

Notice of Meeting

Council

Councillor Ejaz (Mayor)
Councillor Penfold (Deputy Mayor)
Councillors Allen, Bailey, Barnard, Bidwell, Brown, Cochrane, Collings, C Eberle, T Eberle, Egglestone, M Forster, S Forster, Frewer, Frost, Gaw, Gillbe, Haffegée, Harrison, Hayes MBE, Jefferies, Karim, McKenzie-Boyle, McLean, Mossom, Neil, O'Regan, Pickering, Purnell, Robertson, Smith, Temperton, C Thompson, P Thompson, Virgo, Watts, Webb, Welch, Wright and Zahuruddin



Wednesday 12 July 2023, 7.30 pm
Time Square, Market Street, Bracknell, RG12 1JD

Susan Halliwell
Chief Executive

Agenda

All councillors at this meeting have adopted the Mayor's Charter which fosters constructive and respectful debate.

Item	Description	Page
1.	Apologies for Absence	
2.	Minutes of Previous Meeting	5 - 8
	To approve as a correct record the minutes of the Annual meeting of the Council held on 24 May 2023.	
3.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
4.	Mayor's Announcements	

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Exclusion of the Press and Public

Agenda item 5 is supported by an annex containing exempt information as defined in Schedule 12A of the Local Government Act 1972. If the Committee wishes to discuss the content of this annex in detail, it may choose to move the following resolution:

That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 5 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 holding that information).*

5.	Executive Report	9 - 18
	<p>To receive the Leader's report on the work of the Executive since the Council meeting held on 24 May 2023.</p> <p>Council is asked to resolve a recommendation in respect of:</p> <ul style="list-style-type: none">• Part Refurbishment of Bracknell Leisure Centre	
6.	Questions Submitted Under Council Procedure Rule 10	
	<p>(i) <u>By Councillor Gaw to Councillor Gillbe, Executive Member for Planning and Transport</u></p> <p>(a) <i>Can the Executive Member give an update on the progress of the Draft Local Plan, relative to its previously agreed timetable for consultation and implementation?</i></p> <p>(ii) <u>By Thomas Parker to Councillor Temperton, Leader and Executive Member for Council Strategy and Climate Change</u></p> <p>(a) <i>As part of the last administration a review of the Member's Code of Conduct was completed. Whilst this made some slight progress, the behaviours of members towards other Councillors and Officers did not substantially improve as the Code lacked teeth and the 'tone from the top' did not sufficiently ensure that it was embedded and that the culture changed.</i></p> <p><i>Will the new Council administration commit to the following?:</i></p> <ul style="list-style-type: none">• <i>A full review of the Member's Code of Conduct so that it is strengthened and reinforces a higher standard of behaviour that the public expect from their elected officials;</i>• <i>Strengthening the rules on disclosable interests so that all there is more transparency of any member's personal financial gain derived from their position at the Council (excluding their allowances);</i>	

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	<ul style="list-style-type: none"> • <i>Ensuring that a new culture is fostered both at the member and officer level so that the new Code can be properly embedded; and</i> • <i>A more robust process for holding members to account where these standards are not met</i> 	
7.	Motions Submitted Under Council Procedure Rule 11	
	<p><u>Motion 03/2023 moved by Councillor Virgo and seconded by Councillor Barnard</u></p> <p><i>Bracknell Forest Council recognises that many residents are extremely concerned about sewage discharges, specifically those flowing from Thames Water facility works in our Borough, into streams and water courses. These concerns have been amplified by the recent news over financial problems at Thames Water. The Council commits to work to examine and support the tightening of regulations, through the work of the Executive and Overview and Scrutiny, to help end this harmful process, that is destroying both the environment and our wildlife.</i></p> <p><u>Motion 04/2023 moved by Councillor Harrison and seconded by Councillor Hayes</u></p> <p><i>The Council:</i></p> <ol style="list-style-type: none"> <i>1. Commends the progress made by Bracknell Forest Council's Public Protection Partnership officers in detecting and prosecuting environmental crime such as fly tipping.</i> <i>2. Reaffirms its commitment to deterring and detecting fly tipping in the Borough by expanding the use of CCTV cameras in identified fly tipping hotspots.</i> <i>3. The Council notes the revenue and capital budget underspends achieved in the 2022/23 financial year and invites the Executive to approve spending on further CCTV units and signage to protect further areas identified as vulnerable to illegal dumping of household or trade waste.</i> 	

