

**EXECUTIVE
18 DECEMBER 2018
5.02 - 5.49 PM**



Present:

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

Apologies for absence were received from:

Councillors D Birch

39. Declarations of Interest

Councillor Dr Barnard expressed an Affected Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor Brunel – Walker expressed an Affected Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor Heydon expressed an Affected Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor McCracken expressed an Affected Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor Turrell expressed an Affected Interest in Agenda item 7 as a Bracknell Town Councillor.

40. Minutes

RESOLVED that the minutes of the meeting of the Executive on 13 November 2018 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

41. Urgent Items of Business

There were no urgent items of business.

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:

42. Capital Programme 2019-20

RESOLVED that

- i. a Council funded capital programme of £13.751m for 2019/20 as set out in paragraph 5.17 of the Director: Finance's report and summarised in Annex A, including the new schemes listed in Annexes B – E, is approved for consultation.
- ii. the inclusion of £11.436m of expenditure to be externally funded as outlined in paragraph 5.17 of the Director: Finance's report is approved for consultation.
- iii. the inclusion of £1.025m of expenditure to be funded from S106 as outlined in paragraph 5.18 of the Director: Finance's report is approved for consultation.
- iv. the inclusion of an additional budget of £1m for Invest-to-Save schemes is approved for consultation.
- v. a supplementary capital approval in 2018/19 of £0.25m for the relocation of the Education Centre to the Open Learning Centre as set out in para 5.20 of the Director: Finance's report, funded from the capital receipt generated from the disposal of Easthampstead Park Conference Centre, is approved.
- vi. the granting of a loan of £68,000 to the South Hill Park Trust on the terms set on in paragraph 5.21 of the Director: Finance's report, to help fund improvement works that will enable further income generating activities and help the Trust secure its medium-term financial position, is approved.
- vii. the virements set out in Annex F of the Director: Finance's report to reflect the changed needs and priorities within the Schools Capital Programme, is approved.
- viii. the Capital Strategy as outlined in para 5.22 and attached in Annex G of the Director: Finance's report is approved.

43. Revenue Budget 2019/20

RESOLVED that

- i. the draft budget proposals for 2019/20 as the basis for consultation with the Overview & Scrutiny Commission and other interested parties or individuals is agreed.
- ii. the Treasury Management Strategy and associated documents at Annex E of the Director: Finance's report is agreed and that the Governance and Audit Committee review each of the key elements.
- iii. the 2019/20 Schools Budget be set at the eventual level of the Dedicated School Grant income plus any accumulated DSG balances and additional Council funding within the limit set out in recommendation 2.4.
- iv. up to £1m of additional funding for schools be made available from the Council over the next 4 years to help mitigate the financial impact of new schools.
- v. the Executive Member for Children, Young People and Learning be authorised to agree the allocation of the sums available for schools funding as set out in recommendation 2.4 having regard to the decisions and

recommendations of the Schools Forum and to agree detailed budgets for services centrally managed by the Council.

- vi. the virements relating to the 2018/19 budget as set out in Annex F and G of Director: Finance's report is agreed and recommend that those over £0.100m for approval by Council.

44. Review of Statement of Gambling Principles

RECOMMENDED that the Council endorses the revised Statement at Annex A of the Director: Delivery's report at its meeting on the 16 January 2019.

45. Bracknell Town Neighbourhood Plan – Publicise plan for consultation, appoint Examiner and to agree delegations for forthcoming decisions

RESOLVED that

- i. a public consultation on the submission version of the Bracknell Town Neighbourhood Plan pursuant to Regulation 16 is undertaken.
- ii. an independent Examiner be appointed to undertake the examination of the Bracknell Town Neighbourhood Plan pursuant to paragraph 7 of Schedule 4B of the Act and Regulation 17.
- iii. the agreement of the regulation 16 consultation response, the Decision Statement and to submit the plan for examination be delegated to the Leader of the Council.
- iv. the cost of the examination and referendum not funded by grant is included as a one off item in the Commitment Budget for 2019/20.

46. Council Plan Overview Report

RESOLVED that the performance of the Council over the period from July - September 2018 highlighted in the Overview Report in Annex A of the Chief Executive's report is noted.

Exclusion of the Press and Public

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 item 10 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).

47. Integrated Sexual Health Service Berkshire East

RESOLVED that

- i. that a contract for the Integrated Sexual and Reproductive Health Service and the Specialist Outreach Nursing Service, commencing on 1 July 2019, is awarded to Tenderer B.
- ii. the Specialist Outreach Nursing Service for Bracknell Forest is extended until 30 June 2019 (for three months) to enable alignment of the two services.

