



NOTICE OF MEETING

Council

Wednesday 11 July 2018, 7.30 pm

**Council Chamber - Time Square, Market Street, Bracknell,
RG12 1JD**

To: The Council

Councillor Finch (Mayor), Councillor Mrs McKenzie (Deputy Mayor),
Councillors Allen, Mrs Angell, Angell, Ashman, Dr Barnard, Bettison OBE, D Birch,
Mrs Birch, G Birch, Brossard, Brunel-Walker, Dudley, Finnie, Ms Gaw, Mrs Hamilton,
Harrison, Mrs Hayes MBE, Ms Hayes, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake,
McCracken, Mrs McCracken, Mrs McKenzie-Boyle, McLean, Mrs Mattick, Ms Merry, Peacey,
Phillips, Porter, Skinner, Mrs Temperton, Thompson, Tullett, Turrell, Virgo, Wade and
Worrall

TIMOTHY WHEADON
Chief Executive

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Published: 3 July 2018



Council

Wednesday 11 July 2018, 7.30 pm

**Council Chamber - Time Square, Market Street, Bracknell,
RG12 1JD**

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

AGENDA

Page No

The meeting will be opened with prayers by the Mayor's Chaplain

1. Apologies for Absence

2. Minutes of Previous Meetings

To approve as a correct record the minutes of the meetings of the Council held on 25 April and 23 May 2018.

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3. Declarations of Interest

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

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.

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.

4. Mayor's Announcements

Including attendance by:

- Reverend Jim Barlow, the Mayor's Chaplain, from Bracknell Team Ministry to introduce himself
- Mary Durman, Joint Chief Executive Officer Mencap to update members on the work being undertaken by the charity
- Councillor Love, Chairman of South East Employers to present the Council with an award for retaining Charter Plus standard for member development

5. Question submitted under Council Procedure Rule 9

In accordance with Council Procedure Rule 9 (Public Participation), a question was submitted to Councillor Turrell, Executive Member for Planning and Transport by Mrs C Doran, resident of Crowthorne with regard to strategic gap in the Draft Local Plan on behalf of CVAG (Crowthorne Village Action Group).

The following question will be asked at the meeting by CVAG's chairman, Mr A Holley:

We are interested to note that the Executive is to be asked to make a Key Decision on 17th July, when authority is sought to carry out consultation on new sites that have emerged through the recent consultation on the Borough Local Plan.

You will of course know that the Crowthorne Village Action Group made a series of representations on the Draft Local Plan in March this year. We are particularly concerned, as a community, that the Strategic Gap between Crowthorne and Bracknell is not mentioned in the Draft Plan, and that in its place there is proposed to be a development site for 570 houses (Policy LP4, land at The Hideout and Beaufort Park), which will effectively occupy what will remain of the Gap following the development of the TRRL site.

You will know that local people would like to see this gap clearly maintained, and that they have taken comfort from the fact that its importance was underlined in the Council's Core Strategy of 2008, when it says;

These predominantly undeveloped areas are often subject to development pressures which if left unrestrained could over time lead to the merging of settlements and the loss of individual identity. In order to protect their existing open and undeveloped character, it is important that gaps are identified to steer development away from those settlements where coalescence is a real threat.

This was reinforced in the Inspector's Report on the SDL in 2013, and more recently by the Council's landscape consultants in their recommendations, which form part of the evidence base for the Draft Local Plan.

Our question, therefore is in two parts. First: Do you share the significance of this Strategic Gap – as with the five other Strategic Gaps which remain listed in paragraph 11.2.12 of the Draft Local Plan - to the wider community of Bracknell Forest, and their quality of life? Second: would you share our optimism that among the new sites which have emerged and which will be discussed by Executive on 17th July, there will be one or more which can be substituted for the site at Policy LP4, enabling the Council to provide for housing needs whilst respecting the longstanding policy of maintaining a strategic gap between Crowthorne and Bracknell.

6. **Executive Report**

To receive the Leader's report on the work of the Executive since the Council meeting held on 25 April 2018.

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7. **Appointments to external organisations**

To clarify the current position regarding the appointment of Members to serve on the Royal Berkshire Fire Authority.

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8. **Standards Annual Report**

To note the activity within the Council's Standards framework from 1 April 2017 to 31 March 2018.

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9. **Question Submitted Under Council Procedure Rule 10**

By Councillor Mrs Temperton to Councillor Turrell, Executive Member for Planning and Transport:

At the Council meeting on 26 April 2017, I asked a question about responding to the consultation on the expansion to Heathrow Airport. The Council's response, signed by Councillor Turrell and Councillor Brunel-Walker, was submitted on 19 March 2018.

This stated that the Council generally supports the proposed expansion but with some conditions and many questions. A decision has now been made and residents are asking what is the position of the Council.

Will this submission be publicised so that all can see, as promised last April, that it represents the interests of all residents?

Has a response been received concerning the many questions and conditions?

COUNCIL
25 APRIL 2018
7.30 - 9.10 PM



Present:

The Mayor (Councillor Mrs Tina McKenzie-Boyle), Councillors Finch (Deputy Mayor), Allen, Mrs Angell, Angell, Dr Barnard, Bettison OBE, D Birch, Mrs Birch, G Birch, Brossard, Finnie, Ms Gaw, Mrs Hamilton, Harrison, Mrs Hayes MBE, Ms Hayes, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake, McCracken, Mrs McCracken, Mrs McKenzie, McLean, Mrs Mattick, Ms Merry, Peacey, Phillips, Porter, Skinner, Mrs Temperton, Thompson, Tullett, Turrell, Wade and Worrall

Apologies for absence were received from:

Councillors Brunel-Walker, Dudley, Ms Miller and Virgo

Minutes silence

The Mayor's Chaplain, Rev Martin, opened the proceedings with a prayer and lead the meeting in observing a minutes silence to recognise the sad passing of a previous Bracknell Forest Councillor, Miss Brenda Wilson.

54. Minutes of Previous Meeting

RESOLVED that the minutes of the Council meeting held on 28 February 2018 be approved, and signed by the Mayor as a correct record.

55. Declarations of Interest

There were no declarations of interest.

56. Mayor's Announcements

IESE Awards

Dr Langdon, Chairman of IESE, attended the meeting to congratulate the Council on its success in achieving the Gold Award in two categories: Council of the Year and Community Improvement Regeneration. He presented the glass awards to the Mayor and praised the Council for its recent achievements.

College Town Junior School Recycling Initiatives

Caroline Pragnell, Outdoor Learning Coordinator from College Town Junior School, attended the meeting to update members about the work the school had been doing to improve recycling activity in the school. The school had incorporated outdoor based learning which meant that the pupils were using all their senses to become enthused about the environment around them. There were a range of activities at the school including as Eco Rangers which focused on three key areas: environment, horticulture and Time Out. Community Days had supported the school through work with National Trust, Wildlife Trust and Waitrose. Responding to questions she

explained that food waste was a particular issue and the solutions being used on the site; the school has a green house to propagate seedlings and the pupils are also able to cook the food that they have grown.

