

To: **COUNCIL**  
**25 NOVEMBER 2015**

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**EXECUTIVE REPORT TO COUNCIL**  
**The Leader**

**1 PURPOSE OF REPORT**

- 1.1 This supplementary report provides Council with a summary of the decisions taken by the Executive at their meeting on 17 November 2015.

**2 RECOMMENDATIONS**

- 2.1 **Council is asked to consider the recommendations set out at paragraphs 5.6.4 and 5.7.4.**

**3 REASONS FOR RECOMMENDATIONS**

- 3.1 The reasons for recommendations are set out in the supporting information and in the reports considered by the Executive.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Alternative options are discussed in the relevant individual reports considered by the Executive

**5 SUPPORTING INFORMATION**

**Adult Social Care, Health and Housing**

**5.1 Smoking Cessation Procurement**

- 5.1.1 The Executive has agreed that the contract for the provision of smoking cessation services in Bracknell Forest, Reading, Slough, Wokingham and West Berkshire Councils be re-awarded to the current provider Solutions4Health. The contract will run for a period of three years from 1 April 2016.
- 5.1.2 The service went through a competitive tender process and the five local authorities unanimously agreed that of the three companies that submitted a bid Solutions4Health was their preferred provider. The company has a significant track record of providing innovative services including the development of a pioneering approach to helping those with mental health problems stop smoking and have achieved some of the highest quit rates in the Country.
- 5.1.3 Across the five local authorities the contract will cost £1.384million with Bracknell Forest contributing £200,000 to this amount. The new contract will be commissioned using a payment by results model in which the tariffs will only be paid to the provider in the event of a successful quit. The contract will run for three years initially and there will be an option to renew for a further two years if the service provided proves

to be satisfactory. The Council's Public Health Team will monitor the Service Provider's performance closely for the duration of the contract and will randomly survey those helped to stop smoking by the service.

## **5.2 Implementation of the Care Act**

5.2.1 Following a recent public consultation on the charging options arising from the changes to powers and duties on local authorities brought about by the Care Act the Executive has approved the changes set out below:

- The Council will continue to charge for residential and nursing care on the basis of the detailed regulations set out in the Charging for Residential Accommodation Guide
- The Council's Policy on the financial assessment of couples will be changed to make it compliant with the Care Act
- Interest will be charged on Universal Deferred payments at the rate set by the Department of Health (Currently 2.25%)
- Interest will be charged on Discretionary Deferred Payments at the maximum rate set by the Department of Health (Currently 2.25%)
- An administration charge of £900 will be charged for setting up a Universal or Discretionally Deferred Payment and an annual fee of £300 will be charged for managing the Deferred Payment
- Self funders in community based settings will be charged a fee of £300 for setting up care arrangements and £200 for the ongoing management of the arrangements

5.2.2 Under the terms of the Care Act it is no longer mandatory for councils to charge for residential and nursing care. However, the Council receives approximately £2.5million each year from charges for residential and nursing care and removing these charges would place impossible budget pressures on the Council. Furthermore none of the Borough's neighbouring local authorities have decided to stop charging. It was therefore agreed that continuing these charges was the only practical option at this point in time.

5.2.3 The regulations of the Care Act mean that the Council is no longer able to make joint financial assessments of couples and that each person must be treated individually. Previously the Council had undertaken joint assessments where that would benefit the couple financially. It is recognised that this will significantly impact on those couples who have in the past been assessed jointly and consequently the Executive has agreed that any increases in charges will be phased in over a period of twelve months.

5.2.4 The Council has discretion over whether or not interest should be charged for deferred payments and although the Council does currently charge a fee for setting up a deferred payment plan this is heavily subsidised by the Council, a situation which means that the Council is subsidising the costs of those people who have been assessed as being able to fund their own care costs. It has therefore been agreed that the Council will introduce charges to cover the cost of providing the service.

5.2.5 The Council recognises the valuable contribution that carers make. Consequently it has been agreed that charges will not be introduced for carers' services.

5.2.6 Once all the protection periods have come to an end, these changes will provide the Council with an increased income of approximately £154,000 a year.

