

**EXECUTIVE
20 OCTOBER 2015
5.00 - 6.00 PM**



Present:

Councillors Bettison (Chairman), Dr Barnard (Vice-Chairman), D Birch, Mrs Hayes MBE, Heydon, McCracken and Turrell

Apologies for absence were received from:

Councillors Brunel-Walker

12. Declarations of Interest

There were no declarations of interest.

13. Minutes

RESOLVED that the minutes of the meeting of the Executive on 22 September 2015 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

14. Executive Decisions

The Executive considered the reports submitted on the items listed below and the decisions taken are recorded in the decision sheets attached to these minutes and summarised below:

Item 5: Council Plan 2015-19

RESOLVED that the Council Plan 2015-2019 as attached at Annex A to the report be recommended to Council

Item 6: Changes in Charges for Garden Waste Collections 2016/17

RESOLVED that

- 1 The charge for the collection of garden waste is increased by £10 with effect from April 2016.
- 2 The early payment discount cease.
- 3 All other existing discounts and options remain as is and that all associated charges for the garden waste service are increased pro-rata.

Item 7: Highways Infrastructure Asset Management Plan

RESOLVED that

- 1 The Highways Infrastructure Asset Management Plan as set out in Annex A be approved and its publication on the Council website be agreed.
- 2 The Director of Environment Culture and Communities be authorised in consultation with the Executive Member to make any in-year minor amendments having regard to any comments received.

Item 8: Local Enforcement Plan (Planning)

RESOLVED that Local Enforcement Plan (Planning) attached at Appendix A be approved for use by the Local Planning Authority.

Item 9: Control of Horses Act 2015

RESOLVED that

- 1 Powers be delegated to the Director of Environment, Culture and Communities authorising him to undertake all Council functions arising from the Policy annexed to the report.
- 2 The Policy document attached to the report as Annex A be approved.
- 3 It be noted that the service responsible for the management of the land will be responsible for implementing the actions and any subsequent costs incurred.

Item 10: Local Safeguarding Children Board (LSCB) Annual Report

RESOLVED that the report (attached as annex 1) and the key messages arising from it be noted.

Item 11: Street Lighting Replacement Programme

RESOLVED that

- 1 A supplementary capital approval of £7.3m for the Streetlight LED project be sought from Council on 25 November to allow the replacement programme to begin in March 2016.
- 2 Column replacement continue to be funded from Local Transport Plan capital grant for the duration of this project.

Item 13: Proposed Consultation on the Future Provision of Services

RESOLVED that the proposal to consult on the future of services currently provided at Heathlands Residential Care Home and Day Care Centre for People with Dementia being re commissioned in the independent sector be approved.

CHAIRMAN

Bracknell Forest Council Record of Decision

Work Programme Reference	I055129
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1. **TITLE:** Council Plan 2015-19
2. **SERVICE AREA:** Chief Executive's Office
3. **PURPOSE OF DECISION**

The Executive are asked to agree the recommendation to Council (25 November 2015)

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

That the Council Plan 2015-2019 as attached at Annex A to the report be recommended to Council .

7. **REASON FOR DECISION**

Since becoming a Unitary Authority in 1998 the Council has made savings in its annual revenue spending in excess of £70m. Of this over £18m has been removed from budgets in the last few years. By all comparative measures, the Council provides value for money. However, pressure on public sector spending remains intense and it is predicted that a further £25m of savings will be needed over the next five years.

This scale of savings coming on top of previous economies means it will not be possible to continue to deliver services in the way we have come to accept and expect. In order to meet this challenge the council needs to find a framework for delivering services that allows us to adapt, innovate, find new ways of working and, in some cases, reduce what we do.

The Council Plan is rooted firmly in the Conservative election manifesto of 2015. It puts those election commitments into the post general election financial context to provide the organisation with a strategic approach and framework to meet the challenges ahead.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To continue with the current framework of priorities and Medium Term Objectives (MTOs).

9. **PRINCIPAL GROUPS CONSULTED:** Officers
O&S Commission (internal)
10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I055651
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1. **TITLE:** Changes in Charges for Garden Waste Collections 2016/17

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

3. **PURPOSE OF DECISION**

To ensure that the cost of the garden waste service which is an opt-in non-statutory service covers the cost of the service provided by SITA and associated costs.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the charge for the collection of garden waste is increased by £10 with effect from April 2016.

2 That the early payment discount cease.

3 That all other existing discounts and options remain as is and that all associated charges for the garden waste service are increased pro-rata.

7. **REASON FOR DECISION**

The Council is facing substantial budget pressures and is under recovering the cost of a discretionary service.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Executive could determine not to increase charges. However, this would retain a very significant subsidy for what is a discretionary service which is difficult to justify given the Council's overall financial position.