Councillor Mrs Hayes, Executive Member for Environment, encouraged other schools to visit College town Junior School to see what could be achieved and thanked the staff team for all they had done.

The Mayor thanked Ms Pragnell for her presentation and for answering Members' questions.

Mayor's Charity Events

The Mayor was proud to announce that her Quiz night had raised £665 and the Sky Dive had raised £9,000K for the Fire Fighters Charity. She thanked the 19 people who had taken part. She was pleased to announce that the Golf Day was sold out and she thanked residents for their support including, John from Birch Hill, who had raised £495 in sponsorship to cut his hair.

Future events

The Mayor advised members that tickets were available for her end of year celebration being held at the Coppid Beech hotel on 11 May. The event would have a different format and she hope everyone would be able to join her to be entertained.

The Mayor concluded that she was looking forward to the Pride of Bracknell Awards which were taking place on Friday 27 April.

Executive Member for Culture, Communities and Public Protection

Councillor McCracken advised the meeting that the counter at the Look Out Café had been refurbished to create a more efficient experience for customers and he encouraged members to visit.

Councillor McCracken had attended with the Mayor the Library volunteer celebration which recognised the 100 volunteers who had joined the service and thanked them for their hard work.

He was pleased to announce that the 2018 Lexicon Half Marathon had sold out. He encouraged members to attend to support the runners who were starting and finishing in the Town Centre on 13 May.

He concluded by reporting that Coral Reef had seen 154k visitors between October 2017 and January 2018. A significant increase from the 112k that had visited in the same period in 2015/16.

Executive Member for Children, Young People and Learning

Councillor Dr Barnard was happy to state that the Governors Conference was a success with over 100 governors attending. The conference covered a range of topics - including a good presentation by Vic Goddard, headteacher of Passmores academy who urged attendees to remember they were educating the students they have, not had or would like to have.

Commuters' Champion

Councillor Harrison was pleased to announce that part of his annual report was now out of date. South Western Railway planned to half the number of stops from four to two at Martins Heron but ward councilors had encouraged residents to get involved in the consultation and the service was now going to be restored.

57. Deputation Submitted Under Council Procedure Rule 9

In accordance with Council Procedure Rule 9 (Public Participation), a deputation was submitted by Mr T Parker, resident of Great Hollands North with regard to street lighting on behalf of Bracknell Liberal Democrats and the residents of Wildridings and Easthampstead:

"The Council's changes to street lighting in residential areas, costing some £7m across the borough, including £405k in Wildridings and Great Hollands alone, have caused great concern regarding safety and security amongst residents due to inadequacies in the design of both the lampposts and the lights themselves. Therefore, I urge the Council to complete a review regarding the effectiveness of the installed lighting in residential areas of Wildridings and Easthampstead and either:

a. Remediate the lighting deficiencies; or

b. Inform residents in a published statement why they believe the lighting to be adequate".

Councillor Turrell responded to the deputation by thanking Mr Parker his submission welcoming feedback from our residents. He reported that in 2015, it was agreed to replace 13000 lanterns and 1000 columns over a three-year period by the Council's contractors, Ringway. Lighting was trialled in Owlsmoor prior to the main work starting and residents were written to in advance of work starting in their area. He stated that the advantages of changing to LED lighting was a reduced carbon footprint, reduced light-pollution and lights were no longer shining through bedroom windows. He added that there are significant cost savings through reduced energy use, more accurate timings for lights being on and that brightness of lights could be adjusted for certain timed periods. There were also significant savings associated with maintenance. The system is self-reporting, using digital systems, so engineers were able to locate and rectify faults quickly.

There were still a number of phases of the project to be carried out. He explained that lanterns were replaced on existing columns but the opportunity was being taken to replace concrete columns at the end of their life and aluminium columns which had not lasted as well as other types. He explained that once lanterns were changed the area was scouted to check that they were working and to pick up on other issues such as overhanging greenery and configuration. The new lighting is more directional, and was focussed on roads and pathways.

He added that in some areas, such as Wildridings, Great Hollands, Birch Hill and Hanworth, where streets were built on a courtyard pattern rather than the traditional layout, configuration had been identified as an issue, leading to some dark spots being created. These were being assessed to inform future work. Wall-mounted lamps were also being replaced with columns. He thanked Councillors for their proactive work helping to deal with concerns raised by residents, and initiating remedial work.

He stated that the website is the most accurate source of information about the project. When residents were reporting concerns he asked that they give specific

details. He thanked residents who had been in touch. Issues were being resolved quickly where possible or were being batched for later phases of the project which would be undertaken later in the year.

He concluded by confirming the Council's commitment to ensure that the scheme was right for the benefit of all residents.

58. Executive Report

The Leader of the Council, Councillor Bettison OBE, presented his report on the work of the Executive since that reported at the Council meeting on 28 February 2018. The Executive had met twice on 13 March and 10 April 2018.

The Council noted the Executive decisions detailed in the report. The Leader highlighted the following matters that had been considered:

- The Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPASPD) – Adoption. The review aimed to consolidate different policies into one document, update and increase SANG costs to remove S106 cross-subsidisation, introduce reduced rates for affordable housing and new SANG capacity with additional income. The public consultation on draft had taken place during January/February and 63 consultation responses were received which resulted in a number of changes.
- The Capital programme for integrated transport 2018/19 had been approved. The programme supports priorities in Local Transport Plan and further Government funding of £3.29m had been secured for the conversion of Downshire Way to a dual carriageway.
- The Highway Maintenance Works Programme 2018/19 was agreed.
- The Executive agreed that Easthampstead Park Conference Centre (EPCC) be sold to a high quality hotel and conference centre operator. EPCC transferred to Bracknell Forest Council in 1998 and had a history of variety of uses, poor maintenance and limited public access. Although some improvements were made by Bracknell Forest Council the annual losses of around £250k plus £4m backlog of maintenance work made its future unviable. Christie and Co were engaged to test market for hotel/conference centre operator to purchase the facility and four initial bids were received with three best and final offers. Key conditions of the sale would be that all existing booking would be honoured, staff would be transferred under TUPE and there would be no housing. There would be protection in the Draft Local Plan until at least 2034.
- The Council Plan Overview Report (CPOR) noted that the Lexicon now had >8m visitors, there had been an 18% increase in bus usage, 32% reduction in reported shoplifting and 27% reduction in criminal damage.
- The CPOR also reflected that there had been a number of recruitment & retention challenges with staff in demand following the success of the Lexicon and Ofsted and CQC, inspections. Korn Ferry & Penna were providing support to develop a response.

- The Housing Strategy 2018-2036 had been agreed. Its key priorities were supporting the vibrant housing market, increasing % of affordable housing, providing the right homes for vulnerable people, contributing to sustainable communities and using Downshire Homes Ltd to reduce Council costs by providing housing to vulnerable people.