## **Children, Young People and Learning**

### **5.3 School Provider Processes and Update to the Arrangements for a sponsor for the Binfield Learning Village and the Appointment of a School Provider at Amen Corner North**

5.3.1 The Executive has approved the processes to be used during the appointment of school sponsors for the proposed new schools at Binfield Learning Village and the school provider at Amen Corner North.

5.3.2 Arrangements for the appointment of a school provider had originally been agreed by the Executive in June 2015. However, in order to assure the Council that all areas of interest were fully covered the criteria that will be used to evaluate potential suppliers have been amended. These amendments include:

- Ensuring the provider supports the Council's Strategy for supporting children with behavioural problems
- Asking providers about their aspirations to meet the needs of children with varying needs
- Asking providers about their commitment to achievement above national expectations
- Asking about the support that will be given to disabled children and children with statements of special educational need
- Asking providers to set out how their Education Plan will meet the needs of the local community

5.3.3 There will be two separate assessment processes running concurrently. The Council will advertise the opportunity for potential sponsors to submit proposals which will be scored and evaluated by the Council. The Council will then make a recommendation to the Regional Schools Commissioner about their preferred provider for each development. The Regional Schools Commissioner will then take this preference into account when making their decision over who to appoint as the school sponsor/provider.

5.3.4 Whilst it is expected that the Schools will be open in time for the start of the 2017/18 academic year, the timeline is based on current house build trajectories. The delivery of housing in both areas is outside of the Council's control and external influences may impact on the implementation and opening dates of the schools.

### **5.4 Implementing a Multi-Agency Safeguarding Hub in Bracknell Forest**

5.4.1 The failure of agencies to work together effectively to safeguard children and young people has been highlighted in numerous serious case reviews from across the Country with a number of these reviews focusing on agencies failing to share information effectively. National reviews including the Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups stressed that effective multi-agency working needed to become more widespread and the Munro Review of Child Protection highlighted the value of co-located multi-agency teams dealing with referrals and decision making. Safeguarding the Borough's children and young people is a crucial part of the Council's work and to help strengthen information sharing between agencies operating in the Borough, the Executive has endorsed a decision to implement a Multi-agency Safeguarding Hub (MASH) in Bracknell Forest.

5.4.2 A multi-agency project board, with representatives from a number of key agencies including the Council, health sector and Thames Valley Police, has been established to oversee the development and implementation of the Bracknell Forest's MASH. The Project Board has concluded that the quickest, simplest and cheapest way to create the confidential standalone accommodation that the MASH requires is to use the office space currently occupied by Corporate Property on the third floor of Easthampstead House. Corporate Property will be relocated into the first floor of Easthampstead House. It is envisaged that this work will be completed by the end of March 2016 in order for the MASH to be launched at the end of May 2016.

5.4.4 Although Thames Valley Police will be making an annual contribution of £37,500 for three years to the cost of the MASH, the establishment of the MASH will have financial implications for the Council. Wherever possible these are being off-set by reconfiguration of existing Children's Social Care staff structures. However there will be an annual additional cost of £12,000 to pay for a project manager to oversee the MASH's establishment and a one off Capital expenditure of £32,000 will be required to cover the costs of accommodation and ICT systems

## **5.5 Examination and Test Performance in Bracknell forest Schools Academic Year 2014-2015**

5.5.1 The Executive has noted the school exam results for the 2014-15 academic year. These have generally been positive with most areas showing some improvement. Significant improvements were seen in the early years foundation stage and the number of A\*- B grades achieved at A level was above the national average. Results at Key Stage 1 have remained steady with notable improvement in Mathematics at Level 3. Outcomes for pupils in receipt of Pupil Premium funding showed improvements with the gap in achievement in relation to all pupils closing by 4.4%. Whilst there were improvements at Key Stage 2 these were exceeded by improvements nationally and Bracknell Forest's results were 1% below the national average.