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Published: 4 July 2023

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COUNCIL
24 MAY 2023
7.30 - 8.32 PM



Present:

Councillors Allen, Bailey, Barnard, Bidwell, Brown, Cochrane, Collings, C Eberle, T Eberle, Ejaz, M Forster, S Forster, Frewer, Frost, Gaw, Gillbe, Haffegge, Harrison, Hayes MBE, Jefferies, Karim, McKenzie-Boyle, McLean, Mossom, Neil, O'Regan, Penfold, Pickering, Purnell, Robertson, Smith, Temperton, C Thompson, P Thompson, Watts, Webb, Welch, Wright and Zahuruddin

Apologies for absence were received from:

Councillors Egglestone and Virgo

THE MAYOR, ANKUR SHIV BHANDARI, IN THE CHAIR

The Mayor was pleased to announce that he had awarded five awards of £2,500 to successful organisations through the Mayor's Opportunity Fund, which he presented at the Coronation celebrations. The Mayor thanked his chaplain, Reverend Carol Dunk, and councillors for their support during his mayoral year.

1. Declarations of Interest

There were no declarations of interest.

2. Election of the Mayor of the Borough of Bracknell Forest for the 2023/24 Municipal Year

It was proposed by Councillor Temperton, and seconded by Councillor Neil, that Councillor Ejaz be elected Mayor of the Borough of Bracknell Forest for the Municipal Year 2023 – 2024.

There being no further nominations it was

RESOLVED that Councillor Naheed Ejaz be elected Mayor of the Borough of Bracknell Forest for the 2023 - 2024 Municipal Year.

Councillor Ejaz was invested with the Mayoral Chain of Office and then made and signed the Declaration of Acceptance of Office of Mayor and thanked Members of the Council for her election.

THE MAYOR, COUNCILLOR EJAZ, IN THE CHAIR

In her acceptance speech, Councillor Ejaz thanked councillors for appointing her as the Mayor and celebrated a new chapter for Bracknell Forest Council.

3. Vote of Thanks to the Retiring Mayor

Councillor Temperton delivered a vote of thanks to the retiring Mayor, Ankur Shiv Bhandari, reflecting on the unique elements of the mayoral year including the

Queen's Platinum Jubilee, the arrangements for the memorial service for Queen Elizabeth II, and for the Coronation of King Charles II.

Councillor Temperton also celebrated the Mayor's Opportunity Fund which had benefited several organisations in the borough and remarked that last year's dual faith Civic Service had been a first for the borough.

4. Response by the Immediate Past Mayor

The retiring Mayor, Ankur Shiv Bhandari, in his response thanked officers and Members of the Council for their support during the last year. He thanked his family for their support during his Mayoral year, and former Leader, Paul Bettison for his leadership of the Council for the past two decades.

Ankur Shiv Bhandari was presented with the badge of Immediate Past Mayor by the Chief Executive.

5. Appointment of the Deputy Mayor of the Borough of Bracknell Forest

It was proposed by the Mayor and seconded by Councillor Temperton that Councillor Penfold be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2023– 2024.

There being no further nominations, it was

RESOLVED that Councillor Penfold be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2023 - 2024.

Councillor Penfold was invested with the Deputy Mayoral Chain of Office and then made and signed the Declaration of Acceptance of Office of Deputy Mayor.

6. Minutes of Previous Meeting

RESOLVED that the minutes of the Council meeting held on 19 April 2023 be approved as a correct record.

ADJOURNMENT

The Council meeting was adjourned for 10 minutes.

7. Mayor's Announcements

There were no Mayor's Announcements.

8. Election of the Leader of the Council

It was proposed by Councillor Neil, and seconded by Councillor Bailey, that Councillor Temperton be elected Leader of the Council for 2023 to 2024.

There being no further nominations it was

RESOLVED that Councillor Temperton be elected Leader of the Council for 2023 to 2024.

9. **Political Group Leaders' Introduction**

The Mayor invited all the Political Group Leaders to introduce themselves and their groups to Council.

Councillors Temperton (Labour group leader), Barnard (Conservative group leader), Mike Forster (Liberal Democrat group leader) and Haffegge (Green group co-leader) introduced their groups and highlighted some key areas of interest for their respective groups. All group leaders were looking forward to working with colleagues to provide the best service for residents.

