



## **NOTICE OF MEETING**

**The Executive (Special)**

**Wednesday 12 July 2017, 6.30 pm**

**Council Chamber, Fourth Floor, Easthampstead House, Bracknell**

**To: The Executive**

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

ALISON SANDERS

Director of Corporate Services

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Published: 3 July 2017



**The Executive**  
**Wednesday 12 July 2017, 6.30 pm**  
**Council Chamber, Fourth Floor, Easthampstead House,**  
**Bracknell**

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

**AGENDA**

Page No

1. **Apologies**

2. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an affected Interest in a matter must disclose the interest to the meeting and must not participate in discussion of the matter or vote on the matter unless granted a dispensation by the Monitoring officer or by the Governance and Audit Committee. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

3. **Minutes**

To consider and approve the minutes of the meeting of the Executive held on 6 June 2017.

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4. **Urgent Items of Business**

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

**Executive Key Decisions**

The items listed below all relate to Key Executive decisions, unless stated otherwise below.

5. **Exclusion of Public and Press**

Agenda item 6 is supported by an annex containing exempt information as defined in Schedule 12A of the Local Government Act 1972. If the Executive wishes to discuss the content of this annex in detail, it may choose to move the following resolution:

That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 6 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

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

*NB: No representations were received in response to the 28 day notice of a private meeting.*

**6. Residential Care Services Block Contract**

To seek approval to award a block contract(s) for residential care services.

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**EXECUTIVE  
6 JUNE 2017  
5.00 - 5.20 PM**



**Present:**

Councillors Dr Barnard (Vice-Chairman, in the Chair), Brunel-Walker, Heydon, McCracken and Turrell

**Apologies for absence were received from:**

Councillors Bettison OBE, D Birch and Mrs Hayes MBE

**1. Declarations of Interest**

There were no declarations of interest.

**2. Minutes**

**RESOLVED** that the minutes of the meeting of the Executive on 9 May 2017 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

**Executive Decisions and Decision Records**

The Executive considered the following items. The decisions are recorded in the decision sheets attached to these minutes and summarised below:

**3. Suitable Alternative Natural Greenspaces (SANG) - Capacity Allocation**

The Executive considered a supplementary tabled paper which raised an objection to the recommendations proposed in the Director of Environment, Culture & Communities report, together with the officer response to this objection.

**RESOLVED** that;

- i) following careful assessment officers be authorised not to provide capacity in Strategic Suitable Alternative Natural Greenspaces (SANGs) for large Prior Approval schemes or other unplanned large applications located beyond the defined settlements in Binfield, Bracknell, Warfield and Winkfield which are considered to undermine the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy.
- ii) these forms of development be directed to known private Bespoke SANGs where capacity may exist.

**4. Motor Neurone Disease Charter**

**RESOLVED** that the adoption of the Motor Neurone Charter, be endorsed.

5. **Exclusion of Public and Press**

**RESOLVED** that pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of items 8 and 9 (minutes 6 & 7) which involve the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

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

6. **Coral Reef Pre-opening Report**

**RESOLVED** that the proposed pricing in appendix A of the agenda papers be agreed and that the detailed capital position in confidential annexe C of the agenda papers be noted.

7. **Housing Related Support for Young People Contract Award**

**RESOLVED** that it was agreed:

- i) to award a contract to tenderer A as in the exempt part of the agenda for four years plus the option to extend for one year.
- ii) to enter into a funding agreement to provide up to £450,000 to part fund refurbishment works to Holly House.

**CHAIRMAN**

## Bracknell Forest Council Record of Decision

<b>Work Programme Reference</b>	<b>I068268</b>
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1. **TITLE:** Suitable Alternative Natural Greenspace (SANG) - Capacity Allocation

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

3. **PURPOSE OF DECISION**

To approve the withdrawal of access to strategic SANG capacity from certain 'windfall' developments and Prior Approvals in order to reserve limited capacity for allocated sites.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That following careful assessment officers be authorised not to provide capacity in the Strategic Suitable Alternative Natural Greenspaces (SANGs) for large Prior Approval schemes or other unplanned large applications located beyond the defined settlements in Binfield, Bracknell, Warfield and Winkfield which are considered to undermine the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy.

That these forms of development be directed to known private Bespoke SANGs where capacity may exist.

7. **REASON FOR DECISION**

To safeguard Strategic SANG capacity for allocated residential development sites and windfall planning application sites within the defined settlement boundaries which conform with the development plan and the National Planning Policy Framework.