In relation to Easthampstead Park Conference Centre the Leader agreed with Councillor Mrs Temperton's concerns that the building should be restored sympathetically and maintained. He stated that measures were being put in place to prevent the property being sold on quickly or 'flipped' but added that as the sale was subject to contract he was unable to give details publically but he was happy to meet with Councillor Mrs Temperton to discuss this further.

Following the damage caused by the snow and icy conditions Councillor Mrs Temperton queried whether there was a systematic survey of the Council's roads or whether the Council relied upon residents and Ward Councillors to report issues. Councillor Turrell replied on the Leader's behalf that it was a mixture of the two approaches with regular inspections taking place supplemented by assessment of reported pot holes. The Leader encouraged residents to report pot holes and Councillor Heydon added that the most effective way to do this was through residents' online accounts so that they could track the progress of the repair.

59. **Overview and Scrutiny Annual Report 2017/18**

The Council considered the Annual Report of Overview and Scrutiny which informed Members of progress made in respect of the operation and development of Overview and Scrutiny in Bracknell Forest during 2017/18.

Councillor Leake thanked the members of the Overview and Scrutiny Commission as well as the Panels for the work they have done. He reflected that in 2017/18 their work was focused on the Transformation programme and enhancing services for residents. He added that the programme required the Council to make changes that were risky and Overview and Scrutiny recognised these risks and were monitoring progress carefully. The officer team would be complete at the start of May.

He concluded that the Commission had decided to restructure its Panels and combine the Adult Social Care & Housing Panel with the Health Overview and Scrutiny Panel in order to develop a composite view across both areas.

On the proposition of Councillor Leake, Chairman of Overview and Scrutiny Commission, seconded by Councillor Angell, it was

RESOLVED that:

- i) the 2017/18 Annual Report of the Overview and Scrutiny Commission be adopted;
- ii) the Constitution be amended to reflect the changes referred to in paragraph 5.4 as set out in Appendix A of the report; and
- iii) the commitment, role and value of the Overview and Scrutiny function be acknowledged and that non-executive Members continue to be supported in their role.

60. Member Development Annual Report 2017/18

The Council considered the Member Development Annual Report which appraised all Members of the Member Development activities and their outcomes during 2017-18 and sought approval of the updated Member Development Strategy 2016-2020. Councillor Allen, Chairman of the Member Development Charter Steering Group was pleased to announce that the Council had achieved reaccreditation of Charter Plus status for Member Development. He thanked all the members and partner organisations involved in the assessment day as well as the officer team for delivering the member development programme.

On the proposition of Councillor Allen, Chairman of the Member Development Charter Steering Group, seconded by Councillor McCracken, it was

RESOLVED that:

- i) the Member Development Strategy 2016 – 2020 be approved; and
- ii) the Member Development Annual Report 2017 - 18 be noted.

61. Champions' Annual Report 2017/18

The Council considered the Annual Report which appraised Members of the work undertaken by the Council's four Champions during the year 2017-18. The report informed Members of activities and their outcomes.

On the proposition of Councillor Finnie, Voluntary Sector Champion seconded by Councillor Thompson it was

RESOLVED that the Champions' Annual Report 2017/18 be noted.

62. Question Submitted Under Council Procedure Rule 10

Councillor Mrs Temperton asked Councillor D Birch, Executive Member for Adult Social Care, Health and Housing the following published question:

The Homelessness Reduction Act extends existing homelessness protection to anyone who is homeless or at risk of being homeless irrespective of their priority need; including single homeless people and childless couples.

Extending the period of threat of homelessness from 28 days to 56 days will enable the Council more time to do preventative work, but after this time, the eligible applicant will be owed a duty to be housed. This accommodation must also be available for at least 6 months.

What temporary accommodation is available to meet any such increase in homelessness duty and what subsequent extra permanent housing is being secured?

In response Councillor D Birch stated that the Council had prevent homelessness for 80% of all households threatened with becoming homeless. The Homelessness Reduction Act would increase the number of households the Council would work with, work with them for longer and increase their prospects of not becoming homeless. He stated that the combined welfare and housing services within Bracknell Forest was unique. All caseworkers had undertaken motivational training to discuss with applicants what they could achieve of their own goals to stay at home. He reported the range of support in place such as technology to help families with their

finances, the range of temporary emergency housing and that accommodation was across the borough to reduce disruption to schooling. He concluded that the success of Downshire Homes Ltd, of which he was a Board member, in purchasing properties across the borough helped to keep the pressure down but developers needed to continue to develop the houses that had been approved.

In response to a supplementary question from Councillor Mrs Temperton that given the current pressure whether the Council would be able to respond to increasing number and accommodate them in bed and breakfast or need private landlords. Councillor D Birch clarified that the performance measure referred to related to number of nights spent in bed and breakfast rather than individuals or families. He stated that the number of individuals or families being accommodated in Bed and Breakfast had peaked at 15 in September 2017 but this reduced to 10 in October and in the first three months of the year had been at 6 in January, 9 in February and 6 in March.

63. Farewell to Easthampstead House

The Leader of the Council, Councillor Bettison OBE, addressed the meeting to mark the occasion as the last ever Council meeting in Easthampstead House. The project to consolidate into Time Square was nearing completion as the last team moved out of Easthampstead House. He looked forward to hearing people's comments about the new council chamber which had been designed within Time Square with a new layout including a public area along one side of the Chamber.

MAYOR

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**EXTRAORDINARY COUNCIL
23 MAY 2018
6.30 - 6.40 PM**



Present:

The Mayor (Councillor Mrs Tina McKenzie-Boyle), Councillors Finch (Deputy Mayor), Allen, Mrs Angell, Angell, Dr Barnard, Bettison OBE, D Birch, Mrs Birch, Dudley, Ms Gaw, Mrs Hamilton, Harrison, Mrs Hayes MBE, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake, McCracken, Mrs McCracken, Mrs McKenzie, McLean, Mrs Mattick, Ms Merry, Peacey, Phillips, Porter, Mrs Temperton, Thompson, Tullett, Turrell, Virgo, Wade and Worrall

Apologies for absence were received from:

Councillors G Birch, Brossard, Brunel-Walker, Finnie, Ms Hayes, Ms Ashman and Skinner

64. Declarations of Interest

There were no declarations of interest.

65. Establishment of five appointment committees and amendment to annual pay policy statement

The Council considered the report which sought to establish five Committees to undertake appointments to the senior leadership structure that was agreed by the Executive on 8 May 2018. The Leader advised the meeting that he had requested further information from the consultants relating to the update the Council's pay policy before this was considered.

