

**EXECUTIVE  
12 APRIL 2016  
5.00 - 5.45 PM**



**Present:**

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

**39. Declarations of Interest**

There were no declarations of interest.

**40. Minutes - 8 March 2016**

**RESOLVED** that the minutes of the meeting of the Executive on 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:

**41. Bring the Binfield Neighbourhood Plan into Legal Force**

**RESOLVED** that;

1. the “making” (bringing into legal force) of the Neighbourhood Plan to form part of the statutory Bracknell Forest Development Plan pursuant to Section 38A(4) of the Planning and Compulsory Purchase Act 2004; and
2. the form, content and publication of the Decision Statement (set out in Appendix B) pursuant to Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”) to give effect to the first limb of the above Recommendation.

**42. Residents Parking Scheme Two Year Trial Update**

**RESOLVED** that the Executive agreed to consult the existing householders living in the relevant areas regarding the extension of charging for parking permits as per the consultation papers in annex A attached to the agenda papers.

**43. Community Safety Partnership Plan 2016-17**

**RESOLVED** that the 2016 Refresh of the priorities and targets contained within Community Safety Partnership Plan 2014-17 be recommended to Council for endorsement.

44. **Corporate Performance Overview Report**

**RESOLVED** that the performance of the Council over the period from October December 2015, highlighted in the Overview Report in Annex A of the agenda papers be noted.

45. **Amen Corner North: Appointment of School Sponsor**

**RESOLVED** that Proposer E be recommended to the Regional Schools Commissioner to run the new school at Amen Corner North.

46. **Binfield Learning Village: Appointment of School Sponsor**

**RESOLVED** that Proposer E be recommended to the Regional Schools Commissioner to run the new school at Binfield Learning Village.

47. **Home to School Transport and Occasional Transport Services**

**RESOLVED** that;

1. subject to finalisation of contract conditions, the Council awards the home to school transport to three suppliers, contractors A, B and C detailed in the confidential annex attached to the agenda papers.

|           | <b>Proposed Supplier</b> |
|-----------|--------------------------|
| Bundle 1  | Tenderer A               |
| Bundle 2  | Tenderer B               |
| Bundle 3  | Tenderer A               |
| Bundle 4  | Tenderer B               |
| Bundle 5  | Tenderer B               |
| Bundle 6  | Tenderer B               |
| Bundle 7  | Tenderer B               |
| Bundle 8  | Tenderer B               |
| Bundle 9  | Tenderer B               |
| Bundle 10 | Tenderer A               |
| Bundle 11 | Tenderer C               |
| Bundle 12 | Tenderer A               |
| Bundle 13 | Tenderer C               |
| Bundle 14 | Tenderer B               |
| Bundle 15 | Tenderer A               |

2. additionally the Council award the above same three contractors the contracts for occasional transport services.
3. contracts be awarded in April 2016 with the contract commencement at the start of the new academic year, 1 September 2016 for a period of four years to 31 August 2020.

48. **Exclusion of Public and Press**

That pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 13 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.

49. **Potential Acquisition of Former Magistrates Court**

This item was withdrawn.

**Decision Records**

**CHAIRMAN**

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## Bracknell Forest Council Record of Decision

|                                 |                |
|---------------------------------|----------------|
| <b>Work Programme Reference</b> | <b>IO58839</b> |
|---------------------------------|----------------|

1. **TITLE:** Bring the Binfield Neighbourhood Plan into Legal Force

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

3. **PURPOSE OF DECISION**

To bring the Binfield Neighbourhood Plan into legal force to form part of the Bracknell Forest Development Plan, and be used in the determination of planning applications relating to land in Binfield Parish.

4 **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the “making” (bringing into legal force) of the Neighbourhood Plan to form part of the statutory Bracknell Forest Development Plan pursuant to Section 38A(4) of the Planning and Compulsory Purchase Act 2004; and the form, content and publication of the Decision Statement (set out in Appendix B) pursuant to Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”) to give effect to the first limb of the recommendation.

7. **REASON FOR DECISION**

Bracknell Forest Council (“the Council”), in its capacity as the Local Planning Authority, has a statutory duty, as set out in Schedule 38A(4) of the Planning and Compulsory Purchase Act 2004 (“the PCPA”), to make a Neighbourhood Development Plan and bring it into legal force if more than half of those voting have voted in favour of making the Plan at referendum. The Council has a duty to make the Plan as soon as reasonably practicable after the referendum is held. Regulation 19 of the Regulations requires the Council to then, as soon as possible after deciding to make a Neighbourhood Development Plan, publish a statement setting out the decision and details of where and when the decision statement may be inspected.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Should the Council consider the making of the Neighbourhood Plan to breach, or otherwise be incompatible with, any EU obligation or any of the Convention rights, it is not under duty to make the Plan and bring it into legal force, as set out in Schedule 38A(6) of the PCPA.