10. **Appointments and Delegations by the Leader of the Council for the 2023/24 Municipal Year**

The Leader of the Council presented her report detailing the Members of the Executive and changes to Executive portfolios as below:

Councillor	Portfolio
Councillor Bailey	Children, Young People and Learning
Councillor Bidwell	Economic Development and Regeneration
Councillor Gillbe	Planning and Transport
Councillor Jefferies	Culture, Delivery and Public Protection
Councillor Neil	Finance and Business Change (Deputy Leader of the Council and Vice-chair of the Executive)
Councillor Purnell	Environment and Community Cohesion
Councillor Temperton	Council Strategy and Climate Change (Leader of the Council and Chair of the Executive)
Councillor Wright	Adult Services, Health and Housing

The Leader also presented the appointments to the Executive Committees and its Advisory Panels and to external organisations, as detailed in the agenda supplement.

11. **Establishment of Committees and Associated Matters**

On the proposition of Councillor Temperton, Leader of the Council, seconded by Councillor Neil, it was **RESOLVED** that Council agrees the following:

- (a) The establishment of ordinary committees, their size and allocation of seats, as set out in paragraph 5 of the report
- (b) The establishment of the Licensing and Safety Committee and the Overview and Scrutiny Commission, their size and allocation of seats as set out in paragraph 5 of the report

- (c) The membership of each committee, in accordance with political groups' wishes as set out in the revised Appendix A of Agenda Item 11
- (d) Appointments to external organisations as set out in the revised Appendix B of Agenda Item 11
- (e) To waive the application of s85(1) of the Local Government Act 1972 so that attendance at Council, the Executive and any of the meetings listed in Appendix A of agenda item 11 either remotely or in person, satisfies the requirements of the six-month rule for councillor attendance at meetings.

CHAIRMAN

To: Council
12 July 2023

Executive Report to Council The Leader

1 Purpose of Report

1.1 Since the Council agenda for the meeting on the 19 April 2023 was published, the Executive met on the 20 June 2023. This report summarises decisions taken by reference to the relevant portfolio within which they fall.

1.2 Updated Forward Plans for the Executive and other Council meetings are published every Friday and can be viewed online at www.bracknell-forest.gov.uk. Full details on the decisions taken by individual portfolio holders can also be accessed online through the Council's website.

2 Recommendation

2.1 Council is asked to consider the recommendation set out at paragraph 5.2.1.

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. The relevant reports that the Executive considered can be found [here](#).

4 Alternative Options Considered

4.1 Alternative options are discussed in the relevant individual reports considered by the Executive. The relevant reports that the Executive considered can be found [here](#).

5 Supporting Information

Culture, Delivery and Public Protection

5.1 [Part Refurbishment of Bracknell Leisure Centre](#)

5.1.1 The Executive agreed to support additional investment into Bracknell Leisure Centre through a combination of borrowing and the release of section 106 funding allocated to the provision of built sports and recreation that is outlined in Option 2 of the paper. This investment meets the invest to save threshold through an increased management fee payment to the Council and will significantly enhance the facility to the benefit of the local community.

5.1.2 **RECOMENDED that Council approves a Supplementary Capital Approval with the associated borrowing costs already accounted for within the Option 2 figures.**

- 5.1.3 Bracknell Leisure Centre is at the core of providing sporting and leisure opportunities for the Borough's residents and visitors and remains a strategic Council asset following the outsourcing of the day-to-day management of leisure facilities to Everyone Active (EA) in 2018. Investment into the service offer was critical if it is to remain relevant, up to date and attractive to existing and potential visitors. The opportunity to invest has been bought forward which would enhance the leisure offer while offering a positive financial return to the Council

Children, Young People & Learning

5.2 [SEND Strategy 2023-2025](#)

