

COUNCIL
24 SEPTEMBER 2003
(7.30 pm – 9.20 pm)

Present: The Mayor (Councillor Mrs Pile), Councillors Adams, Baily, Mrs Ballin, Barnard, Mrs Barnard, Beadsley, Mrs Beadsley, Bettison, Birch, Mrs Birch, Browne, Brunel-Walker, Dudley, Edger, Finch, Finnie, Grayson, Harrison, Miss Haydon, Mrs Hayes, Jones, Kendall, Leake, McCracken, McLean, Mihell, Mills, North, Packham, Piasecki, Sargeant, Mrs Shillcock, Thompson, Turrell, Wade, Ward and Worrall.

Apologies for absence were received from:

Councillors Earwicker, Osborne, Mrs Ryder and Thomas.

Prior to the formal commencement of the meeting, Revd Phil Thomas, from Sandhurst Methodist Church, opened the proceedings with prayers.

36. Minutes (Item 2)

RESOLVED that the minutes of the meeting of the Council held on 23 July 2003 be approved as a correct record and signed by the Mayor.

37. Declarations of Interest (Item 3)

Councillor Barnard declared a personal interest in Item 11 (Release of Section 106 Funding – Holly Spring Infant and Junior Schools) by virtue of his role as Chairman of the Governing Body of Holly Spring Junior School.

Councillor Turrell declared a personal interest in Item 11 ((Release of Section 106 Funding – Holly Spring Infant and Junior Schools) by virtue of his role as a member of the Governing Body of Holly Spring Junior School.

With the exception of the above declarations, there were no other declarations of interest made at the meeting.

38. Mayor's Announcements (Item 4)

Withdrawal of Item 13 from the agenda

The Mayor gave notice that item 13 had been withdrawn from the agenda and as a result Councillor Thompson would remain a member of the School Organisation Committee.

38. Youth Parliament Representative

The Mayor welcomed Katie Ward, a member of the Youth Parliament, to the meeting. The Mayor also reported that the Youth Parliament had been working with the Leader of the Council, in putting its views forward on Council services.

Annual Civic Service

The Mayor thanked all those who had attended and participated in the Annual Civic Service on 14 September 2003. The Mayor announced that £342 had been raised for the Mayor's Charity.

Events Supporting the Mayor's Charity

The Mayor drew the attention of those present to a list of activities which had been arranged in support of the Mayor's Charity and in particular referred to the Autumn Leaves' Charity Ball, which was taking place at the Grange Hotel, Bracknell, on 21 November 2003.

Christmas Lights in Bracknell Town Centre

The Mayor announced that the Christmas lights would be switched on in Bracknell Town Centre on Sunday 23 November 2003.

Sandhurst Silver Band

All those present joined the Mayor in congratulating the Sandhurst Silver Band, which had recently attended the National Brass and Silver Band Championship in Dundee. The Band had finished in fifth place in their category which represented a significant achievement for an amateur band in competition with other bands which received high levels of sponsorship. The Mayor also reported that the Sandhurst Silver Band had the youngest competitor in the competition, a twelve year old girl.

Baden Powell Challenge Badge and Certificate

The Mayor was pleased to announce that she had in the previous week presented the Baden Powell Challenge Badge and Certificate to Sarah Lansley and Elizabeth Walker from the First Winkfield Guide Company. The Baden Powell Challenge was the highest award that could be achieved by a guide. To mark this achievement, the Mayor presented Sarah and Elizabeth with a commemorative plaque for their guide company.

39. **Executive Report (Item 5)**

The Leader of the Council presented the Executive Report to the Council. Since the last Executive Report to the Council on 23 July 2003, the Executive had met on 16 September 2003 and had made decisions in relation to the following matters:

- Corporate Customer Contact Strategy;
- Local Code of Corporate Governance;
- Corporate Risk Register;
- Audit of Services to Children in Need in response to the Practice Recommendations of the Victoria Climbié Inquiry;
- Delivering Decent Homes – Options Appraisal;
- Review of Tenants' and Leaseholders' Compact;
- Housing – Replacement IT System;

- Procurement of Joint Waste Management Facilities and Services – Approval of Output Specification, Inter-Authority Arrangements and Land Use;
- Supplementary Planning Guidance on Affordable Housing;
- The Amalgamation of Reading, West Berkshire and East Berkshire Coroners' Districts;
- School Organisation Plan 2003-2008;
- Education Transport – Exception to Contract Regulations; and
- Corporate Performance Overview.