5.5.2 To ensure that Bracknell Forest's schools exceed national averages it is essential that the local authority continues to work with and challenge its schools. To this end a list of priority areas that will be focused on with schools during the current academic year include:

- Establishing a culture of higher aspirations and expectations
- Increasing the % of pupils achieving Level 5
- Preparing for Achievement and Progress 8
- Better alignment of SI and targeted services
- Closing the gap particularly focusing on Key Stages 1 and 4

## **Culture, Corporate Services and Public Protection**

### **5.6 Review of Statement of Licensing Policy**

5.6.1 The Executive has endorsed the Revised Council Statement of Licensing Policy and recommends that it be adopted by the Council with effect from 7 January 2016.

5.6.2 Section 5 of the Licensing Act 2003 requires the Council as a licensing authority to prepare and publish a Statement of Licensing Policy every five years. The Policy outlines the general approach of the licensing authority when making licensing

decisions under the Act and can be reviewed and revised by the Authority at any time.

5.6.3 Officers and members had been applying the principles contained within the current Statement of Licensing Policy successfully for many years when considering licensing applications and it was therefore decided that this should be used as the basis for the revised statement with updates to bring it in line with current legislation. In addition to the statutory consultation process the revised Statement has been reviewed by a working group of the Licensing and Safety Committee. All the feedback received following this consultation process has been incorporated into the revised Statement

**5.6.4 The Executive has therefore RECOMMENDED that the Licensing Policy (Attached as Annex A) be approved.**

## **5.7 Review of Statement of Gambling Principles**

5.7.1 The Executive has endorsed the Revised Council Statement of Gambling Principles and recommends that it be adopted by the Council with effect from 31 January 2016

5.7.2 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 three years and can be reviewed and revised by the authority at any time.

5.7.3 The revised Statement of Gambling Principles has been based on the Council's current Statement which was approved and adopted by the Council in January 2013. The Statement has been updated to reflect up to date demographic information and to include a new section on local risk assessments and a number of revisions were made to improve the clarity of the document. The revised Statement went through a statutory consultation process and a working group of the Licensing and Safety Committee was set up to provide input into the review work. All the feedback received following this consultation process has been incorporated into the revised Statement

**5.7.4 The Executive has therefore RECOMMENDED that the Statement of Gambling Principles (Attached as Annex B) be adopted by the Council with effect from 31 January 2016.**

## **Transformation and Finance**

### **5.8 Council Tax and Business Rates Recovery**

5.8.1 The Executive has agreed to implement revised debt recovery policies for both Council Tax and Business Rates.

5.8.2 The Council already routinely utilises a variety of options to recover unpaid Council Tax and Business Rates. However there are a small number of cases where the debts are of a considerable size and the debtor persistently refuses to engage with the Council or make any reasonable payments towards their debts. It is this group that will be targeted by the tougher sanctions authorised by the new policies.

5.8.3 There are currently 120 Council Tax debtors owing £3,000 or more which equates to a total Council Tax debt of £525,000 and 34 Business Rates debtors each owing £5,000 or more a sum that equates to £906,000.

5.8.4 Sanctions that the Council will now use against this group of persistent debtors include:

- Individual bankruptcy
- Charging orders against domestic property
- Committal proceedings through the Magistrates Court
- Insolvency proceedings in respect of businesses

By adopting these new tougher policies, the Council is sending a message to all its Council Tax and Business Rate payers that the Council not accept or tolerate a culture of non-payment and will pursue persistent debtors when necessary.

## **5.9 Request for Sale of Property – Harmans Water**

5.9.1 The Executive has approved the sale of 50a Ripplesmere to its current tenant. The tenant is currently using the property as a dental surgery and has indicated that he would like to carry out significant works on the building so that he can improve and increase the services that he offers patients.

## **6 DELEGATIONS BY THE LEADER**

6.1 On 15 November 2016, the Leader delegated a decision to authorise the purchase of the long lease of shops 3-4 and 5-6 Wildridings Square to the Executive Member for Transformation and Finance.

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

### Borough Solicitor

7.1 The Borough Solicitor's comments on each item referred to in the annex can be found in the reports presented to the Executive.

### Borough Treasurer

7.2 The Borough Treasurer's comments on each item referred to in the annex can be found in the reports presented to the Executive.

### Equalities Impact Assessment

7.3 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

### Strategic Risk Management Issues

7.4 Any strategic risks have been identified in the reports to the Executive.

### Background Papers

Executive Agenda – 17 November 2015

### Contact for further information

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