- 5.2.1 The Executive noted progress made on implementing the SEND written statement of action to improve services to children and families and the feedback received from the Department for Education and NHS England relating to the end of January 2023. It was also noted by the Executive that the Council had secured £1m through the Government's Delivering Better Value in SEND programme and in its bid to build a new specialist Autistic Spectrum Disorder (ASD) special school in the Borough, to improve further inclusive, local services for children and young people with SEND.
- 5.2.2 The Executive also approved the release of £350,000 from the Council's corporate contingency included in the 2023/24 budget to fund additional short term staffing capacity within the SEND team to ensure momentum is maintained to deliver the identified service improvements and the SEND Strategy 2023 – 2025, that had been developed through close working with professionals, parents, carers and young people to provide a clear direction for the service in the years ahead.
- 5.2.3 Ofsted and the Care Quality Commission (CQC) had inspected the local area's effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014. The inspection had raised significant concerns about the effectiveness of the area and as a result, Bracknell Forest partners – the council and the then clinical commissioning group (CCPG) were required to produce and submit a written statement of action (WSOA) to Ofsted that explains how it would tackle nine areas of significant weakness.
- 5.2.4 When the WSOA was produced it had been agreed that the Executive would be provided with quarterly updates on progress made towards implementation of the plan, following each of the DfE and NHS England reviews.
- 5.2.5 The Council's WSOA included an action to develop a refreshed strategy for SEND in Bracknell Forest. The strategy had been co-produced with a wide range of stakeholders including early years, school, and college leaders; professionals from education, health, SEND and care; as well as parents, carers, young people, and children.

Council Strategy and Climate Change

5.3 [Financial Hardship Action Plan Update](#)

- 5.3.1 The Executive endorsed the planned and accelerated initiatives to address the local cost of living challenges to be delivered within the next three months and committed to reviewing the existing Financial Hardship Action Plan with a report back to Executive in autumn ahead of Winter 2023.

5.3.2 There continues to be significant financial pressures facing many households in the borough, addressing this is a priority for the new lead administration. The recommendations would provide continued and enhanced support to those most in need with these actions focusing on where the council could help reduce the impact of financial hardship and encourage the financial resilience of residents.

5.4 Council Plan Overview Report

5.4.1 The Executive noted the performance of the council over the period from January - March 2023 as highlighted in the Overview Report.

5.4.2 At the end of the quarter, 98 actions (83%) were rated as “green” (68 complete, 30 in progress) and 17 actions (14%) were “amber” and 3 actions (3%) were “red”.

5.4.3 Progress against key performance indicators across the Council was also very positive with 29 (45%) “green”, 4 (6%) was “amber” and 10 (15%) were “red”. 21 (32%) further indicators had no set target or data is currently unavailable and 1 indicator had been removed as this data was not recorded as part of the Children’s Social Care scorecard.

Adult Services, Health and Housing

5.5 Strategic Procurement Plan Opladen Way Development

5.5.1 The Executive approved the Strategic Procurement Plan for the Opladen Way Development to tender the appointment of a main contractor under a traditional building contract to create up to seven new temporary homes. The Executive also agreed to delegate the award of the works contract to the Executive Member for Finance & Business Change in consultation with Executive Director Delivery.

5.5.2 In February 2023 the Executive approved the capital expenditure for the implementation of a temporary homes facility. This would be a council-led development to provide up to seven new temporary homes for homeless households and would include a mix of single person and family homes which would be provided at affordable rents.

5.5.3 The council had access to a small stock of temporary accommodation to meet the needs of homeless households however there was currently a lack of one-bedroom units within this stock for temporary placement of single homeless people and increasing pressure on the available 3-bedroom properties for larger households. It was anticipated that because of the ongoing cost of living crisis, homelessness demand and temporary accommodation demand would likely increase.

6 Advice Received from Statutory and Other Officers

Legal Advice

6.1 The Borough Solicitor’s comments have been addressed in the reports to the Executive.

Financial Advice

- 6.2 The Executive Director: Resources' comments have been addressed in the reports to the Executive.

Equalities Impact Assessment

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

Strategic Risk Management Issues

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

Climate Change Implications

- 6.5 The recommendations in Section 2 above are expected to have no impact on emissions of CO₂.

The reason the Council believes that this will have no impact on emissions is that the report is providing an update on decisions taken rather than proposing any action. The impact or not of each of the individual decisions was set out in the respective reports.

Health & Wellbeing Considerations

- 6.6 There are no considerations.

Background Papers

Executive Agenda – [20 June 2023](#)

Contact for further information

Hannah Harding, Delivery - 01344 352308
Hannah.harding@bracknell-forest.gov.uk

To: **COUNCIL**
12 JULY 2023

Part Refurbishment of Bracknell Leisure Centre
Executive Director of Delivery

1 Purpose of Report

- 1.1 To seek approval for invest to save funding as a supplementary capital approval to make significant improvements at Bracknell Leisure Centre (BLC).

