hospice and invited Mr Hameed to speak. Mr Hameed stated that a charity walk had been organised to commemorate 100 years since the Ahmadiyya Muslim Association had been established, to mark this they aimed to donate funds to 100 charities. The Association had 100 branches across Britain and aimed to help others through charity events and worked to promote inter faith peace.

Executive Member for Culture, Corporate Services and Public Protection

Councillor McCracken stated that he wished to thank the Trading Standards team for their exemplary work and he also thanked the ICT team who had undertaken some challenging work around Public Service Network accreditation.

He reported that the Lookout had won the 'Loo of the Year' award for the 19th consecutive year as well as a national award for disabled access.

Executive Member for the Environment

Councillor Mrs Hayes commended the Council's Landscape team who had assisted Windsor and Maidenhead in dealing with their flooding difficulties during the recent inclement weather. The team had delivered over 850 sand bags to Windsor and Maidenhead in the previous week.

Executive Member for Planning and Transport

Councillor Turrell congratulated the 163 participants that had undertaken the 'Beat the Street' challenge where pupils from Garth Hill College and Easthampstead Park School had walked and cycled around the borough earning points as they swiped their e-plus cards strategically. Garth Hill College achieved the highest points score nationally for this challenge.

Executive Member for Adult Services, Health & Housing

Councillor Birch congratulated the Council's Adult Social Care team for winning the prestigious national award for social worker team of the year. The team had consistently exceeded the national average in terms of ensuring patients returned home after a hospital admission or were provided with rehabilitation elsewhere.

The Mayor added her congratulations to the team, thanked them for their work and presented Charlotte Blackburn, Helen Ma, Alexandra Stevens, Jonathan Sly and Luisa Thomas with the award.

Executive Member for Children, Young People & Learning

Councillor Dr Barnard congratulated the primary schools that had taken part in the Christmas carol service. 400 pupils had taken part supported by staff and the Berkshire Maestros and had raised significant funds for charity. They would also be involved in a production at the end of March 2014 called 'Lest We Forget'.

In addition, he reported that two schools had received letters of commendation from Government Ministers. Uplands Primary school had been rated the best of 250 schools nationally for their Key Stage Two results. Great Hollands Primary School had come first of 150 primary schools for narrowing the attainment gap. These were excellent achievements and he congratulated both schools.

Charity Quiz Night

The Mayor announced that her Charity Quiz Night would be held on 28 February 2014 at the Easthampstead Park Conference Centre.

42. **Submissions under Council Procedure Rule 9 (Public Participation)**

(i) Petition relating to the Bracknell Market Consultation

In accordance with the Council's Scheme of Public Participation, the lead petitioner, Mrs Kent attended the meeting and presented the petition titled 'The people of Bracknell: Force Bracknell Council to change the consultation questions for our market'.

Mrs Kent stated that this petition included 927 signatories; in addition a second survey was being undertaken on change.org. It was strongly felt that the market

traders were being treated unfairly and that the consultation run by the Council focussed on Winchester House and not the market. The current market had suffered from a lack of promotion and as a result had reduced footfall and had become a niche market.

Mrs Kent stated that the current market traders would not be able to continue in an outdoor market as they had evolved to operate in an indoor environment and had now accumulated stock and static items.

Market traders were clear that other towns and cities gave pride of place to their markets and the market place was often central to the community. Given this it was strange that the Council had not included plans for an indoor market in their plans for the town centre from the outset.

In response to Members' questions, Mrs Kent stated that ideally the market would be indoor. Either in a building or huts would be suitable.

The Executive Member for Economic Development and Regeneration thanked Mrs Kent for her attendance and for representing the views of market traders. The petition would be referred to the Bracknell Town Centre Regeneration Committee.

The Mayor thanked Mrs Kent and assured her that the Council had listened carefully to her submission and understood the strength of feeling on this issue. The Mayor advised that the petition would be referred to the Council's Bracknell Town Centre Regeneration Committee on 10 February 2014, where the future of the market and Winchester House would be discussed.