Of the decisions made, the Leader of the Council highlighted the Customer Contact Strategy; the Audit of Children's Services; and Delivering Decent Homes – Options Appraisal. In relation to the Customer Contact Strategy, the Leader explained that major improvements were planned for 'customer contact', including an overall target of resolving 80% of calls at the first point of contact, thus releasing professional and specialist staff to deal with the remaining 20% of more complex customer contact and other matters.

The Audit of Children's Services had taken the form of a self-assessment following the Victoria Climbié Inquiry. The Leader reported that the Social Services Inspectorate rating of Bracknell Forest was that the authority was "serving most children well with promising prospects for improvement". This was the highest rating of all Berkshire unitary authorities.

In relation to 'Delivering Decent Homes – Options Appraisal', the Leader referred to the Government plans for all public sector housing to meet the "Decent Homes" standard by 2010. As a result the Council would be required to undertake an options appraisal of housing management by 2005. There would be full tenant involvement in the consultation exercise.

The Leader of the Council responded to questions from Members of the Council on the Executive report.

40. **Consultations by the Electoral Commission (Item 6)**

The Council considered the report of the Electoral Review Committee, which included the proposed response on behalf of the Council to two consultation papers issued by the Electoral Commission. The Committee also recommended that additional observations to be made to the Electoral Commission in relation to other proposals such as postal voting and candidates' descriptions on ballot papers.

On the proposition of Councillor McLean, seconded by Councillor Worrall, it was

RESOLVED that

- (i) in relation to the Electoral Commission's consultation paper, *the Cycle of Local Government Elections in England*, the Commission be advised of the views set out in paragraphs 3.3.1 – 3.3.9 of the report of the Electoral Review Committee;
- (ii) in relation to the Electoral Commission's consultation paper, *How Old is Old Enough?*, the Commission be advised of the views set out in paragraph 4.2 of the Electoral Review Committee's report; and

- (iii) the observations in relation to the Electoral Commission's proposals on postal voting (paragraph 5.2 of the Electoral Review Committee's report) and on candidates and parties (paragraphs 6.2 – 6.3 of the Committee's report) be made to the Commission.

41. **Review of the Constitution: Environment Department, Planning and Licensing Functions (Item 7)**

The Council considered a report from the Constitution Review Group which set out proposed amendments to the Constitution, arising from the implementation of the Licensing Act 2003; proposals relating to the size of the Planning and Highways Committee and also included a review of delegations to the Director of Environment.

On the proposition of Councillor Wade, seconded by Councillor Barnard, it was

RESOLVED that with immediate effect

- (i) a provision be inserted into Part 3 of the Constitution to designate the Licensing and Safety Committee as the Licensing Committee for the purposes of the Licensing Act 2003 as per Annex 1 of the report of the Constitution Review Group (item 7 of the agenda);
- (ii) a provision be inserted into Part 3 of the Constitution to make the Licensing and Safety Committee responsible for all the functions required to be discharged by a Licensing Committee;
- (iii) the Council's scheme of delegation to the Director of Environment, as per Annex 2 of the report of the Constitution Review Group (item 7 of the agenda), be adopted and inserted into Part 3 of the Constitution;
- (iv) a Licensing Committee of twelve Members (no Substitute Members) be established, proportionally represented by nine Conservative Members, two Labour Members and one Independent Member, and the following Members be appointed to serve on the Committee: Councillors Adams, Baily, Mrs Barnard, Beadsley, Brunel-Walker, Finch, Grayson, Kendall, Leake, Mihell, Osborne and Mrs Ryder;
- (v) the Planning and Highways Committee be reduced in size to ten Members (plus Substitute Members), proportionally represented by nine Conservative Members and one Labour Member; and Councillors Birch, Dudley, Edger, Finnie, Jones, Mills, Mrs Pile, Sargeant, Thompson and Worrall be appointed as Members of the Committee and Councillors Mrs Beadsley, Browne, Packham, Piasecki, Mrs Shillcock and Turrell be appointed as Substitute Members of the Committee;
- (vi) Council Procedure Rule 9 [Public Participation] of Part 4.1 of the Constitution be amended to allow the Licensing and Safety Committee to determine its own public speaking arrangements;

- (vii) Council Procedure Rule 17 [Reference to Council] of Part 4.1 of the Constitution be amended to preclude the referral of matters under Rule 17 to the Council from the Licensing and Safety Committee (including its sub committees and panels) and the Planning and Highways Committee;
- (viii) Council Procedure Rule 13 [The Rules of Debate] of Part 4.1 of the Constitution be amended, so that the rules of debate would not apply to the Licensing and Safety Committee and its sub committees and panels, when they are conducting a 'hearing'.