2 Recommendations

That Council:

- 2.1 Supports additional investment in the Bracknell Leisure Centre that will secure significant enhancements to the facility to benefit residents and visitors, and to enable this;**
- 2.3 Recommends that Council approves a Supplementary Capital Approval of up to £0.358m with the associated borrowing costs already accounted for within the figures in the confidential annex.**

3 Reasons for Recommendation

- 3.1 BLC is at the core of providing sporting and leisure opportunities for the Borough's residents and visitors. It remains a strategic Council asset following the outsourcing of the day-to-day management of leisure facilities to Everyone Active (EA) in 2018. Investment into the service offer is critical if it is to remain relevant, up to date and attractive to existing and potential visitors. An opportunity to invest has been bought forward which will enhance the leisure offer while offering a positive financial return to the Council.

4 Alternative Options Considered

- 4.1 To not invest in the facility and for the service to remain as currently offered. This is likely to have a detrimental impact on customers of the current service and put off potential users. In a crowded market of leisure provision, the centre requires investment to remain competitive and to continue to offer a wide range of activities for residents and visitors.

5 Supporting Information

- 5.1 Bracknell Leisure Centre was built in 1966 and was completely refurbished in 1990. In 2018 at the start of the contractual relationship with Everyone Active a refurbishment of £2.8m was agreed by the Council. The changes in 2018 significantly enhanced the site in terms of appearance as well as offering a better environment for customers along with increased opportunities for participation. Additionally, these improvements provided an increased annual management fee for the Council.

- 5.2 A further opportunity for investment of £1.6m is now presented which will address many of the areas left untouched by the previous scheme. Again, these works will further enhance the services being offered at BLC to the public, to ensure the centre is able to compete with other local centres and allow increased access to leisure options within the Borough. With the proposed investment by the Council providing the capital funding required, there will be an increase in the management fee paid back to the Council as shown in the confidential annex. This meets the council's "invest to save" criteria which means not only will the proposals greatly increase the quality of offering at Bracknell Leisure Centre, but the Council will be in a beneficial revenue position once all capital costs have been accounted for.
- 5.3 As contractual payment for the management of the three Council leisure sites in the Borough the Council currently receives annual income from EA as a management fee. Prior to outsourcing the Leisure service was subsidised by the Council.
- 5.4 The Council's officers and Everyone Active have worked together to identify the proposed works that would improve the facilities and help generate additional usage and income. The works would include -
- Refurbished spa and redecoration
 - Children's play zone
 - Relocating squash courts with 2 new glass backed courts
 - Additional fitness studio
- 5.5 In terms of funding the enhancements a combination of s106 (already approved by the Executive) and supplementary capital (via this paper) covers the £1.6m required. The capital amount meets the Council's invest to save criteria.
- 5.6 This investment is in addition to the ongoing maintenance costs and capital schemes that have been approved by Council as part of the 2023/24 budget.
- 5.7 The investment project could commence as early as July 2023 with the aspiration to be completed around the end of the calendar year with potential opening in January 2024. Areas not impacted by the refurbishment would remain open although there may well be some local disruption due to the works, but this is hoped to be kept to a minimum.

6 Consultation and Other Considerations

Legal Advice

- 6.1 The proposed supplementary capital approval is a function reserved to Council

Financial Advice

- 6.2 The financial implications of the proposals are set out in detail in the confidential Appendix and are advantageous to the Council.

Other Consultation Responses

- 6.3 N/A

Equalities Impact Assessment

- 6.4 This change will have a positive impact on users of BLC which will allow an increased number of residents and visitors to use the centre. The refurbishment combined with the drive to increase the local offer and to focus the services to increase participation in the harder to reach groups will see significant progress.

Strategic Risk Management Issues

- 6.5 The works will be overseen by the Property team in order to minimise risk.

Climate Change Implications

- 6.6 The part refurbishment of BLC will improve energy efficiency in some areas of the centre through better lighting and air circulation. However, some parts of the centre date back to the 1960's and as such there are limited efficiency gains to be made in the existing structure.

Health & Wellbeing Considerations

- 6.7 There are positive gains in relation to health and wellbeing. Increasing the amount of leisure and exercise by adding new and upgrading existing facilities will allow more involvement and combined with the work on harder to reach groups this refurbishment should see an overall increase in participation.

Background Papers

Capital schemes that have been approved by Council as part of the 2023/24 budget at BLC:

BLC and Coral Reef Air Handling Units
New Pumps at BLC and Coral Reef

Contact for further information

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
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