The Council could stop the service. However, it is felt that it would be a retrograde step to deny residents the opportunity to have their garden waste collected in a convenient way at the kerbside. All residents have the option of taking their garden waste to Longshot Lane Household Waste Recycling Centre free of charge.

9. **PRINCIPAL GROUPS CONSULTED:** N/A

10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I055657
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1. **TITLE:** Highways Infrastructure Asset Management Plan

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

3. **PURPOSE OF DECISION**

This report proposes the adoption of a Highways Infrastructure Asset Management Plan

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

1 The Highways Infrastructure Asset Management Plan as set out in Annex A be approved and its publication on the Council website be agreed.

2 The Director of Environment Culture and Communities be authorised in consultation with the Executive Member to make any in-year minor amendments having regard to any comments received.

7. **REASON FOR DECISION**

To comply with the recommendations and expectations of the Department for Transport and to ensure that national priorities and standards are delivered effectively and consistently at a local level.

8. **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I054454
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1. **TITLE:** Local Enforcement Plan (Planning)
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To approve a Local Enforcement Plan setting out how the enforcement service will be delivered, including how different types of breaches will be prioritised.

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

That the Local Enforcement Plan (Planning) attached at Appendix A be approved for use by the Local Planning Authority.

7. **REASON FOR DECISION**

A Local Enforcement Plan clearly sets out the planning enforcement process in Bracknell Forest. This clearly sets out what the approach will be when breaches of planning enforcement are reported. It sets this out clearly for residents and complainants. The adoption of a LEPP also provides the LPA access to the Planning Enforcement Fund, which is a central government fund available to LPAs to assist with legal fees in pursuit of Injunctions from the County Court or High Court.

Enforcement is seen as a priority by the Council as such the LEPP sets out clear service processes and objectives with performance standards to monitor the service.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council does not have to produce a LEPP, however it is considered desirable to produce a clear statement of how the Council will deal with planning enforcement to provide greater transparency and better understanding of its role and operation. Producing a LEPP also makes certain funding options available to the LPA should it wish to pursue Injunctions. It helps define the process and performance of the planning enforcement service undefined for other departments, Councillors and the general public. It helps the service to demonstrate that it is providing value for money, is dealing effectively with enforcement matters and is prioritising the most important cases.

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	5 28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I05667
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1. **TITLE:** Control of Horses Act 2015
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

A new discretionary power has become available in respect of the fly grazing of horses. This report outlines potential implications for the Council should it decide to use the power, and proposes the adoption of a Strategy.

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

6. **DECISION:**

- 1 That powers be delegated to the Director of Environment, Culture and Communities authorising him to undertake all Council functions arising from the Policy annexed to the report.
- 2 That the Policy document attached to the report as Annex A be approved.
- 3 That it be noted that the service responsible for the management of the land will be responsible for implementing the actions and any subsequent costs incurred.

7. **REASON FOR DECISION**

Fly grazing has increased significantly nationally in recent years. The change to the legislation provides Councils with more effective ways of dealing with such activity in public spaces; however it also exposes Councils to potentially significant costs associated with the removal, treatment, care and subsequent disposal of horses. The majority of local incidents occur on private land and the Council must be careful not to get itself dragged into funding the removal of horses from land where there is an absent owner or an owner who is not prepared to take action themselves. The Policy sets out a position which is defensible for public spaces but also clearly sets out our position where private land is involved.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council could agree to have no policy but in such circumstances it may find that it is the subject of legal challenge by people impacted by fly grazing upon public space where they perceive the Council has failed to take reasonable action to avoid foreseeable consequences. This might be through horses attacking people in a public area, preventing the use of a public right of way or causing a hazard upon the highways. The Policy sets the framework within which the Council will guide its decisions and actions.

9. **PRINCIPAL GROUPS CONSULTED:** None.
10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture &

Communities

11. **DECLARED CONFLICTS OF INTEREST:** No.

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I055861
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1. **TITLE:** Local Safeguarding Children Board (LSCB) Annual Report

2. **SERVICE AREA:** Children, Young People and Learning

3. **PURPOSE OF DECISION**

For the Executive to receive the annual report of the Local Safeguarding Children Board (LSCB) and to note the key messages / recommendations made.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the report (attached as annex 1) and the key messages arising from it be noted.

7. **REASON FOR DECISION**

Working Together to Safeguard Children (updated March 2015) provides the statutory framework for the safeguarding responsibilities of those working with children and young people, including the responsibilities of the LSCB. Working Together requires the LSCB Chair to publish an annual report on the effectiveness of child safeguarding and promoting the welfare of children in the local area. The annual report should cover the preceding financial year, and should be submitted to the Chief Executive, Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board.

8. **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options arising from the report.

