

**EXECUTIVE
27 JANUARY 2015
5.00 - 6.05 PM**



Present:

Councillors Bettison (Chairman), Ward (Vice-Chairman), Dr Barnard, Birch, Brunel-Walker, Mrs Hayes, McCracken and Turrell

28. Minutes

RESOLVED that the minutes of the meeting of the Executive on 16 December 2014 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

29. Declarations of Interest

Councillor Mrs Hayes declared an interest in Item 5 as a member of South Hill Park Arts Centre's Board.

Councillor Dr Barnard declared an interest in Item 10 as a governor at Garth Hill College.

30. 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. South Hill Park Annual Revenue Grant 2015/2016

RESOLVED that

- 1 An annual grant of £432,640 be awarded to South Hill Park Trust Limited for 2015/2016 subject to Council approval.
- 2 Members also grant an inflation increase of £5,450 based on the CPI of 1.26% which will be added to the grant for 2015/16 subject to Council approval.
- 3 The Partnership Agreement detailed in the whole of Appendix E be approved as the basis on which the grant is awarded.
- 4 Payment of the grant is conditional on the Partnership Agreement being signed and the Director of Environment, Culture and Communities in consultation with the Executive Member for Culture, Corporate Services and Public Protection be given delegated authority to agree changes to this draft Partnership Agreement including future plans and performance indicators for 2015/16.

- 5 The Director of Environment, Culture and Communities or the Director of Corporate Services in consultation with the Executive Member for Culture, Corporate Services and Public Protection be given delegated authority to agree any minor variations from the approved maintenance budgets.

Item 6. Joint Commissioning Strategy for Adults with Autism

RESOLVED that

- 1 The Joint Commissioning Strategy for Adults with Autism 2015 - 2020 subject to suggested amendments be approved.
- 2 The development of an Action Plan by the Autism Partnership Board be agreed.

Item 7. Residents' Survey 2014

RESOLVED that

- 1 The Resident Survey 2014 results report at Annex One and the statistical comparison table at Annex Two be noted.
- 2 The communications plan at Annex Three be endorsed.

Item 8. Results of Trial Recycling Incentive Scheme

RESOLVED that the success of the Trial Recycling Incentive Scheme be noted and that in light of this resolves that the Council should continue to develop and promote the scheme as part of its waste management service.

Item 9. Use of Suitable alternative Natural Greenspace (SANG) land at Shepherd Meadows, Sandhurst by Surrey Heath Borough Council

RESOLVED that

- 1 The Director of Environment, Culture and Communities be authorised to conclude an agreement with Surrey Heath Borough Council for land at Shepherd Meadows to serve as SANG for housing development in the Borough of Surrey Heath and,
- 2 The setting of SANG contributions at £1,963 per person be approved.

Item 10. The Eastern Road SEN Facility Award of Contract

RESOLVED that the Executive approves the award of contract to Tenderer A, for the construction works to convert the former BROC (Adult Learning Centre) at Eastern Road into a Special Educational Needs (SEN) facility, subject to the final lump sum not exceeding the amount set out in paragraph 20 of the attached Restricted APPENDIX A.

Item 11. Bus Call Off Contracts Under Framework Agreement

RESOLVED that the award of the supported bus contracts set out in Table 1 within the restricted Appendix 1 be approved.

Item 12. Casualty Insurance and Claims Handling Service Tender

RESOLVED that the Casualty Insurance and Claims Handling Services contract due to commence on 1st April 2015 be awarded as follows:-

- i) That Tenderer B should be accepted for the provision of casualty insurance and claims handling services
- ii) That the Council increase the deductible for casualty insurance from £25,000 to £50,000
- iii) That the Council increases the annual budget provision for insurance deductible payments to £196,000.

31. Exclusion of Public and Press

RESOLVED that pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, 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).