On the proposition of Councillor Bettison OBE, Leader of the Council, and seconded by Councillor D Birch it was

RESOLVED that

- i) five Committees of the Council, each of five members (4:1), (plus up to five substitute members) be appointed, with the following terms of reference:

“To interview and appoint on behalf of the Council to the posts of:

- Executive Director (Designate): People;
- Executive Director: Enabling & Resources;
- Director: Place, Planning & Regeneration;
- Director: Organisational Development, Transformation & HR;
- Assistant Director: Contract Services”; and

- ii) the nominated and substitute Members are confirmed as set out below:

Appointment Committee - Executive Director (Designate): People	
Conservative (4) Dr Barnard Cllr D Birch Harrison McLean	Labour (1) Mrs Temperton
Substitutes Brossard Peacey Any member of the Executive	

Appointment Committee - Executive Director: Enabling and Resources	
Conservative (4) McCracken Mrs McKenzie-Boyle McLean Peacey	Labour (1) Mrs Temperton
Substitutes Mrs Mattick Tullett Any member of the Executive	

Appointment Committee - Director: Place, Planning and Regeneration	
Conservative (4) Brunel-Walker McLean Thompson Turrell	Labour (1) Mrs Temperton
Substitutes Dudley Peacey Any member of the Executive	

Appointment Committee – Director: Organisational Development, Transformation & HR	
Conservative (4) Heydon McLean Mrs McKenzie-Boyle Virgo	Labour (1) Mrs Temperton
Substitutes Angell Thompson Any member of the Executive	

Appointment Committee – Assistant Director, Contract Services	
Conservative (4) Mrs Hayes MBE McCracken McLean Virgo	Labour (1) Mrs Temperton
Substitutes Peacey Tullett Any member of the Executive	

66. **Establishment of an Appointment Committee - Senior posts in new People Directorate**

The Council considered the report which sought to appoint the membership of the Appointment Committee for the posts of Assistant Director: Early Help and Communities and Assistant Director: Adult Social Care (Operations).

On the proposition of Councillor Bettison OBE, Leader of the Council, and seconded by Councillor D Birch it was

RESOLVED that

- i) a Committee of the Council of five members (4:1), including at least one Member of the Executive (plus up to five substitute members per group) be appointed, with the following terms of reference:

 “To interview and appoint on behalf of the Council to the post of Assistant Director: Early Help and Communities and Assistant Director: Adult Social Care (Operations)”;
- ii) Councillors D Birch, Dr Barnard, McLean and Harrison be confirmed as the nominated members; and

- iii) Councillors Brossard and Peacey plus any member of the Executive be confirmed as substitute members.

67. Invest to Save Opportunity at Bracknell Leisure Centre

The Council considered the report which sought approval for invest to save funding and S106 monies to make significant improvements at Bracknell Leisure Centre.

On the proposition of Councillor McCracken, Executive Member for Culture, Resources and Public Protection, and seconded by Councillor Heydon it was

RESOLVED that

- i) release of invest to save capital funding of £2,488,082 be agreed, in order to make significant improvements at Bracknell Leisure Centre;
- ii) release of section 106 funding of £291,000 be allocated to the provision of built sports and recreation to contribute to improvements at Bracknell Leisure Centre as detailed in paragraph 5.8 - 5.11 of the agenda report; and
- iii) the Platinum membership, which currently includes the cost of court bookings at Bracknell Leisure Centre, be altered to include access to gym, swimming, exercise classes and the sauna only.

MAYOR

**ANNUAL COUNCIL
23 MAY 2018
7.30 - 8.38 PM**



Present:

The Mayor (Councillor Alvin Finch), Councillors Mrs McKenzie (Deputy Mayor), Allen, Mrs Angell, Angell, Dr Barnard, Bettison OBE, D Birch, Mrs Birch, G Birch, Brossard, Brunel-Walker, Dudley, Ms Gaw, Mrs Hamilton, Harrison, Mrs Hayes MBE, Ms Hayes, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake, McCracken, Mrs McCracken, Mrs McKenzie-Boyle, McLean, Mrs Mattick, Ms Merry, Peacey, Phillips, Porter, Mrs Temperton, Thompson, Tullett, Turrell, Virgo, Wade and Worrall

Apologies for absence were received from:

Councillors Ms Ashman, Finnie and Skinner

THE MAYOR, COUNCILLOR MRS MCKENZIE-BOYLE, IN THE CHAIR

The Mayor's Chaplains, Rev Roy and Rev Martin, opened the proceedings with a prayer and reflected on the Mayor's year highlighting memorable events such as the College Town Junior School recycling initiative, the post Grenfell Tower talk given by the Chief Fire Officer and the charity fundraising event.

The Mayor was pleased to present a cheque for £51,556 to her nominated charity for the year, the Fire Fighters Charity. Trevor Ferguson, Chief Fire Officer from Royal Berkshire Fire and Rescue Service and Kerry James from the Fire Fighters Charity attended the meeting to accept the donation. Trevor Ferguson thanked everyone for supporting the Mayor's charity and reflected that when residents needed help they called the Fire Service but when the Fire Service needed help they called the Fire Fighter's Charity. The Mayor invited Sally Cathcart-Cunnison, Mayoral Support Officer, to join them and thanked her for her hard work behind the scenes.

The Mayor took the opportunity to thank them all for their support throughout the year and gave them framed certificates as mementos.

1. Declarations of Interest

There were no declarations of interest.

2. Election of the Mayor of the Borough of Bracknell Forest for the 2018/19 Municipal Year

It was proposed by Councillor Bettison OBE, and seconded by Councillor D Birch, that Councillor Finch be elected Mayor of the Borough of Bracknell Forest for the Municipal Year 2018 – 2019.

There being no further nominations it was

RESOLVED that Councillor Finch be elected Mayor of the Borough of Bracknell Forest for the 2018 - 2019 Municipal Year.

Councillor Finch 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 his election.

THE MAYOR, COUNCILLOR FINCH, IN THE CHAIR

In his acceptance speech Councillor Finch thanked colleagues for supporting his appointment and announced that his wife Diane Finch would be his consort for the year and they were looking forward to representing and serving the Borough of Bracknell Forest.

3. Vote of Thanks to the Retiring Mayor

Councillor Bettison OBE delivered a vote of thanks to the retiring Mayor, Councillor Mrs McKenzie-Boyle.

4. Response by the Immediate Past Mayor

The retiring Mayor, Councillor Mrs McKenzie-Boyle, in her response thanked officers and Members of the Council for their support during the last year. She reflected that it had been a privilege to be part of the opening of the Lexicon, Marks and Spencer and Coral Reef as well as events such as a 100th birthday celebration and the opening of the Birch Hill climbing frame as each event was important. A highlight had been the Mayor's Business Forum on Apprentices which had been such a success. She thanked her consort, Bruce McKenzie-Boyle, for all his support acting amongst other things as photographer, driver, Facebook administrator and advisor. She concluded that it had been a wonderful year with Bracknell truly being a borough of opportunity.

Councillor Mrs McKenzie-Boyle was presented with the badge of Immediate Past Mayor by the Chief Executive together with a gift on behalf of the Council.

5. Appointment of the Deputy Mayor of the Borough of Bracknell Forest for the 2018/19 Municipal Year

It was proposed by the Mayor and seconded by Councillor Bettison OBE that Councillor Mrs McKenzie be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2018 – 2019.