To protect the Council's Special Protection Area avoidance and mitigation strategy as set out in the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

8. **ALTERNATIVE OPTIONS CONSIDERED**

Two alternative options have been considered:

1. To provide Strategic SANG capacity for such developments in the north of the Borough. This would ultimately result in the Council having to refuse many applications for sites which are allocated in the Site Allocations Local Plan or windfall planning application sites within the defined settlement boundaries which are supported in the Development Plan.
2. Withdraw the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012) and place an embargo on all new residential development in the Borough. Development could then proceed

but only if where it provides its own SANG solution accompanied by a full Habitats Regulation Assessment (HRA).

Both options are considered unnecessary and undesirable and can be avoided if the Council agrees not to provide Strategic SANG capacity for large residential Prior Approval applications and relevant large unplanned residential developments located beyond the defined settlement boundary in the North of the Borough. The term large developments are defined as residential developments of 10 or more dwellings. The Council has worked, and will continue to work, with third parties to facilitate alternative private Bespoke SANG capacity to enable such developments to proceed, outside the Councils avoidance and mitigation strategy.

- 9. **PRINCIPAL GROUPS CONSULTED:** Not applicable.
- 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>
6 June 2017	13 June 2017



**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I067962</b>
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1. **TITLE:** Motor Neurone Disease Charter
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

To provide the Executive with an understanding of Motor Neurone Disease (MND), and the nationally approved MND Charter which each local authority is being asked to adopt.

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

That the adoption of the Motor Neurone Disease Charter by the Council be endorsed.

7. **REASON FOR DECISION**

A national charter for Motor Neurone Disease (MND) has been published by the Motor Neurone Disease Association, which encourages local authorities to sign up to and adopt the MND Charter. The charter helps Local Authorities and communities better understand the needs of people with MND.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not applicable.

9. **PRINCIPAL GROUPS CONSULTED:** People with a long term condition.
10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care, Health & Housing
11. **DECLARED CONFLICTS OF INTEREST:** None.

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
6 June 2017	13 June 2017

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I068114</b>
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1. **TITLE:** Coral Reef Pre-opening Report
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To update the Executive on refurbishment progress and preparations to re-open Coral Reef.

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

The proposed pricing in Appendix A of the Director of Environment, Culture & Communities report was agreed and the detailed capital position in confidential Annexe C was noted.

7. **REASON FOR DECISION**

As the Coral Reef enhancement project nears completion the Executive can be briefed on more detailed plans related to the reopening of the facility. As per the Council's constitution, the Executive also needs to approve the proposed charges for entry.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not applicable.

9. **PRINCIPAL GROUPS CONSULTED:** Not applicable
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>
6 June 2017	13 June 2017

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I066792</b>
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1. **TITLE:** Housing Related Support for Young People Contract Award

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

3. **PURPOSE OF DECISION**

To consider tender responses for housing related support for young, single, homeless people as well as provision of capital funding to ensure accommodation availability.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

To award a contract to tenderer A as in the exempt part of the Director of Adult Social Care, Health & Housing's report for four years plus the option to extend for one year.

To enter into a funding agreement to provide up to £ 450,000 to part fund refurbishment works to Holly House.

7. **REASON FOR DECISION**

A tender process has taken place to select the provider of housing related support for young single homeless people including support for care leavers. The value of the contract requires executive to consider award.

Holly House is a Council owned ex-sheltered housing scheme that is leased long term to a registered provider to provide accommodation for young single homeless people. The continued use of the property is dependent upon essential investment to provide at least 15 years life for windows, and heating and some design improvements to ensure its continued availability. The registered provider is seeking 50% of the cost of those works from the Council. There is a clear business case for the Council providing the capital funding compared to the revenue savings that can be achieved in relation to the current cost of providing accommodation for care leavers.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council could decide not to provide housing related support for young single homeless people. However, the Council could then face the cost of providing temporary accommodation for young single homeless people as well as processing homeless applications for the number of young people who could be accommodated by these proposals. Not only would the revenue costs of that course of action exceed the annual revenue cost of the housing related support contracts it would lead to adverse impact on the lives of young single homeless people in the borough and for that reason it is not recommended.

The lack of capital funding from the Council could lead to the registered provider who leases

Holly House could decide to close parts of the building where repair costs are prohibitively high or where the running costs in terms of heating are prohibitive for the young people who are the tenants. Moreover, that would threaten the availability of accommodation for care leavers who are currently accommodated in more costly provision which in turn would threaten the ability to provide better and more cost effective accommodation solutions. Therefore, it is not recommended to withhold capital funding.

9. **PRINCIPAL GROUPS CONSULTED:** None.
10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care, Health & Housing
11. **DECLARED CONFLICTS OF INTEREST:** None.

<b>Date Decision Made</b>	<b>Final Day of Call-in Period</b>
6 June 2017	13 June 2017

TO: EXECUTIVE  
12 JULY 2017

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**RESIDENTIAL CARE SERVICES BLOCK CONTRACT**  
**Director of Adult Social Care, Health & Housing**

**1 PURPOSE OF REPORT**

- 1.1 To seek approval to award a block contract(s) for residential care services.

