

COUNCIL
30 APRIL 2014
7.30 - 9.10 PM



Present:

Councillors Mrs Angell (Mayor), Kendall (Deputy Mayor), Allen, 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, Kensall, Leake, McCracken, Mrs McCracken, McLean, Ms Miller, Mrs Phillips, Mrs Pile, Porter, Sargeant, Mrs Temperton, Thompson, Turrell, Virgo, Wade, Ward, Ms Wilson and Worrall

Apologies for absence were received from:

Councillors Angell and Heydon

57. Minutes of Previous Meeting

RESOLVED that the minutes of the Council meeting held on 26 February 2014 be approved and signed by the Mayor as a correct record.

58. Declarations of Interest

There were no declarations of interest.

59. Mayor's Announcements

Executive Member for Children, Young People and Learning

Councillor Dr Barnard was pleased to congratulate three young people who had been awarded the Gold Duke of Edinburgh Award. Laura Knowles, Louise Foster and Abby Purcell attended the Council meeting and were congratulated by all present.

Councillor Dr Barnard was proud to congratulate Helen Fenton, Social Worker, Family Placement Team in reaching the finals of the Social Worker of the Year Awards. Councillor Barnard was pleased to note that Helen had been nominated by foster carers for the award and was one of six finalists in the country.

Executive Member for Corporate Services

Councillor McCracken was pleased to announce that a survey by SOCTIM has revealed that the Council's website has the second highest take up by residents of Councils in the survey at 43% and has the highest net satisfaction in the country at 49.68%. Councillor McCracken reported that only 13% of users recorded a failure to provide the correct information which was significantly low. He noted that it was reassuring to be independently reviewed and Customer Services Digital team were to be congratulated on the quality of the information provided.

Councillor McCracken was also pleased to announce that the Council had been awarded the Civic Office of the Year Award 2013 by the National Association of Civic

Officers. He invited members to join him in congratulating the Democratic Services team on winning such a prestige award

Executive Member for Adult Services, Health and Housing

Councillor Birch was pleased to announce that the Brants Bridge Urgent Care Centre opened on the 7 April 2014. It was noted that 1882 people had been treated since the opening day, which equated to 90 people per day. He stated that the early popularity of the service shows that usage would grow in the future and was pleased to report that there had been swift response to any emerging issues.

Councillor Birch was also pleased to announce the Borough had been recognised by the Alzheimer's Society as a Dementia Friendly community. Councillor Birch thanked all involved in the process for their hard work.

Executive Member for the Environment

Councillor Mrs Hayes thanked Hazel Hill, Sustainable Energy Officer, for securing £1.8million in funds from the Government's Green Deal Communities Fund. The funds would enable a number of properties in the Borough to become more energy efficient.

Mayoral Charity

The Mayor was pleased to announce that her charity Golf Day had raised £1700 and fundraising at the Bracknell Half Marathon had exceeded £1000 for Thames Hospice Care.

Councillor Leake, Past Mayor

Councillor Leake was pleased to report that during fundraising for Prostate UK while he was Mayor, a resident had been made aware of the symptoms of the disease and had sought medical advice. He reminded Councillors of the wider impact of their fundraising for the various chosen charities with not only funding being raised but also awareness.

Healthwatch

Mark Sanders, Project Manager, attended the Council meeting to update the Members present on the work of the local Healthwatch. He advised the meeting of the Healthwatch Bracknell Forest achievements since October, what they were working on and highlighted initial areas for concern.

In response to a question from Councillor Birch regarding 'Choose and Book' Mark Sanders advised that this issue was not currently a top priority for Healthwatch. However they were aware that whilst this was a good idea in principle the reality for patients was different as this was not an integrated service.

In response to an enquiry from Councillor Finnie about whether Borough Councillors could join Healthwatch Mark Sanders clarified that the legislation specifically excluded elected members in order to avoid any conflict of interests.