Item 14, Proposal to Purchase a Development Site in Bracknell Town Centre

RESOLVED that

- 1 The Council enter into a conditional contract to purchase a development site as set out in restricted Appendix A for a minimum price set out in the restricted report but eventual value to be determined by planning permission and plot value as set out in the report.
- 2 The commuted sum to be received in lieu of on site affordable housing provision on the development site, as set out in the report, being used to finance the acquisition of the development site.
- 3 The Council will simultaneously enter into a conditional contract with Thames Valley Housing Association to purchase the development site for a nominal value but restricting the commencement of development of the site to September 2017.
- 4 The Council requiring TVHA to undertake all necessary work at their cost to obtain a satisfactory planning permission for residential development of the site.
5. A 10 % deposit to be paid at exchange of contracts for the development site to be funded from virement of under spend in the current years housing capital programme to be referred to full Council for approval.
- 6 The Director of Adult Social Care Health and Housing be authorised in consultation with the Executive Member for Transformation and Finance to conclude agreement in accordance with the above recommendations.

This page is intentionally left blank

Bracknell Forest Council Record of Decision

Work Programme Reference	I049945
---------------------------------	----------------

1. **TITLE:** South Hill Park Annual Revenue Grant 2015/2016

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

3. **PURPOSE OF DECISION**

To determine a request for revenue grant aid submitted by South Hill Park Trust. All recommendations are subject to the Council approving the final budget for 2015/2016.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That an annual grant of £432,640 be awarded to South Hill Park Trust Limited for 2015/2016 subject to Council approval.

2 That members also grant an inflation increase of £5,450 based on the CPI of 1.26% which will be added to the grant for 2015/16 subject to Council approval.

3 That the Partnership Agreement detailed in the whole of Appendix E be approved as the basis on which the grant is awarded.

4 That payment of the grant is conditional on the Partnership Agreement being signed and the Director of Environment, Culture and Communities in consultation with the Executive Member for Culture, Corporate Services and Public Protection be given delegated authority to agree changes to this draft Partnership Agreement including future plans and performance indicators for 2015/16.

5 That the Director of Environment, Culture and Communities or the Director of Corporate Services in consultation with the Executive Member for Culture, Corporate Services and Public Protection be given delegated authority to agree any minor variations from the approved maintenance budgets.

7. **REASON FOR DECISION**

The basis behind the recommendations is detailed in the supporting information.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Any significant reduction in grant aid would limit the ability of South Hill Park to function and offer a broad range of arts productions.

9. **PRINCIPAL GROUPS CONSULTED:** Chief Executive and Board of South Hill Park Arts Trust

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

Communities

11. **DECLARED CONFLICTS OF INTEREST:** Cllr Hayes.

Date Decision Made	Final Day of Call-in Period
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I049331
---------------------------------	----------------

1. **TITLE:** Joint Commissioning Strategy for Adults with Autism

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

3. **PURPOSE OF DECISION**

In response to the revised National Autism Strategy (Think Autism), it is a duty for local areas to have a Joint Autism Commissioning Strategy for adults with Autism. The current local strategy comes into the end March 2015 and, therefore, a new strategy is required.

The decision will be for the Executive to agree the proposed Commissioning Strategy.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Joint Commissioning Strategy for Adults with Autism 2015 - 2020 subject to suggested amendments be approved.

2 The development of an Action Plan by the Autism Partnership Board be agreed.

7. **REASON FOR DECISION**

To ensure that the Council has a strategy to shape the development of support and influence the development of universal services for people with autism, and therefore improves outcomes for people meets local need and requirements arising from;

- *Health & Social Care Act 2012*
- *Care Act 2014*
- *Autism Act 2009*
- *'Think Autism', the Department of Health (DH) revised strategy for adults with autism 2014*
- *Equalities Act 2010*

8. **ALTERNATIVE OPTIONS CONSIDERED**

To have no strategy, which would result in a lack of the coordinated development necessary to meet the needs of people with autism.

9. **PRINCIPAL GROUPS CONSULTED:** Providers, Carers, Mencap, Berkshire Autistic Society, individuals that use the service

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
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I049933
---------------------------------	----------------

1. **TITLE:** Residents' Survey 2014
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To provide the Executive with the results of the 2014 Residents' Survey and seek approval for the communications plan.