There being no further nominations, it was

RESOLVED that Councillor Mrs McKenzie be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2018 - 2019.

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

The Deputy Mayor announced that her husband, Roy McKenzie, would be her Consort for her term of office. The Deputy Mayor thanked the Council for her appointment and said she was looking forward to supporting the Mayor to represent the Council across the borough.

ADJOURNMENT

The Council meeting was adjourned for 10 minutes to allow for photographs to be taken.

6. **Mayor's Announcements**

The Mayor announced that his chosen charity for the year would be Mencap and that his Chaplain would come from the Bracknell Team Ministry but was yet to be appointed. He also announced that he would be asking his Mayor's Poet to record the year's events through poetry but that she would be properly introduced at a future meeting.

Opening of new Council Chamber and celebrating the Council's first 20 years as a unitary authority

Councillor Bettison OBE, Leader of the Council, asked the meeting to join him in celebrating both the first meeting in the new Council Chamber and that it was twenty years since the Council became a Unitary Authority. He reported that the Council continued to be held up as an exemplar local authority winning awards, achieving successful inspections and acting as a mentor to other Councils. He shared with the meeting images of the original tree planting in 1998 in each town and parish area as well as the town centre. Trees had been planted across the borough and local members would be invited to formal planting events to mark the occasion. He believed that they were the first Council in the country to have an asymmetrical Council Chamber design which ensured that the public were able to see proceedings and that the new design brought the forest into the room. The Leader congratulated the project team for the innovative use of space within the building which had created an enhanced suite of meeting rooms.

The Mayor unveiled a plaque commemorating the opening of the new Council Chamber and celebrating the Council's first 20 years serving Bracknell Forest residents as a unitary authority.

Move to Time Square

Councillor McCracken, Executive Member for Culture, Resources and Public Protection thanked the project team for their hard work moving offices from Easthampstead House to Time Square. He highlighted in particular Kamay Toor, Head of Strategic Asset Management; Matt Howlett, Transport & Support Services Manager and Claire Garton, Transformation Project Manager. He also thanked members of the Civic Accommodation Working Group for their input, time and effort supporting the project.

Larchwood Shortbreak Unit

Councillor Dr Barnard, Executive Member for Children, Young People and Learning, was pleased to report that Larchwood had achieved an outstanding Ofsted rating and he congratulated the whole team. He quoted the assessment which observed 'highly effective services which consistently exceeded good'.

Foster Carers Fortnight

Councillor Dr Barnard, Executive Member for Children, Young People and Learning, advised the meeting that the craze of stone painting had successfully promoted foster caring in Bracknell Forest via 300 painted rocks hidden around the Look Out.

Congratulations to Councillor Ms Ashman (née Miller)

The Mayor congratulated Councillor Ms Ashman on the birth of her daughter, Sofia, on 7 May 2018 and looked forward to congratulating her in person when she returned to the Chamber.

7. Appointments by the Leader of the Council

Members of the Executive

The Leader of the Council announced that he had appointed the following Members to the Executive for the 2018/2019 Municipal Year:

Councillor Dr Barnard	Executive Member for Children, Young People and Learning (Vice Chairman of the Executive)
Councillor Bettison	Executive Member for Council Strategy and Community Cohesion (Leader of the Council and Chairman of the Executive)
Councillor Birch	Executive Member for Adult Services, Health and Housing (Deputy Leader of the Council)
Councillor Brunel-Walker	Executive Member for Economic Development and Regeneration
Councillor Mrs Hayes	Executive Member for the Environment
Councillor Heydon	Executive Member for Transformation and Finance
Councillor McCracken	Executive Member for Culture, Resources and Public Protection
Councillor Turrell	Executive Member for Planning and Transport

Appointments to Executive Committees, Sub Groups and Advisory Panels

The Leader of the Council announced that he had made appointments to Committees of the Executive and its Advisory Panels (Annex A to these minutes).

Appointment of Members to External Organisations

The Leader of the Council announced that he had made appointments to external organisations, whose functions solely related to the Executive (Annex B to these minutes).

8. Establishment of Committees and Associated Matters

The Council considered the report to establish Committees and their membership, agree appointments to External Organisations and the appointment of Council Champions. It was noted that there were two changes in the External Organisation 2018/19: the representative for the Federation of Burial Cremation Authorities should read Councillor Mrs Mattick and the Heathrow Airport Consultative Committee was now known as Heathrow Community Engagement Board.

On the proposition of Councillor Bettison OBE, Leader of the Council, seconded by Councillor Birch, it was:

RESOLVED that:

- i) ordinary committees are established and their size and allocation of seats agreed as a local variation to the proportionality rules, as set out in paragraph 6 of the agenda report;
- ii) the Licensing and Safety Committee and the Overview and Scrutiny Commission are established, their size and allocation of seats be agreed as a local variation to the proportionality rules, as set out in paragraph 6 of the agenda report;
- iii) the membership of each committee be agreed, in accordance with Members' wishes (as set out in Annex A to these minutes);
- iv) appointments to external organisations be agreed (as set out in Annex B to these minutes); and
- v) the appointment of Council Champions, in accordance with Part 1 Section 7 of the Constitution be agreed.

Annex A and B

MAYOR

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Membership of the Executive, Overview & Scrutiny, Regulatory Committees and Other Committees 2018/19

Mayor: Councillor Finch

Deputy Mayor: Councillor Mrs McKenzie

Leader of the Council: Councillor Bettison OBE

Deputy Leader of the Council: Councillor D Birch

Key: Committee appointed by	
	Council
	the Leader
	Overview & Scrutiny Commission
	relevant Committee

Executive Members

Councillor Dr Barnard	Executive Member for Children, Young People and Learning (Vice-Chairman elect of the Executive)
Councillor Bettison OBE	Executive Member for Council Strategy and Community Cohesion (Leader of the Council and Chairman elect of the Executive)
Councillor D Birch	Executive Member for Adult Services, Health and Housing (Deputy Leader of the Council)
Councillor Brunel-Walker	Executive Member for Economic Development and Regeneration
Councillor Mrs Hayes MBE	Executive Member for the Environment
Councillor Heydon	Executive Member for Transformation and Finance
Councillor McCracken	Executive Member for Culture, Resources and Public Protection
Councillor Turrell	Executive Member for Planning and Transport

Council Champions

Business Champion	Councillor Wade
Commuters' Champion	Councillor Harrison
Older People's Champion	Councillor Thompson
Voluntary Sector Champion	Councillor Finnie

Champion	Vacancy
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Overview and Scrutiny