(ii) Deputation relating to the proposed removal of the Section 52 agreement currently protecting the Blue Mountain Golf Course, Binfield from development

In accordance with the Council's Scheme of Public Participation, the lead petitioner, Mr Butcher attended the meeting, presented Council officers with a petition and then presented a deputation.

Mr Butcher stated that there were too many unresolved issues relating to the proposals for the Blue Mountain site and that councillors should take further time to consider these issues more fully. Councillors should use their own judgement in making this decision and not be constrained by the Party whip.

450 houses were being proposed for this site which brought despair to residents, better lower cost sites existed including much unused office space. Residents felt betrayed by the proposals and by their representatives and that the removal of the existing section 52 agreement would jeopardise the whole site and betray the trust of residents across the borough. He urged councillors to reject the removal of the section 52 agreement.

In response to Members' queries, Mr Butcher stated that he felt it was viable to convert disused office space into a school.

The Mayor thanked Mr Butcher for his submission and assured him that Members had listened carefully and did not take lightly the strength of feeling of residents on this. She advised that the matter would be considered fully under agenda item 7.

43. Executive Report

The Leader of the Council, Councillor Bettison, presented his report on the work of the Executive since that reported at the Council meeting on 27 November 2013. The Executive had met twice on 10 December 2013 and 7 January 2014.

The Leader highlighted the following matters that had been considered by each Executive portfolio area:

Planning and Transport

- The proposed removal of the Blue Mountain Golf Course Section 52 Agreement was to be considered as a separate agenda item.
- The Executive had agreed that the Local Development Scheme 2014-2017 would come into effect on 15 January 2014.
- The Executive had approved the Bus Strategy and associated Action Plan.

Transformation and Finance

- The Executive had approved the Capital Programme 2014/15 – 2016/17 and the Revenue Budget 2014/15 for consultation.
- The Executive noted the Annual Audit Letter 2012/13.

Children, Young People & Learning

The Executive received and noted the School Places Plan 2013-2018.

Economic Development & Regeneration

The Executive noted the Thames Valley Berkshire City Deal had been signed and agreed and the appointment of a Joint Committee of the six Berkshire Unitary Authorities had been agreed to manage and deliver the agreed outcomes of the City Deal initiative.

Adult Services, Health & Housing

The Executive had approved the Dementia Strategy 2014-19 and had agreed the development of an Action Plan, driven by the Strategy, by the Dementia Partnership Board.

Council Strategy and Community Cohesion

The Executive had received the Corporate Performance Overview Report for the first quarter of 2013/14 (April to June 2013). At the end of this quarter the Council continued to perform well.

Delegations by the Leader of the Council

The Leader delegated to the Director of Environment, Culture and Communities decisions relating to the processing and licensing of scrap metal merchants.

On the proposition of Councillor Ward, Executive Member for Transformation and Finance, seconded by Councillor Birch, Deputy Leader of the Council it was

RESOLVED to approve the allocation and associated virements resulting from additional grants received in year as set out in paragraph 5.30 and Annex H of the Borough Treasurer's report attached as Appendix A of the agenda papers.

44. **Release of Blue Mountain Golf Course from 1990 Section 52 Agreement**

The Council considered the report regarding the release of Blue Mountain Golf Course from the 1990 Section 52 Agreement.

In response to member's questions, the Chief Officer: Planning and Transport stated that the Planning Inspectorate had raised no concerns with the Council's Site Allocations Local Plan (SALP).

Councillor Birch confirmed that voting on this item had not been subject to the Conservative party whip.

Councillor Bettison tabled alternative recommendations, seconded by Councillor Birch, which replaced the recommendations within the report.

Councillor Bettison stated that the Council did not wish to give developers carte blanche on land at Blue Mountain Golf Course and this was tackled by his tabled recommendations. He recognised the strength of feeling from the community on this matter and that the final decision and responsibility would rest with the Executive Member for Planning and Transport, Councillor Turrell.