9. **PRINCIPAL GROUPS CONSULTED:** Members of the LSCB and wider Forum of partners and stakeholders

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I056336
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1. **TITLE:** Street Lighting Replacement Programme
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To ask the Executive to support a supplementary capital approval to be made to Council for a 3 year programme to replace existing "sodium" based light columns to Light Emitting Diode (LED) columns making significant financial and CO2 savings.

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

6. **DECISION:**

1. That a supplementary capital approval of £7.3m for the Streetlight LED project be sought from Council on 25 November to allow the replacement programme to begin in March 2016.
2. That column replacement continue to be funded from Local Transport Plan capital grant for the duration of this project.

7. **REASON FOR DECISION**

The investment in LED lighting will reap significant financial savings and the earlier we can take these benefits the better. LED lighting will also significantly improve the Council's carbon footprint thereby contributing to the Council's aspirations in terms of climate change.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The only realistic option is to continue with the current strategy of replacing lighting with LED on an ad-hoc basis which will take decades to complete resulting in the Council needlessly wasting money on energy costs over a lengthy time period and in so doing unnecessarily adding to CO2 emissions.

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I055450
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1. **TITLE:** Proposed Consultation on the Future Provision of Services

2. **SERVICE AREA:** Adult Social Care, Health & Housing

3. **PURPOSE OF DECISION**

There has been a change in the type of support that best meets people's needs resulting from the following successful initiatives:

- Personalisation, individualised support and choices
- People being supported to remain living in their home with more intensive support for complex needs
- Developments in Older People Accommodation e.g. Extra Care Housing
- Assistive technology
- Implementation of the Care Act

Therefore it is proposed that a consultation be carried out to inform the future provision of services.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the proposal to consult on the future of services currently provided at Heathlands Residential Care Home and Day Care Centre for People with Dementia being re commissioned in the independent sector be approved.

7. **REASON FOR DECISION**

As people with dementia continue to be supported to live in the community for longer, increasingly, therefore, when people with dementia move into a care home setting their needs are more complex and often can only be met through nursing care. There has, therefore, been an increase in the number and proportion of nursing care placements being commissioned as opposed to residential care placements.

Bracknell Forest Council, in partnership with the Clinical Commissioning Groups, will continue to commission services that support a shift away from residential care to personalised social care in community settings, supporting people to live independently and safely to deliver the principles within Bracknell Forest Joint Commissioning Strategy for Dementia 2014-2019.

The necessary investment required to undertake a major refurbishment/ re development and bring Heathlands up to standard would not be economically viable, and would also mean people would need to be moved for a period of time which would create unacceptable disruption to their lives.

8. ALTERNATIVE OPTIONS CONSIDERED

Option 1

Do Nothing – no change

This option would keep Heathlands as it is. It would not resolve the issue of Heathlands being unable to meet satisfactory standards in the future. It would compromise Bracknell Forest Council's ability to maintain high standards of care. Also, the needs of people requiring a residential care home setting are increasing which requires different facilities to those of Heathlands. The cost of maintaining an aging building would continue to increase and we would end up with the need to consider re provision at some point in the future. There is an inherent risk that deterioration in a critical factor within the building may result in people being placed unacceptably at risk. As personalisation and choice for individuals drives the care market the development of other facilities in the area will mean Heathlands will not be as attractive and occupancy is likely to fall placing greater pressure on its viability.

Option 2

Refurbish/ re develop Heathlands and invest in a major re development programme to bring Heathlands up to a modern state. A range of refurbishment issues already exist the two most significant being:

The boilers were replaced in 2010 but the pipework and radiators that the service is largely original to the building and therefore nearly fifty years old, and needs to be replaced. This will cost in excess of £250K. Moreover, this work can only take place if the building is emptied on a phased basis.

The roof tiles will need to be replaced in the coming years, and an initial estimate of the cost of this is in excess of £200K.

The layout is unsuitable with none of the 38 rooms having ensuite facilities, or sufficient space within any rooms for ensuite facilities to be installed. The current facilities would not meet modern registration standards if Heathlands was a new facility. Upgrading these would involve knocking down walls, changing the layout, and reducing capacity. The cost of upgrading these has not been estimated as even obtaining an estimate would be expensive due to the need to draw up detailed building plans. However, it is clear that the upgrade cost would be very significant.

Also, the kitchen facilities need updating and once again there is no cost estimate for this in place.

None of these capital costs have been budgeted for.

Option 3

To sell or lease Heathlands to another provider.

This would be difficult due to the limitations and constraints of the building and the investment required to address these issues and secure a market position.

9. **PRINCIPAL GROUPS CONSULTED:**
- Community
 - Individuals
 - Families & relatives
 - Staff
 - Partners

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

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

Date Decision Made	Final Day of Call-in Period
20 October 2015	28 October 2015