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

6. **DECISION:**

1. That the Resident Survey 2014 results report at Annex One and the statistical comparison table at Annex Two be noted.
2. That the communications plan at Annex Three be endorsed.

7. **REASON FOR DECISION**

To provide the Executive with the results of the Residents Survey 2014, to ensure that these are communicated effectively and that the Council acts on residents' views to continually improve the way it operates.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not applicable.

9. **PRINCIPAL GROUPS CONSULTED:** Representative sample of Bracknell Forest residents
10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050549
---------------------------------	----------------

1. **TITLE:** Results of Trial Recycling Incentive Scheme
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To consider the value of the trial and to determine whether or not to continue with the Recycling Reward Scheme

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

6. **DECISION:**

That the success of the Trial Recycling Incentive Scheme be noted and that in light of this resolves that the Council should continue to develop and promote the scheme as part of its waste management service.

7. **REASON FOR DECISION**

The incentive scheme has proven to be very popular. It has also had a positive impact on the quality of recycling and the number of households using the blue bin recycling service.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To cease the trial and withdraw the incentive scheme.

9. **PRINCIPAL GROUPS CONSULTED:** Not applicable
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
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I048542
---------------------------------	----------------

1. **TITLE:** Use of Suitable alternative Natural Greenspace (SANG) land at Shepherd Meadows, Sandhurst by Surrey Heath Borough Council

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

3. **PURPOSE OF DECISION**

To seek agreement to the use of existing Bracknell Forest Council owned Suitable Alternative Natural Greenspace (SANG) at Shepherd Meadows, Sandhurst to allow avoidance impact measures for sites in Surrey Heath that lie within 5km of the SANG. This will provide sufficient capacity for 500 dwellings (equivalent to 1,200 new residents) in the west of Surrey Heath Borough.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Director of Environment, Culture and Communities be authorised to conclude an agreement with Surrey Heath Borough Council for land at Shepherd Meadows to serve as SANG for housing development in the Borough of Surrey Heath and,

2 The setting of SANG contributions at £1,963 per person be approved.

7. **REASON FOR DECISION**

The saved South East Plan Policy NRM6 states that *'authorities should cooperate and work jointly to implement mitigation measures. These may include, inter alia, assistance to those authorise with insufficient SANG land within their own boundaries...'*

As set out in Appendix 4 of the Thames Basin Heaths SPA Supplementary Planning Document (SPA SPD) (March 2012), Shepherd Meadows SANG has the potential to provide SPA mitigation for 3,682 persons. To date, capacity allocated to residential developments in BFC equals approximately 987 persons. The capacity proposed to be diverted to developments in Surrey Heath will provide mitigation for 1,200 persons – approximately one third of the total SANGs capacity at Shepherd Meadows.

Table 1 SANG Capacity at Shepherd Meadows

	Persons	Hectares
Total SANG capacity	3,682 persons	29.46ha
SANG capacity allocated to BFC residential developments to June 2014	987 persons	7.89ha
SANG capacity proposed to be diverted to Surrey Heath	1,200 persons (500 dwellings)	9.6ha
Remaining SANG capacity for use by small residential developments in BFC	1,495 persons (647 dwellings)	11.96ha

The use of the SANG would be limited to 1,200 persons (equivalent to 500 dwellings) as agreed between the two authorities. This will allow the remainder of the SANG capacity to be used as mitigation for dwellings within BFC.

BFC Officers have prepared a recommended charging schedule as set out in Table 2 below. In this case, the following SANGs costs would apply and the cost would be £1,963 per person. Estimated total income is £2,355,600 [1,200 persons x £1,963 per person].

Table 2 Recommended SANGs costs

Dwelling	Occupancy	SANGs costs @ £1,963 per person
1 bed	1.40	£2,748
2 bed	1.85	£3,632
3 bed	2.50	£4,908
4 bed	2.85	£5,595
5+ beds	3.70	£7,263

This charging rate covers the baseline maintenance costs and an implementation fee in addition to the strategic SANGs costs. It also includes a charge of £400 per occupant representing the landowner cost to BFC of the land being dedicated to Surrey Heath BC as SANG in perpetuity to enable the development of housing in Surrey Heath. This is set out more fully in paragraph 5.10 below. This level of SANG contribution falls below the £2,000 per person cost used for CIL estimates in SHBC.