The independent Examiner who reviewed the Neighbourhood Plan considered that it met the basic conditions and statutory requirements (incorporating modifications). The Council concurred with the Examiner’s conclusions as set out in the published ‘Post Examination Decision Statement.’ Therefore, it would be in breach of the Council’s statutory responsibilities in respect of Neighbourhood Planning under paragraph 38A(4) of the PCPA

to refuse to make the Neighbourhood Plan. It would also expose the Council to legal challenge and attendant costs.

- 9. **PRINCIPAL GROUPS CONSULTED:** Local Community via a referendum
- 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> |
|---------------------------|------------------------------------|
| 12 April 2016             | 19 April 2016                      |

**Bracknell Forest Council  
Record of Decision**

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| <b>Work Programme Reference</b> | <b>IO59946</b> |
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1. **TITLE:** Residents Parking Scheme Two Year Trial Update

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

3. **PURPOSE OF DECISION**

To seek Executive approval to consult existing householders living in the Residents' Parking Scheme trial zones on the success of the current Residents' Parking Scheme Trial.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive agreed to consult the existing householders living in the relevant areas regarding the extension of charging for parking permits as per the consultation papers in annex A attached to the agenda papers.

7. **REASON FOR DECISION**

The resident parking trial has now successfully run for just over a year, which recently included the first permit renewal period. During the first year of the trial, budget monitoring has enabled the officers to better understand the costs associated with its running. The original charging regime set out within the rules of the scheme does not generate sufficient income, combined with the income from any associated Penalty Charge Notice income to balance the expenditure. There is currently a shortfall in funding of approximately £90,000 per year. To continue to operate a subsidised scheme is not sustainable in the current economic climate. The fee proposals seek to close that gap over the coming year.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To withdraw the scheme altogether and deregulate the streets accordingly.

9. **PRINCIPAL GROUPS CONSULTED:** All residents in the affected zones.

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 |
|--------------------|-----------------------------|
| 12 April 2016      | 19 April 2016               |

**Bracknell Forest Council  
Record of Decision**

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| <b>Work Programme Reference</b> | <b>IO57610</b> |
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1. **TITLE:** Community Safety Partnership Plan 2016-17

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

Executive are asked to endorse the 2016-17 refresh of the Community Safety Partnership Plan.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the 2016 Refresh of the priorities and targets contained within Community Safety Partnership Plan 2014-17 be recommended to Council for endorsement.

7. **REASON FOR DECISION**

To seek Executive's endorsement of the CSP Plan.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The publication of a CSP Plan is a statutory requirement and therefore there are no alternative options to consider. The priorities adopted result from the annual CSP Strategic Assessment as well as partnership and community consultation. These priorities will be discussed by the CSP at its meeting on 14 March 2016.

9. **PRINCIPAL GROUPS CONSULTED:** Pubic  
Elected Members  
Partnerships  
Stakeholders  
Business community

10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive

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

| <b>Date Decision Made</b> | <b>Final Day of Call-in Period</b> |
|---------------------------|------------------------------------|
| 12 April 2016             | 19 April 2016                      |



**Bracknell Forest Council  
Record of Decision**

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| <b>Work Programme Reference</b> | <b>IO57611</b> |
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1. **TITLE:** Corporate Performance Overview Report

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

To inform the Executive of the Council's performance over the third quarter of 2015/16.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

To note the performance of the Council over the period from October - December 2015, highlighted in the Overview Report in Annex A attached to the agenda papers.

7. **REASON FOR DECISION**

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

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive

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

| <b>Date Decision Made</b> | <b>Final Day of Call-in Period</b> |
|---------------------------|------------------------------------|
| 12 April 2016             | 19 April 2016                      |

**Bracknell Forest Council  
Record of Decision**

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| <b>Work Programme Reference</b> | <b>IO56042</b> |
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1. **TITLE:** Amen Corner North: Appointment of School Sponsor

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

3. **PURPOSE OF DECISION**

To agree the school sponsor to recommend to the DfE for the proposed Amen Corner North primary school.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That Proposer E be recommended to the Regional Schools Commissioner to run the new school at Amen Corner North.

7. **REASON FOR DECISION**

There is a presumption from Government that Councils will seek academy providers for new schools.