CHAIRMAN

Bracknell Forest Council Record of Decision

Work Programme Reference	I079392
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1. **TITLE:** Capital Programme 2019-20

2. **SERVICE AREA:** Finance

3. **PURPOSE OF DECISION**

To approve the Council's budget proposals for consultation.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. a Council funded capital programme of £13.751m for 2019/20 as set out in paragraph 5.17 of the Director: Finance's report and summarised in Annex A, including the new schemes listed in Annexes B – E, is approved for consultation.
- ii. the inclusion of £11.436m of expenditure to be externally funded as outlined in paragraph 5.17 of the Director: Finance's report is approved for consultation.
- iii. the inclusion of £1.025m of expenditure to be funded from S106 as outlined in paragraph 5.18 of the Director: Finance's report is approved for consultation.
- iv. the inclusion of an additional budget of £1m for Invest-to-Save schemes is approved for consultation.
- v. a supplementary capital approval in 2018/19 of £0.25m for the relocation of the Education Centre to the Open Learning Centre as set out in para 5.20 of the Director: Finance's report, funded from the capital receipt generated from the disposal of Easthampstead Park Conference Centre, is approved.
- vi. the granting of a loan of £68,000 to the South Hill Park Trust on the terms set on in paragraph 5.21 of the Director: Finance's report, to help fund improvement works that will enable further income generating activities and help the Trust secure its medium-term financial position, is approved.
- vii. the virements set out in Annex F of the Director: Finance's report to reflect the changed needs and priorities within the Schools Capital Programme, is approved.
- viii. the Capital Strategy as outlined in para 5.22 and attached in Annex G of the Director: Finance's report is approved.

7. **REASON FOR DECISION**

The reasons for the recommendations are set out in the report.

8. ALTERNATIVE OPTIONS CONSIDERED

The alternative options are considered in the report.

9. PRINCIPAL GROUPS CONSULTED: Business rate payers, the Over 50's Forum, the Schools Forum, Parish Councils and voluntary organisations.

10. DOCUMENT CONSIDERED: Report of the Director: Finance

11. DECLARED CONFLICTS OF INTEREST: None

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	1077558
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1. **TITLE:** Revenue Budget 2019/20

2. **SERVICE AREA:** Finance

3. **PURPOSE OF DECISION**

To approve the Council's budget proposals for consultation

4 **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the draft budget proposals for 2019/20 as the basis for consultation with the Overview & Scrutiny Commission and other interested parties or individuals is agreed.
- ii. the Treasury Management Strategy and associated documents at Annex E of the Director: Finance's report is agreed and that the Governance and Audit Committee review each of the key elements.
- iii. the 2019/20 Schools Budget be set at the eventual level of the Dedicated School Grant income plus any accumulated DSG balances and additional Council funding within the limit set out in recommendation 2.4.
- iv. up to £1m of additional funding for schools be made available from the Council over the next 4 years to help mitigate the financial impact of new schools.
- v. the Executive Member for Children, Young People and Learning be authorised to agree the allocation of the sums available for schools funding as set out in recommendation 2.4 having regard to the decisions and recommendations of the Schools Forum and to agree detailed budgets for services centrally managed by the Council.
- vi. the virements relating to the 2018/19 budget as set out in Annex F and G of Director: Finance's report is agreed and recommend that those over £0.100m for approval by Council.

7. **REASON FOR DECISION**

The recommendations are designed to allow the Executive to consult on its draft budget proposals for 2019/20 as required by the Local Government Act 2003.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The range of options being considered is included in the Director: Finance's report and its Annexes.

9. **PRINCIPAL GROUPS CONSULTED:** Officers, members, business ratepayers, the Schools Forum, parish and town councils, and the general public.
10. **DOCUMENT CONSIDERED:** Report of the Director: Finance
11. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

Work Programme Reference	I077134
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1. **TITLE:** Review of Statement of Gambling Principles

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

The purpose of this item is to review the Council's Statement of Gambling Principles in accordance with the Gambling Act 2005. The document is required to be reviewed and republished following Council approval by the end of January 2019.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Council endorses the revised Statement at Annex A of the Director: Delivery's report at its meeting on the 16 January 2019.

7. **REASON FOR DECISION**

1. Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act. The Statement will last for a maximum of three years and can be reviewed and revised by the authority at any time. The present Statement was published on 31 January 2016 and therefore must undergo a review and be republished on or before 31 January 2019.
2. The amended Statement was approved by the Licensing & Safety Committee on 18 October 2018.
3. The statement considers matters of child protection in relation to gambling through enforcement, appropriate staffing levels and education.

8. **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options as the revision of the Statement is a legal requirement.