In response to a question from Councillor Ward about Doctors' surgeries' bank holiday opening hours Mark Sanders responded that there were multiple options available to residents who were unwell at the weekend including: advice from

pharmacists, the Urgent Care Centre, calling 111 and accessing out of hours GPs which operated in every area.

In answer to Councillor Mrs Tempertons' query Mark Sanders explained that Healthwatch Bracknell Forest was currently operated by two people working via job share and a part-time post. He added that there were paid members of the board.

Mark Sanders stated in response to a comment about the transformation project and NHS reforms to expand GP surgery opening hours that he believed it may become harder to get an appointment as GP cover was spread over a longer period.

Councillor Gbadebo asked a question about where individual complaints should be lodged and Mark Sanders responded that part of Healthwatch's role was signposting residents as there were many different ways to complain depending on the issue.

60. **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 26 February 2014. The Executive had met once on 11 March 2014.

The Leader highlighted the following matters that had been considered:

- Residents' Parking Scheme
 - Town Centre regeneration and construction will increase pressures on local parking
 - A consultation had been undertaken with residents in seven areas (1600 properties) in July 2013
 - 78% currently experience parking difficulties
 - 81% believe a parking scheme would be beneficial
 - 55% would support scheme even if charged for permits
 - A scheme to meet residents' needs and aspirations was being developed with four 4 key principles:
 - protect residents from increased parking pressures
 - simple to use
 - cost effective
 - no cost to families requiring less than 3 permits during trial
 - An evaluation and review of all aspects of the scheme would be undertaken after two years.
 - A consultation on Traffic Regulation Orders was in progress.
- Adult Social Care, Health & Housing
 - The Overview & Scrutiny Review of 'Francis Report' had been considered and most recommendations were directed at other bodies and Overview & Scrutiny Members. The recommendation to the Executive was accepted.
 - Fixed Civil Penalties for benefit claims change of information had been introduced:
 - set at £50 if overpayment was £250
 - Government guidelines suggest overpayment threshold = £65
 - It was noted that inadvertent over-claiming was extremely unlikely at Bracknell Forest level
 - Learning Disabilities Community Strategy 2014 – 19 had been agreed.
- Public Realm Contract
 - 3 major contracts had been awarded:

- Highway maintenance – Ringway
 - Street cleansing – Continental Landscapes
 - Grounds maintenance – Continental Landscapes
- Detailed evaluation 60% cost : 40% quality with 80% quality on grounds maintenance
- Savings exceed £0.5M per annum and were part of the 'glide path' strategy
- Other Significant Issues
 - £1.76M Highway Maintenance Programme had been agreed
 - Strategy for use of Pupil Premium agreed to focus on narrowing gap between eligible and other pupils
 - Service Plans 2014/15 have been approved
 - Corporate Asset Management Plan has been approved
 - Facilities Management Category Strategy has been approved

Councillor Mrs Temperton asked what had gone wrong with the road maintenance that took place at Southwold so that other residents could be reassured that others would not experience the same problems. Councillor Turrell responded that he would investigate this issue as the team had no desire for further disruption to residents. Councillor Turrell confirmed that he would provide a technical response in writing.

61. **Amendments to the Council's Constitution**

The Council considered the recommendations made by the Governance and Audit Committee at its meeting on 1 April 2014.

On the proposition of Councillor Ward, Chairman of Governance and Audit Committee seconded by Councillor McCracken it was

RESOLVED that

- i) the proposed revised Financial Regulations set out at Annexe 1 to the agenda report be approved; and
- ii) the Council's Constitution be amended as described in Section 5 of the agenda report.

62. **Independent Remuneration Panel Report**

The Council considered the report which asked Council to determine what action it wished to take in response to the recommendations of the Independent Remuneration Panel.