<p>Overview & Scrutiny Commission (13 Councillors)</p> <p>Conservative (12) Allen Angell (Vice-Chairman elect) Mrs Angell Mrs Birch Brossard Finnie Harrison Leake (Chairman elect) Mrs McCracken Peacey Porter Tullett Virgo</p> <p>Labour (1) Mrs Temperton</p> <p>Church Representatives (2) Vacancy (voting) Vacancy (voting)</p> <p>Parent Governor Representatives (2) Ms L Wellsteed (voting) Vacancy (voting)</p> <p>Substitute Members</p> <p>Conservative (5) Dudley Mrs Mattick Thompson Worrall Vacancy</p>	<p>Adult Social Care, Health & Housing Overview & Scrutiny Panel (12 Councillors)</p> <p>Conservative (11) Allen Mrs Angell Harrison (Chairman elect) Dr Hill Mrs Mattick Mrs McCracken (Vice-Chairman elect) Ms Merry Peacey Thompson Tullett Virgo</p> <p>Labour (1) Mrs Temperton</p> <p>Co-opted Representative (1) Dr Norman (non voting)</p> <p>Local Healthwatch Bracknell Forest Observer (1) Mark Sanders (non voting)</p> <p>Substitute Members</p> <p>Conservative (5) G Birch Finnie</p>
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<p>Children, Young People & Learning Overview & Scrutiny Panel (9 Councillors)</p> <p>Conservative (8) Mrs Birch (Chairman elect) Brossard (Vice-Chairman elect) Ms Gaw Mrs Hamilton Ms Hayes Mrs McCracken Skinner Virgo</p> <p>Labour (1) Mrs Temperton</p> <p>Church Representatives (2) Vacancy (voting) Vacancy (voting)</p> <p>Parent Governor Representative (2) Ms L Wellsteed (voting) Vacancy (voting)</p> <p>Teacher Representative (1) Ms D Owen (non-voting)</p> <p>Social Care Representatives (1) Miss C Barrett (non voting)</p> <p>Substitute Members</p> <p>Conservative (5) Allen Mrs Ingham Ms Merry Peacey Porter</p>	<p>Environment, Culture & Communities Overview & Scrutiny Panel (9 Councillors)</p> <p>Conservative (9) Angell (Chairman elect) Mrs Angell Brossard Finnie Mrs Ingham Mrs Mattick Mrs McKenzie Mrs McKenzie-Boyle Porter (Vice-Chairman elect)</p> <p>Substitute Members</p> <p>Conservative (5) Ms Ashman Dudley Kennedy Leake Virgo</p>
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Regulatory Committees

<p>Appeals Committee (5 Councillors)</p> <p>Conservative (5) Brossard Finnie (Chairman elect) Ms Gaw Thompson (Vice-Chairman elect) Wade</p> <p>Substitute Members Conservative (5) Dr Barnard Dr Hill Leake Peacey Tullett</p>	<p>Code of Conduct Panel – Sub Committee of Governance & Audit Committee (3 Councillors)</p> <p>Any three councillors drawn from the membership of the Governance & Audit Committee based on availability, plus one co-opted independent member or parish/town council representative drawn from a pool based on availability.</p> <p>Independent Co-opted Members (for complaints concerning Borough councillors) David St John Jones in his capacity as the independent Co-opted Member of Governance & Audit Committee, Heather Quillish Khan Juna</p> <p>Parish/Town Council Representatives (for complaints concerning Parish / Town Councillors) Cllr Bob Shurville – Winkfield Parish Council Cllr Bruce McKenzie-Boyle – Crowthorne Parish Council</p> <p>Independent Persons Dr Louis Lee Vacancy (reserve)</p>		
<p>Education Employment Sub Committee of Employment Committee (6 Councillors)</p> <p>Conservative (6) Allen (Chairman elect) Mrs Angell (Vice-Chairman elect) Mrs Birch Leake Virgo Worrall</p> <p>Non-voting Members of the Teachers Associations: David Allais (UNISON) Graham Jackson (NASUWT) Tom Wheaton (NUT) Asia Allison (GMB)</p> <p>Substitute Members Conservative (5) Angell Brossard Dudley Mrs Hamilton Vacancy</p>	<p>Employment Committee (9 Councillors)</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>Conservative (8) Allen (Vice-Chairman elect) Angell Ms Ashman Mrs Birch Heydon (non-voting) Leake McLean (Chairman elect) Virgo Worrall</p> </td><td style="vertical-align: top;"> <p>Labour (1) Mrs Temperton</p> </td></tr> </table> <p>Substitute Members Conservative (5) Brossard Dudley Mrs Hamilton Dr Hill Peacey</p>	<p>Conservative (8) Allen (Vice-Chairman elect) Angell Ms Ashman Mrs Birch Heydon (non-voting) Leake McLean (Chairman elect) Virgo Worrall</p>	<p>Labour (1) Mrs Temperton</p>
<p>Conservative (8) Allen (Vice-Chairman elect) Angell Ms Ashman Mrs Birch Heydon (non-voting) Leake McLean (Chairman elect) Virgo Worrall</p>	<p>Labour (1) Mrs Temperton</p>		

<p>Governance & Audit Committee (8 Councillors)</p> <p>Conservative (7) Allen (Chairman elect) Ms Ashman Heydon Leake McLean Thompson (Vice-Chairman elect) Worrall</p> <p>Labour (1) Mrs Temperton</p> <p>Independent Member Mr D St. John Jones</p> <p>Substitute Members Conservative (5) Mrs Hayes MBE Dr Hill McCracken Mrs McKenzie-Boyle Peacey</p>	<p>Licensing and Safety Committee (15 Councillors)</p> <p>Conservative (15) Allen (Chairman elect) Mrs Angell Ms Ashman Dr Barnard G Birch Brossard Brunel-Walker Finch Finnie Ms Gaw Leake Mrs McKenzie Porter Thompson (Vice-Chairman elect) Tullett</p>
<p>Licensing Panel – Sub Committee of Licensing and Safety Committee (3 Councillors)</p> <p>Any three councillors drawn, as required, from the Membership of the Licensing and Safety Committee.</p> <p>Chairs of Panels: Any Councillor who has completed Chairman elect training drawn, as required, from the Membership of the Licensing and Safety Committee.</p>	<p>Personnel Appeals Panel – Sub Committee of Employment Committee (4 Councillors)</p> <p>Any four of the Employment Committee who are available on the day.</p> <p>Planning Committee (19 Councillors)</p> <p>Conservative (18) Angell Mrs Angell Brossard (Vice-Chairman elect) D Birch Dudley (Chairman elect) Finnie Mrs Hayes MBE Heydon Dr Hill Mrs Ingham Leake Mrs Mattick Mrs McKenzie Mrs McKenzie-Boyle Phillips Skinner Thompson Worrall</p>