Councillor Bettison stated that Councillor Turrell was fully briefed of councillor's views as well as community views arising from representations received. The SALP had been adopted by the Council in 2013 and the Blue Mountain site was an important part of this strategy. The SALP had been subject to a lengthy planning and consultation process and it was deemed to be legally compliant and sound. A school was urgently needed in the north of the borough to accommodate existing and new developments. The school would also provide a community facility in addition to the dedicated community facility that was proposed. He stated that in order for the needs of the whole borough to be met, the section 52 for the Blue Mountain site should be released in line with his revised recommendation.

The Executive Member for Planning and Transport, Councillor Turrell stated that he understood the strength of feeling from residents on this matter and he would not be taking this decision lightly. The SALP adopted by the Council ensured that development across the borough was considered in a comprehensive and effective way and development of the Blue Mountain site was integral to the Council's SALP. However, given that he would be responsible for making the decision, he would not vote on the matter at this meeting, but would simply listen to the debate and points raised.

Members entered into debate and made the following points:

- Members were clear that the demand for housing was unprecedented and the Council needed to accommodate this demand by using the SALP to ensure developments progressed in a considered and effective way for the whole borough. Members were also clear that a school was desperately needed in the north of the borough to accommodate children in existing and future housing developments.
- A minority of Members felt that there hadn't been a full debate or discussion around alternative options that could be explored. The release of the section 52 would lead to difficulties in the future and these difficulties would not be alleviated by the proposed revised recommendation.
- The majority of Members agreed that other options had been fully considered and explored. It would be undesirable to propose development of the Green Belt, in addition, using disused office buildings for a school would not be feasible or desirable.

- Members noted that many businesses in the local area were expanding or making plans to expand, leading to a growth in jobs and as a result a rise in demand for housing locally. The borough was an attractive place to live and work and as a result the demand for housing locally continued to rise.

A recorded vote was requested, on being put to the meeting the voting on the tabled motion was as follows:

FOR (34) Councillors Allen, Angell, Mrs Angell, Baily, Barnard, Mrs Barnard, Bettison, Birch, Mrs Birch, Blatchford, Brossard, Ms Brown, Brunel-Walker, Davison, Dudley, Finch, Finnie, Gbadebo, Mrs Hamilton, Mrs Hayes, Ms Hayes, Heydon, Kendall, Kensall, McCracken, Mrs McCracken, Mrs Phillips, Ms Miller, Porter, Mrs Temperton, Virgo, Wade, Ward and Worrall.

AGAINST (6) Councillors Harrison, Leake, McLean, Mrs Pile, Sargeant and Miss Wilson.

ABSTAIN (1) Councillor Turrell.

It was therefore

RESOLVED that the Council recommends to the Executive Member for Planning and Transport that subject to the occurrence of each of the following prior to the completion of a Deed of Release of the section 52 agreement, namely :-

- (a) the Planning Committee having authorised the grant of one or more planning permissions which the Committee had confirmed provide for the development of Blue Mountain Golf Course, including the provision of public open space, substantially in accordance with Policy SA 7 of the Site Allocations Local Plan (adopted July 2013),
- (b) the issue of such planning permission(s), and
- (c) the completion of an agreement pursuant to section 106 of the Town and Country Planning Act 1990 to secure that the site is only developed in accordance with such planning permission(s) (or as may be permitted by Permitted Development Orders in relation to any development carried out pursuant to such planning permission(s)

the Borough Solicitor be authorised to complete a Deed of Release in respect of the Section 52 agreement dated 16 February 1990.

45. **Membership of Committees and External Body Representation**

On the proposition of Councillor Bettison, seconded by Councillor Birch, Deputy Leader of the Council, it was

RESOLVED that;

- i) Further to paragraph 5.1 in the agenda papers regarding Committee Appointments the following appointments be agreed:
 - Councillor Mrs McCracken be appointed to the Overview and Scrutiny Commission.

- Councillor Mrs Phillips be appointed to the Adult Social Care & Housing Panel subject to endorsement by the Overview and Scrutiny Commission.
- ii) Further to paragraph 5.2, Councillor Wade was confirmed as the Council's representative on the Bracknell Forest Homes Board.
- iii) Further to paragraph 5.4 in the agenda papers regarding the Leader's Appointments the Council noted the following appointments:
- Councillor Harrison had been appointed Chairman of the Community Portfolio Review Group
 - Councillor Mrs Phillips had been appointed to the Care Portfolio Review Group
 - Councillor Brossard had been appointed to the Community Portfolio Review Group

46. Establishment of an Appointment Committee

The Council was asked to establish an Appointment Committee for the post, Chief Officer: Learning and Achievement.