On the proposition of Councillor McCracken, Executive Member for Culture, Corporate Services and Protection seconded by Councillor Birch it was

RESOLVED that

- i) the recommendations of the Independent Remuneration Panel set out in bold in the Panel's report and summarised in the Executive summary be agreed and that the Members' Allowances Scheme be amended accordingly;
- ii) the list of approved conferences set out in Annex A of the agenda report be approved for insertion in the Scheme; and

- iii) the revised Members' Allowances Scheme to take effect from 1 May 2014.

63. Establishment of Appointment Committee

The Council considered the report recommending the establishment of an Appointment Committee for the post of Chief Officer: Planning & Transport.

On the proposition of Councillor Bettison, Leader of the Council seconded by Councillor Turrell 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: Planning & Transport."
- ii) Councillors Dudley, Finnie, McLean, Mrs Temperton and Turrell be confirmed as the nominated members; and
- iii) Councillors Blatchford, Mrs Birch, Ms Brown and Thompson be confirmed as the substitute members.

64. Appointment of Parent Governor Representative

The Council considered the report recommending the appointment of Ms Linda Wellsteed to the current secondary Parent Governor vacancies on the Overview and Scrutiny Commission and the Children, Young People & Learning Overview and Scrutiny Panel as both these meetings' functions relate wholly or partly to education functions.

On the proposition of Councillor Leake, Chairman of Overview and Scrutiny Commission seconded by Councillor Mrs Birch it was

RESOLVED that Ms Linda Wellsteed be appointed as a parent governor representative to the Overview & Scrutiny Commission for a term of office of four years and the Commission Chairman's recommendation to appoint Ms Linda Wellsteed to the Children, Young People & Learning Overview and Scrutiny Panel be endorsed.

65. Overview and Scrutiny Annual Report 2013-14

The Council considered the Annual Report of Overview and Scrutiny which informed Members of progress made in respect of the operation and development of overview and scrutiny in Bracknell Forest during 2013/14 and outlined proposed future activities.

On the proposition of Councillor Leake, Chairman of Overview and Scrutiny Commission seconded by Councillor Virgo it was

RESOLVED that

- i) the 2013/14 Annual Report of the Overview and Scrutiny Commission be adopted; and

- ii) the commitment, role and value of the overview and scrutiny function be acknowledged and that non-executive Members continue to be supported in their role.

66. Member Development Annual Report 2013-14

The Council considered the Member Development Annual Report which appraised all Members of the work and progress on Member Development during the year 2013-14. The report informed Members of activities and their outcomes and outlined proposed future activities.

Councillor Leake, Chairman of Member Development Charter Steering Group, presented the report to the Council. Councillor Leake took the opportunity to thank the members of the Steering Group, the officers who assisted the development programme and all the Councillors who had taken part in 360 degree feedback, personal development plan discussions and development activities.

On the proposition of Councillor Leake, Chairman of Member Development Charter Steering Group seconded by Councillor Allen it was

RESOLVED that the Member Development Annual Report 2013 - 14 be noted.

67. Champions' Annual Report 2013-14

The Council considered the Annual Report which detailed the work undertaken by the Council's five Champions during the year 2013-14. The report informed Members of activities and their outcomes.

Councillor Finnie presented his section of the report highlighting how the residents of the borough rely on volunteers and that there was currently a gap in the age of volunteers so a future challenge was attracting more people into volunteering.

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

RESOLVED that the Champions Annual Report 2013- 14 be noted.

68. Question Submitted Under Council Procedure Rule 10

(i) Councillor Mrs Temperton asked Councillor Turrell, Executive Member for Planning and Transport the following published question:

Jennett's Park is now a well-established community but many of the amenities promised in the original plans have not yet been completed or even started. Over 1300 dwellings have now been completed.

The trigger point for the shops was the completion of 750 houses—plans have been accepted but no construction has begun.

The trigger point for the main play area was 1000 dwellings and it was to be opened by Easter. The excellent play equipment is in place, but the landscaping of the surrounding area has not been completed and there is builders' rubble, wire and metal protruding through. The soil has not been rotovated, graded or seeded despite the favourable weather of the past two months. No work has been done on this site since January. The surrounding Heras fencing is not secure and the site is being used regularly by local children.