**2 RECOMMENDATION**

- 2.1 **That a contract for Residential Care Services, commencing September 2017 is awarded to the following care home:**

- **Tenderer A**

**3 REASONS FOR RECOMMENDATION**

- 3.1 Since 2013/14 the Council has seen an overall reduction of 205 residential and nursing beds within the Borough, and a further reduction of nearly 400 beds in homes previously used outside the Borough. Whilst the demand has not reduced, the supply has, which has led to much higher prices than we should be paying. Recent cost modelling evidences that the situation is getting worse.
- 3.2 Whilst placement costs are becoming unsustainable, they are also becoming increasingly less reflective of a client's needs and more about how much money the provider can get paid for a bed. Other Berkshire local authorities also report experiencing the same problems, as care managers vie for the limited number of beds available, regardless of the true cost of care and value for money.
- 3.3 As part of looking at options to contain rising costs, discussions were held with a number of new-build care homes locally, who are currently seeking business from the private sector and local authorities to fill their beds. These discussions evidenced that savings could be made through purchasing through block contracts.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Not to enter into block contract(s) and continue to purchase through spot contracts, however, this would mean that the Council miss the opportunity to make the savings indicated in the Confidential Annexe to this report, thereby reducing some of the pressure on this budget.

**5 SUPPORTING INFORMATION**

- 5.1 Currently the Council purchases residential beds, which includes provision for people with dementia, on a spot purchase basis, and the cost for each placement is negotiated on an individual basis. Since 2013-14 there have been six care home closures, reducing the overall local bed capacity by 205 beds. There have been further home closures with providers the Council had been using outside of the

Borough resulting in a loss of approximately 400 further beds. This has led to a shortage of beds to meet demand, and has resulted in care homes increasing their fees. Recent cost modelling has indicated that this has resulted in the average weekly rate per placement increasing by £130.00 per week in the last five months, and is continuing to rise. Entering into a block contract supports the Council's plans to address these rising costs.

- 5.2 The block contract would also provide an opportunity for people who have been placed outside the borough in recent months, due to the general shortage of local beds – to be offered the opportunity to move back to the area. This would benefit the person, and the Council, as it is likely that the block contract fees would be below the spot purchase fee. The Council could also consider whether it would be appropriate, in some cases, to move people currently in high cost spot purchase care homes to a block contract.
- 5.3 As residential care services are categorised as Social & Other Specific, and the contract value is above the OJEU threshold of £589,148, the procurement was subject to the Light Touch Regime. A Prior Information Notice (PIN) was placed in OJEU and on the South East Business Portal and Contracts Finder on 12th June 2017 informing care homes of the Council's intention to enter into block contract(s) for a maximum of 20 beds, through a maximum of 4 block contracts, and inviting interested care homes to express an interest in being considered for a contract. The contract term indicated was for a minimum of three years and a maximum of five years, including any extensions. The deadline for expressions of interest was 28th June 2017.
- 5.4 The procurement was undertaken in accordance with those detailed in the procurement plan, which was approved by the Chief Executive of the Council and Executive Member for Adult Social Care, Health & Housing.
- 5.5 The PIN included a minimum criteria that care homes had to meet before they could be considered for a block contract. Care homes that met the minimum criteria were invited to register an interest in being considered by emailing the Contracts Team, indicating how they met the criteria.
- 5.6 The responses were considered by the project team, the details of which are contained in the Confidential Annex to this report.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 Legal advice was obtained at the outset confirming that the value of the contract dictated the need to follow the requirements of the Public Contract Regulations 2015 as this procurement fell within the provisions of the Light Touch Regime for Social Care related services in excess of £589000. Those requirements have been complied with in securing the contract.

Borough Treasurer

- 6.2 The financial case for entering into the spot contract has been made within the main body of the report.

Equalities Impact Assessment

- 6.3 An initial Equalities Screening Record Form was completed, and indicated that a full Equalities Impact Assessment was not required.

Strategic Risk Management Issues

- 6.4 A full Risk Register is not required as procurement risks are covered in the procurement plan with suitable mitigations proposed. Post contract risk management will form part of the regular review meetings undertaken by the Council's appointed contract manager

**7 CONSULTATION**

Principal Groups Consulted

- 7.1 Not applicable.

Method of Consultation

- 7.2 Not applicable.

Representations Received

- 7.3 Not applicable.

Contact for further information

Neil Haddock, Adult Social Care Health & Housing - 01344 351385  
[Neil.haddock@bracknell-forest.gov.uk](mailto:Neil.haddock@bracknell-forest.gov.uk)

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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