On the proposition of Councillor Bettison, seconded by Councillor Birch, it was

RESOLVED that;

- i) a Committee of the Council of five members (4:1), including at least one Member of the Executive (plus up to two substitute members per group) be appointed, with the following terms of reference:
- "To interview and appoint on behalf of the Council to the post of Chief Officer: Learning and Achievement".
- ii) Councillors Dr Barnard, Mrs Birch, McLean, Mrs Temperton and Ward be confirmed as the nominated members.
- iii) Councillors Ms Brown, McCracken and Thompson be confirmed as the substitute members.

47. Annual Update of the Council's Pay Policy Statement

The Council was asked to agree the recommendations of the Employment Committee with regards to the senior salary structure, severance policy and the Pay Policy Statement for 2014/15.

On the proposition of Councillor McLean, Chairman of the Employment Committee, seconded by Councillor Ward, Executive Member for Transformation and Finance, it was

RESOLVED that;

- i) all appointments be made within the agreed senior salary structure outlined in Appendix A of the agenda papers
- ii) all severance payments be made within the agreed Severance Policy

- iii) the Pay Policy Statement for 2014/15 attached at Appendix B of the agenda papers be agreed.

48. **Pay & Workforce Strategy 2013/16**

The Council was asked to approve the seventh Pay and Workforce Strategy.

On the proposition of Councillor McLean, Chairman of the Employment Committee, seconded by Councillor Ward, Executive Member for Transformation and Finance, it was

RESOLVED that the seventh Pay and Workforce Strategy be approved.

49. **Questions Submitted Under Council Procedure Rule 10**

(i) Councillor Mrs Temperton asked Councillor Dr Barnard, Executive Member for Children, Young People & Learning the following published question:

Previously, Early Years provision in Bracknell Forest has been judged to be of a high standard. As the budgets have been reduced since 2010, so too has the monitoring of the quality of provision and safeguarding. How does the Council propose to ensure that high standards, particularly in all aspects of safeguarding, are maintained?

In response Councillor Dr Barnard stated that Early Years provision remained strong because the Council had to date, supported this work and though there had been some reductions in the capacity of the team, the team had risen to the challenge by changing the way that they operated and had been able to meet demands. Safeguarding was a priority and continued to go from strength to strength. All providers had now undertaken their section 11 audits, attended relevant training and continued to update their understanding. There were national changes proposed for child care duties and the introduction of child minding agencies, any changes would be monitored and reported back to Members.

In response to a supplementary question from Councillor Mrs Temperton about whether training for Mother and Toddler Groups had been restored, Councillor Dr Barnard stated that whilst it had not been restored, the Council were working with Bracknell Forest Voluntary Action to consider and monitor capacity across the Borough.

(ii) Councillor Ms Brown asked Councillor Dr Barnard, Executive Member for Children, Young People & Learning the following published question:

I am very concerned, that the Children and Adolescent Mental Health Service (CAMHS) is unable to meet current need at all levels, resulting in long waiting times for children and young people who are in dire need of help. What is the Council doing to improve CAMHS capacity and effectiveness?

In response Councillor Dr Barnard stated that CAMHS was delivered at a number of different levels. The most severe, Tier 4 was the responsibility of NHS England. At Tier 3 the Clinical Commissioning Group was responsible and services were commissioned by Berkshire Foundation Healthcare Trust. At Tiers 1 and 2 the Council provided support through schools, youth provision and targeted services such as Behaviour Support and Education Psychology. Services at Tier 3 and 4 were currently under review and were being re-commissioned. It was recognised that current provision, particularly at the higher tiers did not meet demand in a timely way. There were prioritisations of urgent cases and they were seen within 24 hours. There

had been concerns about the wait times and staffing levels and as a result these services from the NHS were being re-commissioned.

MAYOR