9. **PRINCIPAL GROUPS CONSULTED:** Various statutory consultees, trade bodies, gamblers advice organisations, parish and town councils, Police

10. **DOCUMENT CONSIDERED:** Report of the Executive Director: Delivery

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

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I081013
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1. **TITLE:** Bracknell Town Neighbourhood Plan – Publicise plan for consultation, appoint Examiner and to agree delegations for forthcoming decisions

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

To agree to publicise and undertake public consultation on the Bracknell Town Neighbourhood Plan, to appoint an Examiner and to agree delegations for forthcoming decisions.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. a public consultation on the submission version of the Bracknell Town Neighbourhood Plan pursuant to Regulation 16 is undertaken.
- ii. an independent Examiner be appointed to undertake the examination of the Bracknell Town Neighbourhood Plan pursuant to paragraph 7 of Schedule 4B of the Act and Regulation 17.
- iii. the agreement of the regulation 16 consultation response, the Decision Statement and to submit the plan for examination be delegated to the Leader of the Council.
- iv. the cost of the examination and referendum not funded by grant is included as a one off item in the Commitment Budget for 2019/20.

7. **REASON FOR DECISION**

1. The Council has a statutory duty, as set out in paragraph 7 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) (“the Act”) and Regulations 16 and 17 of the Regulations, to consider submitted Neighbourhood Plan proposals, undertake a six week public consultation exercise and to appoint an independent Examiner to undertake the examination of a Neighbourhood Plan.
2. The decision taken on 26 February 2016 requires forthcoming decisions on the Bracknell Town Neighbourhood Plan to be undertaken by the Executive where the Lead Member has an interest in the Neighbourhood Plan, which is the case in Bracknell Town. However if forthcoming decisions are taken by the Executive, this

may affect the ability of the Council to fulfil its statutory duties within time periods prescribed in the Regulations.

8. ALTERNATIVE OPTIONS CONSIDERED

1. The alternative option of not undertaking a public consultation exercise and/or appointing an independent Examiner as set out in paragraph 3.1 above, would be in breach of the Council's statutory responsibilities in respect of Neighbourhood Planning under Regulations 16 and 17 of the Regulations, and paragraph 7 of Schedule 4B of the Act. It would also expose the Council to legal challenge and attendant costs.
2. The alternative option of the Executive taking the forthcoming decisions could delay the ability of the Council to fulfil its statutory duties within prescribed time periods. It would also expose the Council to legal challenge and attendant costs.

9. PRINCIPAL GROUPS CONSULTED: Not applicable.

10. DOCUMENT CONSIDERED: Report of the Director: Place, Planning & Regeneration

11. DECLARED CONFLICTS OF INTEREST: Councillor Turrell expressed an Interest in Agenda item 7 as a Bracknell Town Councillor and chairman of the Local Plan Steering Group.

Councillor McCracken expressed an Interest in Agenda item 7 as a Bracknell Town Councillor and a member of the Local Plan Steering Group.

Councillor Dr Barnard expressed an Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor Brunel – Walker expressed an Interest in Agenda item 7 as a Bracknell Town Councillor.

Councillor Heydon expressed an Interest in Agenda item 7 as a Bracknell Town Councillor.

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I080351
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1. **TITLE:** Council Plan Overview Report
2. **SERVICE AREA:** Chief Executive's Office
3. **PURPOSE OF DECISION**

To inform the Executive of the performance of the Council over quarter 2 of the 2018/19 financial year.

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

That the performance of the Council over the period from July - September 2018 highlighted in the Overview Report in Annex A of the Chief Executive's report is noted.

7. **REASON FOR DECISION**

To brief the Executive on the Council's performance, highlighting key areas, so that appropriate action can be taken if needed.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None.
10. **DOCUMENT CONSIDERED:** Report of the Chief Executive
11. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I079503
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1. **TITLE:** Integrated Sexual Health Service Berkshire East

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To approve the decision to award the contract for the Integrated Sexual Health Service Berkshire East

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. that a contract for the Integrated Sexual and Reproductive Health Service and the Specialist Outreach Nursing Service, commencing on 1 July 2019, is awarded to Tenderer B.
- ii. the Specialist Outreach Nursing Service for Bracknell Forest is extended until 30 June 2019 (for three months) to enable alignment of the two services.

7. **REASON FOR DECISION**

1. The commissioning of sexual health services is a mandated public health responsibility for local authorities. These services contribute significantly to the overall health and wellbeing of the local population.
2. A sexual health outreach nursing service offers greater control to those most at risk of becoming pregnant and having a child taken into care or other adverse outcomes. Bracknell Forest is the only authority to be commissioning this service in East Berkshire. The decision was made that Bracknell Forest would also award a contract for the provision of a specialist outreach nursing service from the successful tenderer for the main sexual health service contract. This was to ensure an integrated clinical pathway between both services.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not commission a sexual health service. This option would be in breach of the statutory regulations on public health as well as lead to the Council incurring significant "out of area" costs for sexual health treatment.

9. **PRINCIPAL GROUPS CONSULTED:** Consultant in Public Health, Berkshire Shared Team
Business Manager, Berkshire Shared Team
Director of Adult Social Care, Health & Housing, Bracknell Forest Council

Head of Procurement, Bracknell Forest
Council
Borough Solicitor, Bracknell Forest Council

10. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

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

Date Decision Made	Final Day of Call-in Period
18 December 2018	27 December 2018

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