42. **Review of Constitution: Officer Employment Procedure Rules (Item 8)**

The Council considered a report from the Constitution Review Group which proposed a minor amendment to the Officer Employment Procedure Rules, which specified the process for appointments to deputy director posts, where it was proposed that such an appointment was to be made exclusively from the Council's existing staff.

On the proposition of Councillor Wade, seconded by Councillor Barnard, it was

RESOLVED that

- (i) the amendments to Section 4.8 of the Constitution (as set out in the report of the Constitution Review Group at item 8 of the agenda) be approved; and
- (ii) the consequential amendments to Table 1 of the Officer Employment Procedure rules be noted.

43. **Proposed Amendment to the Constitution: Overview and Scrutiny Arrangements for Health (Item 9)**

The Acting Director of Corporate Services submitted a report which requested the Council to agree an amendment to the Constitution to reflect the statutory functions that the Council was required to undertake in relation to health scrutiny.

On the proposition of Councillor Birch, seconded by Councillor Barnard, it was

RESOLVED that

- (i) the *Social Care and Housing Scrutiny Panel* be redesignated the *Health, Social Care and Housing Scrutiny Panel* and Article 6 of the Constitution be amended accordingly to reflect this; and
- (ii) the following additional provision be inserted into Article 6.05 of the Constitution, under the terms of reference of the above Panel:
 - “(ii) To undertake all the statutory functions of a scrutiny committee in accordance with Section 7 (and regulations made under that section) of the Health and Social Care Act 2001, relating to reviewing and scrutinising health service matters.”

44. Statement of Accounts 2002/03 (Item 10)

The Council considered the Council's Draft Statement of Accounts for the financial year 2002-2003, together with a report from the Acting Director of Corporate Services, which summarised the Council's budgetary position as at 31 March 2003.

On the proposition of Councillor Birch, seconded by Councillor Wade, it was

RESOLVED that

- (i) the Draft Statement of Accounts for the financial year 2002-2003 be approved; and
- (ii) the out-turn expenditure for the year be noted and the provisions (£0.185m as set out in section 4.2 of the report at item 10 of the agenda) and earmarked reserves (£4.972m as set out in section 4.3 of the same report) be approved.

Following the resolution set out above, the Mayor certified that the accounts had been approved in accordance with the Accounts and Audit Regulations 2003.

45. Release of Section 106 Funding – Holly Spring Infant and Junior Schools (Item 11)

The Council considered a report by the Acting Director of Corporate Services which sought approval to the release of additional 106 funding for the improvement project at Holly Spring Infant and Junior Schools.

On the proposition of Councillor Birch, seconded by Councillor Wade, it was

RESOLVED that the release of a total of £29,516 of funds held under Section 106 (Town Country Planning Act 1990) be approved for the improvement of facilities at Holly Spring Infant and Junior Schools;

46. Appointment Committees: Assistant Director (Housing Services) and Head of Performance and Improvement (Item 12)

The Council considered a report from the Acting Director of Corporate Services which proposed the establishment of two appointment committees: one for the appointment of the Assistant Director (Housing Services) and the other for the appointment of the Head of Performance and Improvement.

On the proposition of Councillor Birch, seconded by Councillor Barnard, it was

RESOLVED that

- (i) a Committee of the Council, comprising Councillors Barnard, Edger, Leake and Mrs Shillcock and Substitute Members, Councillors Beadsley, Mrs Beadsley, Miss Haydon and Harrison, be appointed with the following terms of reference:

"To interview and appoint on behalf of the Council to the post of Assistant Director (Housing Services)."

- (ii) a Committee of the Council, comprising Councillors Beadsley, Birch, Brunel-Walker and Edger and Substitute Members, Councillors Kendall, Piasecki, Mrs Shillcock and Worrall, be appointed with the following terms of reference:

"To interview and appoint on behalf of the Council to the post of Head of Performance and Improvement".

THE MAYOR

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