Three smaller play areas were to be completed at the same time, but there is no sign of work on these.

Cycle paths have not been completed, as promised; footpaths are still blocked. The approved plans included triggers and deadlines. Why are these not being enforced?

In response Councillor Turrell stated that more than 1000 dwellings had been completed at Jennett's Park. It was correct that the developer had yet to comply with a number of obligations contained in the S106 agreement entered into at the time planning permission was granted. Some were linked to the number of dwellings completed or occupied. He added that he understood that the Consortium had been waiting for a retail occupier to be signed up before building work started and had recently advised officers that they had an expression of interest which meant building could start soon.

In relation to the laying out and transfer of open space around the main play area at Jennett's Hill Park Councillor Turrell noted that the relevant trigger points were 500 and 1000 completions. The original estimate for 1000 completions was Sept 2013 but this had been delayed by the economic climate. In relation to the construction and transfer to the Council of three smaller play areas the main play provision at Jennett's Hill was largely installed earlier in the year, but then work had halted. The exceptionally bad weather made operations such as soil grading and preparation for seeding impossible. Other delays have been caused by issues between the company project-managing the play areas and the Consortium. This had also affected progress on completing the remaining smaller play areas. The cycle path is a connection between the recreational cycle and footpath network and the tarmac cycle path. Like the blocked footpath, it was surfaced with hoggin in December/January. What was intended to be a very short term diversion across the open space has continued for longer, even though the path is complete. Councillor Turrell added that this was because the grass on each side needed to be reinstated. Seeding has been delayed along with the works to the play areas mentioned earlier, again due to the weather.

Councillor Turrell stated that to date officers had pursued the obligations through regular meetings with the Consortium's representative. The latest of these was 30 April 2014. Given the lack of progress the Consortium were reminded that continued delays could result in prosecution for the obstruction of the public right of way and there was potential for the Council to seek an injunction against the Consortium. The Council would seek commitment to a timetable for the completion of the play areas, open space and cycleway link within a reasonable period.

In response to a supplementary question from Councillor Mrs Temperton about whether any lessons could be learnt from this experience to be applied to future developments such as applying pressure earlier Councillor Turrell agreed that there were. He added that it was difficult to make predictions for the lifespan of a development and some of the issues were directly related to the effect of the recession. Councillor Turrell stated that the bus service, community centre and primary school were all in place but he had great sympathy with the residents of Jennet's Park and appreciated their frustration.

69. Call-In of Executive Decision

The Council considered the Overview and Scrutiny Commission's request that Council should recommend to the Executive Member for Planning and Transport that he should review his decision I043555, concerning the introduction of no right turn

restriction - Beehive Road/B3408, London Road, Binfield (Shoulder of Mutton - Junction Improvement), and make a fresh decision.

Councillor Leake, Chairman of Overview and Scrutiny Commission, presented the report and asked Members to note that the word 'reverse' should be replaced with 'review' on page 225 paragraph 1.1, page 225 paragraph 2.1 and the italic section on page 226.

Councillor Turrell responded to the report and advised that the decision had been carefully considered but due to the potential impact of a number of other schemes he was proposing to discontinue the process for making a Traffic Regulation Order. This would be considered further once additional traffic data was available.

On the proposition of Councillor Turrell, Executive Member for Planning and Transport, seconded by Councillor Leake the matter was referred to the Executive Member for Planning and Transport as a recommendation for decision. Accordingly Council

RECOMMENDED that:

- (i) the current process for the making of the Traffic Regulation Order relating to the Shoulder of Mutton junction be discontinued; and
- (ii) the proposal for a Traffic Regulation Order be considered further when additional traffic data is available and has been analysed following the completion of the highway works at Twin Bridges and Coppid Beech roundabouts, in consultation with ward members.

CHAIRMAN