Other Committees

<p>Bracknell Forest Access Group (4 Councillors)</p> <p>Conservative (4) Mrs Angell Brossard Finnie (Vice-Chairman elect) Thompson (Chairman elect)</p> <p>Substitute Members (5) Harrison Mrs Ingham Leake Peacey Tullett</p>	<p>Bracknell Town Centre Regeneration Committee (5 Executive Members)</p> <p>Dr Barnard Bettison OBE Brunel-Walker McCracken Turrell</p> <p>Co-optee (Non voting) Mrs Temperton</p> <p>Substitute Members Any member of the Executive who, in the absence of an appointed Member, is nominated by that Member to serve on the Panel.</p>				
<p>Code of Conduct Working Group (6 Councillors)</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>Conservative (5) Allen Angell D Birch McCracken (Chairman elect) Thompson David St. John Jones, Independent member on Governance & Audit Committee</p> </td><td style="vertical-align: top;"> <p>Labour (1) Mrs Temperton</p> </td></tr> </table>	<p>Conservative (5) Allen Angell D Birch McCracken (Chairman elect) Thompson David St. John Jones, Independent member on Governance & Audit Committee</p>	<p>Labour (1) Mrs Temperton</p>	<p>Corporate Parenting Advisory Panel (6 Councillors)</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>Conservative (5) Mrs Birch Ms Hayes Mrs McCracken (Chairman-elect) Mrs Ingham (Vice- Chairman elect) Peacey</p> <p>Substitute Members Conservative (5) Brossard Dudley Finch Leake Ms Gaw</p> <p>Co-Optees Doug Jennings – Bracknell Forest Foster Carers Association Vacancy</p> </td><td style="vertical-align: top;"> <p>Labour (1) Mrs Temperton</p> </td></tr> </table>	<p>Conservative (5) Mrs Birch Ms Hayes Mrs McCracken (Chairman-elect) Mrs Ingham (Vice- Chairman elect) Peacey</p> <p>Substitute Members Conservative (5) Brossard Dudley Finch Leake Ms Gaw</p> <p>Co-Optees Doug Jennings – Bracknell Forest Foster Carers Association Vacancy</p>	<p>Labour (1) Mrs Temperton</p>
<p>Conservative (5) Allen Angell D Birch McCracken (Chairman elect) Thompson David St. John Jones, Independent member on Governance & Audit Committee</p>	<p>Labour (1) Mrs Temperton</p>				
<p>Conservative (5) Mrs Birch Ms Hayes Mrs McCracken (Chairman-elect) Mrs Ingham (Vice- Chairman elect) Peacey</p> <p>Substitute Members Conservative (5) Brossard Dudley Finch Leake Ms Gaw</p> <p>Co-Optees Doug Jennings – Bracknell Forest Foster Carers Association Vacancy</p>	<p>Labour (1) Mrs Temperton</p>				
<p>Democratic / Civic Accommodation Working Group (7 Councillors)</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>Conservative (6) Allen Leake McCracken (Chairman elect) Mrs McKenzie-Boyle Mrs McCracken Turrell</p> </td><td style="vertical-align: top;"> <p>Labour (1) Mrs Temperton</p> </td></tr> </table>	<p>Conservative (6) Allen Leake McCracken (Chairman elect) Mrs McKenzie-Boyle Mrs McCracken Turrell</p>	<p>Labour (1) Mrs Temperton</p>			
<p>Conservative (6) Allen Leake McCracken (Chairman elect) Mrs McKenzie-Boyle Mrs McCracken Turrell</p>	<p>Labour (1) Mrs Temperton</p>				

Education Review Group (3 Councillors) Conservative (2) Executive Member for Children, Young People and Learning Children, Young People and Learning Overview and Scrutiny Panel Chairman elect Bracknell Forest Council Director of Children, Young People & Learning or their representative School improvement Independent Chair Mr P Roffe		Labour (1) Mrs Temperton Headteacher Representative Ms T Donkin (Holly Spring Junior School) Chair of Governors Representative Ms J Edwards (Sandhurst School) Ms J Sumner (Winkfield St Mary's CE Primary School) Parent Governor Representative Mr D Mustoe
Electoral Review Steering Group (4 Councillors) Conservative (3) D Birch Leake Turrell Substitute Members Conservative (5) Allen Brossard McLean Ms Merry Thompson	Labour (1) Mrs Temperton	Executive Committee: Commercial Property (4 Executive Members) Councillors Bettison OBE D Birch Brunel Walker Heydon Substitute Members Any Member of the Executive who, in the absence of an appointed Member, is nominated by that Member to serve on the Committee.
Health and Wellbeing Board (2 Councillors) Conservative (2) Executive Member for Adult Services, Health & Housing Executive Member for Children & Young People Berkshire Care Association Fidelma Tinneney Bracknell & Ascot Clinical Commissioning Group Dr William Tong Vacancy Berkshire Healthcare NHS Foundation Trust Alix Gild Bracknell Forest Council Chairman elect of Local Safeguarding Children's Board Chairman elect of Joint Safeguarding Adult Partnership Board Chief Executive, Bracknell Forest Council Director of Adult Social Care, Health & Housing Director of Children, Young People & Learning Strategic Director of Public Health		
Bracknell Forest Homes Linda Wells Frimley Health NHS Foundation Trust Jane Hogg Involve Philip Cook South Central Sub Region NHS David Radbourne Local Healthwatch Mark Sanders NHS England South Central Region Hilary Turner		

<p>Local Countryside Access Forum (2 Councillors)</p> <p>Brossard Finch</p>	<p>Local Joint Committee Consultative Committee of Employment Committee (4 Councillors)</p> <p>Conservative (4) Allen Angell Leake (Chairman elect) Worrall</p> <p>Staff side representatives David Allais (Unison) Lorna Cameron (Unison) Nikki Dancey (GMB)</p> <p>Substitute Members Conservative (2) Ms Gaw Tullett</p>
<p>Local Plan Working Group (9 Councillors)</p> <p>Angell D Birch (Vice-Chairman elect) Brossard Dudley Finnie Mrs Hayes MBE Peacey Thompson Turrell (Chairman elect)</p>	<p>Member Development Charter Steering Group (9 Councillors)</p> <p>Conservative (8) Allen (Chairman elect) McCracken Mrs McCracken Mrs McKenzie McLean Ms Merry Thompson Wade (Vice-Chairman elect)</p> <p>Labour (1) Mrs Temperton</p> <p>Substitute Members Conservatives (3) Angell D Birch Virgo</p>
<p>Parish & Town Council Liaison Group (3 Councillors)</p> <p>Conservative (3) Dudley (Vice-Chairman elect) Finnie McCracken (Chairman elect)</p> <p>Two representatives from each of the following: Binfield Parish Council Bracknell Town Council Crowthorne Parish Council Sandhurst Town Council Warfield Parish Council Winkfield Parish Council</p>	<p>School Improvement Advisory Board (7 Councillors including only one Executive Member)</p> <p>Conservative (7) Allen Dr Barnard Mrs Birch Ms Gaw (Vice Chairman elect) Leake (Chairman elect) Mrs McCracken Peacey</p> <p>Substitute Members Conservative (5) Brossard Mrs Ingham Ms Merry</p>

Secure Accommodation Review Panel (Executive Member) Executive Member for Children, Young People and Learning, a suitably qualified Social Services officer and an independent person, appointed by the Director of Children, Young People and Learning.	Standing Advisory Council on Religious Education (5 Councillors) Conservative (5) Dr Barnard Ms Gaw Mrs Hayes MBE Leake Mrs Mattick
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Portfolio Review Groups