8. ALTERNATIVE OPTIONS CONSIDERED

To agree that BFC enter into an agreement with SHBC for the use of part of the existing SANG capacity at Shepherd Meadows, Sandhurst to provide SPA avoidance measures for development of up to 600 dwellings in the west of the Borough of Surrey Heath. This option was discounted in order that sufficient SANG capacity remains to provide mitigation for residential development in Bracknell Forest.

Not to enter into an agreement with Surrey Heath BC.

9. **PRINCIPAL GROUPS CONSULTED:** Proposal discussed with Natural England

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
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050565
---------------------------------	----------------

1. **TITLE:** The Eastern Road SEN Facility Award of Contract

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

3. **PURPOSE OF DECISION**

To award the contract for the construction works to create a new 56 place Special Educational Needs facility on the Eastern Road site.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive approves the award of contract to Tenderer A, for the construction works to convert the former BROC (Adult Learning Centre) at Eastern Road into a Special Educational Needs (SEN) facility, subject to the final lump sum not exceeding the amount set out in paragraph 20 of the attached Restricted APPENDIX A.

7. **REASON FOR DECISION**

The value of this contract requires Executive approval under the Council's Contract Standing Orders.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Kennel Lane special school is now full to its designed capacity, and further expansion has been ruled out on the grounds of impact on the surrounding highways from the associated additional vehicle movements. Future expansion of SEN specialist provision must therefore take place on another site.

There are significant costs associated with sending SEN pupils out of Borough. The cost of out of Borough placements secondary and Post 16 Autistic Spectrum Disorder (ASD) pupils has risen significantly over the last five years as set out on Table One below. Creation of a dedicated ASD facility at Eastern Road will reduce these costs.

Table One: Out of Borough Secondary and Post 16 ASD Placement Costs

Year	Annual Cost
2009	£0.6m
2010	£0.7m
2011	£1.0m
2012	£1.1m

In addition the Council sends approximately £0.8m per annum on the transport costs

associated with out of Borough placements, and creating the new ASD places at Eastern Road will also reduce these travel costs, as well as reducing the disruption to pupils and families from having to travel sometimes long distances outside the Borough for their education.

It was originally proposed to build a new special school at Blue Mountain, however delays in adopting the Site Allocations Local Plan and in acquiring the site mean that the timescales for the new school have slipped to 2017/18. Because Kennel Lane is full there is an immediate need for additional SEN places now, and the Eastern Road project will meet this need now. The SEN strategy has been reviewed resulting in a downsizing of the SEN requirement at Blue Mountain, which has now dropped from 100 places to 40 places, resulting in commensurate savings on land take and construction costs on that project.

A site search was also undertaken to explore other possible sites for a new SEN facility, but the following site options have been discounted:

- The playing field site at Mill Lane would support construction of a new SEN facility, however Bracknell Town Council who own the land have declined to make it available.
- A site was initially identified on the Crown Estate land at Bog Lane, however the Crown Estate has also declined to make it available due to issues with land ownership.

9. **PRINCIPAL GROUPS CONSULTED:** Garth Hill College
 Kennel Lane Special School
 Public consultation
 Education Capital Programme Board
10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.
11. **DECLARED CONFLICTS OF INTEREST:** Councillor Dr Barnard.

Date Decision Made	Final Day of Call-in Period
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I049264
---------------------------------	----------------

1. **TITLE:** Bus Call Off Contracts Under Framework Agreement

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

3. **PURPOSE OF DECISION**

To award contracts for nine new routes commencing August 2015 to replace the existing supported bus contracts. New contracts are for three years with possible two year extension. The new contracts reflect the Council's bus strategy.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the award of the supported bus contracts set out in Table 1 within the restricted Appendix 1 be approved.