The Council has sought expressions of interest from possible providers and undertaken a robust selection process that has resulted in the recommendation.

The selection process, including the views of the Evaluation Panel and Education Review Group, led to the recommendation.

The Department for Education were satisfied that we could recommend any of the shortlisted proposers for them to run the academies and had no comments to make on any of them.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Expressions of interest were received from four academy trusts which is considered to be a strong level of interest.

9. **PRINCIPAL GROUPS CONSULTED:** The Education Review Group which comprises local stakeholders.

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

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

| <b>Date Decision Made</b> | <b>Final Day of Call-in Period</b> |
|---------------------------|------------------------------------|
| 12 April 2016             | 19 April 2016                      |

**Bracknell Forest Council  
Record of Decision**

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| <b>Work Programme Reference</b> | <b>IO56119</b> |
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1. **TITLE:** Binfield Learning Village: Appointment of School Sponsor

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

3. **PURPOSE OF DECISION**

To agree the school sponsor to recommend to the Department for Education for the proposed all-through Binfield Learning Village.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

It was agreed that Proposer E be recommended to the Regional Schools Commissioner to run the new school at Binfield Learning Village.

7. **REASON FOR DECISION**

There is a presumption from Government that Councils will seek academy providers for new schools.

The Council has sought expressions of interest from possible providers and undertaken a robust selection process that has resulted in the recommendation.

The selection process, including the views of the Evaluation Panel and Education Review Group, led to the recommendation.

The Department for Education were satisfied that we could recommend any of the shortlisted proposers for them to run the academies and had no comments to make on any of them.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Expressions of interest were received from seven academy trusts which is considered to be a strong level of interest.

9. **PRINCIPAL GROUPS CONSULTED:** The Education Review Group which comprises local stakeholders.

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

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

| <b>Date Decision Made</b> | <b>Final Day of Call-in Period</b> |
|---------------------------|------------------------------------|
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**Bracknell Forest Council  
Record of Decision**

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|---------------------------------|----------------|
| <b>Work Programme Reference</b> | <b>IO56356</b> |
|---------------------------------|----------------|

1. **TITLE:** Home to School Transport and Occasional Transport Services
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To approve the contract award for Home to School Transport and Occasional Transport Services.

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

That subject to finalisation of contract conditions, the Council awards the home to school transport to three suppliers, contractors A, B and C detailed in the confidential annex attached to the agenda papers.

|           | <b>Proposed Supplier</b> |
|-----------|--------------------------|
| Bundle 1  | Tenderer A               |
| Bundle 2  | Tenderer B               |
| Bundle 3  | Tenderer A               |
| Bundle 4  | Tenderer B               |
| Bundle 5  | Tenderer B               |
| Bundle 6  | Tenderer B               |
| Bundle 7  | Tenderer B               |
| Bundle 8  | Tenderer B               |
| Bundle 9  | Tenderer B               |
| Bundle 10 | Tenderer A               |
| Bundle 11 | Tenderer C               |
| Bundle 12 | Tenderer A               |
| Bundle 13 | Tenderer C               |
| Bundle 14 | Tenderer B               |
| Bundle 15 | Tenderer A               |

That additionally the Council award the above same three contractors the contracts for occasional transport services.

That contracts be awarded in April 2016 with the contract commencement at the start of the new academic year, 1 September 2016 for a period of four years to 31 August 2020.

**7. REASON FOR DECISION**

To establish transport services contracts which deliver best value for money and consistent levels of quality across the Council and to comply with procurement legislation. This links to the new Council Plan which is underpinned by six strategic themes including value for

money.

**8. ALTERNATIVE OPTIONS CONSIDERED**

Consideration was given to undertaking a collaborative procurement with one or more of the neighbouring Berkshire authorities. However this could have the effect of restricting tenderers to regional or national companies. This would impact on local employment as the majority of taxi routes either start within the Borough, or do not cross the Borough boundary. Therefore the most sustainable bidder will be based within the Borough.

Collaborative procurement is also unlikely to deliver overall value for money as the procurement process and contract management will be more complex. There is also the issue of contractors charging more as taxi companies from far outside Borough would have to make the journey into the Bracknell Forest (dead mileage) in order to start work.

- 9. PRINCIPAL GROUPS CONSULTED:** Council Officers including the Head of Procurement, Borough Solicitor and the Borough Treasurer were consulted during the course of the project.

Also included were parents of service users, prospective contractors and current contractors.

- 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 |
|--------------------|-----------------------------|
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