7. **REASON FOR DECISION**

In accordance with the Department for Transport guidance and public sector procurement legislation, all supported bus services must be subject to a compliant tendering process. New contracts must now be awarded in order to maintain compliance and ensure continued service provision.

8. **ALTERNATIVE OPTIONS CONSIDERED**

An alternative would be not to award the supported bus contracts; however, this would remove a key part of the overall transport system.

9. **PRINCIPAL GROUPS CONSULTED:** Operators of current supported bus contracts.

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
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I049042
---------------------------------	----------------

1. **TITLE:** Casualty Insurance and Claims Handling Service Tender

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

Retender of the Council's casualty insurance (Employers' Liability, Public Liability, Libel and Slander, Officials' Indemnity and Professional Negligence) and claims handling agents

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Casualty Insurance and Claims Handling Services contract due to commence on 1st April 2015 be awarded as follows:-

- i) That Tenderer B should be accepted for the provision of casualty insurance and claims handling services
- ii) That the Council increase the deductible for casualty insurance from £25,000 to £50,000
- iii) That the Council increases the annual budget provision for insurance deductible payments to £196,000.

7. **REASON FOR DECISION**

To enable the continuation of a high quality casualty insurance provider and claims handling service delivering the best value for money.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The current insurance contract had to be retendered under EU procurement rules following the breaking of the long term agreement in place by the insurer, Travelers.

9. **PRINCIPAL GROUPS CONSULTED:** Service Efficiency Group

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

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

Date Decision Made	Final Day of Call-in Period
27 January 2015	4 February 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050508
---------------------------------	----------------

1. **TITLE:** Proposal to Purchase a Development Site in Bracknell Town Centre

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

3. **PURPOSE OF DECISION**

To seek member consideration of a proposal to purchase a development site in Bracknell Town Centre so as to deliver the affordable housing obligation arising from an alternative development site.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Council enter into a conditional contract to purchase a development site as set out in restricted Appendix A for a minimum price set out in the restricted report but eventual value to be determined by planning permission and plot value as set out in the report.

2 That the commuted sum to be received in lieu of on site affordable housing provision on the development site, as set out in the report, being used to finance the acquisition of the development site.

3 The Council will simultaneously enter into a conditional contract with Thames Valley Housing Association to purchase the development site for a nominal value but restricting the commencement of development of the site to September 2017.

4 The Council requiring TVHA to undertake all necessary work at their cost to obtain a satisfactory planning permission for residential development of the site.

5. A 10 % deposit to be paid at exchange of contracts for the development site to be funded from virement of under spend in the current years housing capital programme to be referred to full Council for approval.

6 That the Director of Adult Social Care Health and Housing be authorised in consultation with the Executive Member for Transformation and Finance to conclude agreement in accordance with the above recommendations.

7. **REASON FOR DECISION**

The recommendations in this report specifically support two of the Council's priorities and medium terms objectives , namely:

- Priority 1 Town fit for 21st century
Objective to promote residential development in the town centre where viable, to take pressure off our countryside to deliver housing.

- Priority 5 Sustain economic prosperity
Objective to encourage provision of a range of appropriate housing

8. ALTERNATIVE OPTIONS CONSIDERED

The Council has negotiated an off site commuted sum payment in lieu of provision of on site affordable housing on the development site of an amount set out in the report. This payment is scheduled to be made mid 2016. The Council could wait until the payment is made and then decide the best way in which to invest the sum to secure affordable housing. However, this would place the Council at the mercy of the market in the future and so in comparison with the current proposals it has not been pursued.

If the Council were to use the commuted sum to purchase existing properties as affordable housing it would only deliver in the region of 20-30 properties and thus has been discounted for that reason as it would not deliver a policy compliant level of affordable housing from the development site.

The Council cannot use the commuted sum to finance affordable housing on a site which is already providing affordable housing arising from a planning obligation due to restrictions placed by the Homes and Communities Agency on Registered Providers. Therefore, the Council should seek to use the commuted sum to purchase a site which is suitable for development for affordable housing.

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

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
27 January 2015	4 February 2015