Care Portfolio Review Group Allen Dr Barnard D Birch Mrs Birch (Chairman elect) Brossard (Vice-Chairman elect) Finch Kennedy Mrs Mattick Mrs McCracken Peacey Thompson Tullett	Community Portfolio Review Group Allen D Birch Brossard Finnie Harrison (Chairman elect) Mrs Hayes MBE Ms Ingham Leake McCracken Mrs McCracken (Vice-Chairman elect) Mrs McKenzie Mrs McKenzie-Boyle Tullett
Environment Portfolio Review Group Angell (Chairman elect) Mrs Angell Bettison OBE Brossard Brunel-Walker Dudley Finnie Dr Hill Kennedy Leake Porter (Vice-Chairman elect) Turrell Virgo Wade	Finance Portfolio Review Group Allen (Chairman elect) Angell Bettison OBE D Birch Brossard Heydon Leake McCracken Mrs McCracken Peacey Porter Thompson (Vice-Chairman elect) Tullett Virgo Wade

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External Organisations 2018/19

Key: Appointed by	
	Council
	the Leader

	BODY	REPRESENTATION REQUIREMENTS	COUNCILLOR
1	Age Concern Bracknell	1 Trustee	Thompson
2	Age UK Berkshire	1 Representative	Thompson
3	Berkshire Association of Clubs for Young People	1 Representative	Ms Hayes
4	Berkshire Community Foundation	1 Representative	Ms Merry
5	Berkshire Healthcare NHS Foundation Trust	1 Representative	Mrs Mattick (Term of office ends May 2018)
6	Berkshire Joint Adoption Panel	1 Member	Dr Barnard
7	Berkshire Leaders Group	Leader of the Council	Bettison OBE
8	Berkshire Local Transport Board	Executive Member for Economic Development and Regeneration Commuters' Champion as named substitute	Brunel-Walker Harrison
9	Berkshire Maestros (formerly Berkshire Young Musicians' Trust)	1 Trustee	Dr Barnard
10	Berkshire Pension Fund Advisory Panel	1 Member	Worrall
11	Berkshire Strategic Transport Members' Forum	Executive Member for Economic Development and Regeneration Commuters' Champion as named substitute	Brunel-Walker Harrison
12	Binfield Badger Group - Management Committee	1 Representative	To be advised
13	Birch Hill Community Association	1 Representative	Mrs Birch
14	Blackwater Valley Advisory Committee for Public Transport	1 Representative	Turrell

	BODY	REPRESENTATION REQUIREMENTS	COUNCILLOR
15	Bracknell & District Citizens Advice Bureau	1 Representative	Peacey
16	Bracknell & District Victim Support Scheme	1 Representative	McCracken
17	Bracknell & Wokingham College Corporation	1 Representative	Ms Miller (Term of office ends May 2020)
18	Bracknell Forest Fostering Panel	1 Member	Dr Barnard
19	Bracknell Voluntary Car Service	1 Representative	Leake
20	Bullbrook Community Association	1 Representative	Angell
21	Children and Young People's Partnership Board	Executive Member for Children, Young People & Learning	Dr Barnard
22	Children's Centre Transitional Advisory Board	2 Representatives	Brossard Mrs Temperton
23	Civilian Military Partnership Known as Armed Forces Community Covenant Champion	1 Representative* * Currently acting as Chairman	Bettison OBE
24	Climate Berkshire	Executive Member for the Environment	Mrs Hayes MBE
25	Community Safety Partnership	Executive Member for Culture, Corporate Services and Public Protection 2 Representative	McCracken Mrs Temperton Tullett
26	Community Safety Partnership Executive	Executive Member for Culture, Corporate Services and Public Protection	McCracken
27	Crown Wood Community Association	1 Representative	Dudley
28	Downshire Homes Board Ltd	Executive Member for Adult Social Care, Health & Housing Executive Member for Transformation & Finance	D Birch Heydon
29	Easthampstead & Wildridings Community Association	1 Representative	Heydon

BODY		REPRESENTATION REQUIREMENTS	COUNCILLOR
30	Economic and Skills Development Partnership	Executive Member for Economic Development and Regeneration Business Champion	Brunel-Walker Wade
31	Farley Wood Community Association	1 Representative	Harrison
32	Federation of Burial Cremation Authorities	1 Representative	Mrs Mattick
33	Forest Park Community Association	1 Representative	Ms Hayes
34	Great Hollands Community Association	1 Representative	Dr Hill
35	Hanworth Community Association	1 Representative	Mrs Ingham
36	Heathrow Community Engagement Board	1 Representative 1 Deputy	Turrell Brunel-Walker
37	Heathrow Community Noise Forum	1 Representative 1 Community Representative	Turrell Geoff Paxton
38	Heritage Champion	1 Member	Mrs Hayes MBE
39	Homestart – Bracknell Forest	1 Representative	Mrs McCracken
40	Improvement and Efficiency Social Enterprise (iESE)	1 Director 1 Member	Bettison OBE Heydon
41	Involve Board	1 Representative	D Birch
42	Jennett's Park Community Association	1 Representative	Dr Hill
43	Joint Minerals & Waste Plan Board (Bracknell Forest, Hampshire, Reading, RBWM and Wokingham)	2 Members	Mrs Hayes MBE Turrell
44	Joint Waste Disposal Board (Bracknell Forest, Wokingham and Reading)	2 Members	Mrs Hayes MBE McCracken
45	Keep Mobile Country Tours Ltd	1 Trustee	Dr Barnard

BODY		REPRESENTATION REQUIREMENTS	COUNCILLOR
46	Local Government Association	Leader of the Council Executive Member for Transformation and Finance 1 Observer	Bettison OBE Heydon Dr Barnard
47	Martins Heron and the Warren Community Association	1 Representative	Turrell
48	North Ascot Community Association	1 Representative	Mrs Hayes MBE
49	Owlsmoor Community Centre	1 Representative	Worrall
50	Parents and Children Together	1 Representative	Mrs Ingham
51	PATROL (Parking And Traffic Regulations Outside London) Adjudication Joint Committee	1 Representative 1 Reserve	Turrell Brossard
52	Police and Crime Panel	1 Representative	McCracken
53	Priestwood Community Association	1 Representative	Finch
54	Public Protection Partnership Joint Committee (Bracknell Forest, Wokingham and West Berkshire)	Executive Member for Culture, Corporate Services and Public Protection Chairman of Licensing & Safety Committee Substitute	McCracken Allen Any Member of the Executive
55	Relate	1 Representative	Leake
56	Royal Berkshire Fire Authority	3 Members <i>(Appointments to the Fire Authority are subject to section 15 of the Local Government & Housing Act 1989 [political balance])</i>	Dudley McCracken Mrs McKenzie-Boyle <i>(Term of Office expires May 2019)</i>
57	Sandhurst Day Centre Association	1 Representative	Mrs McKenzie
58	South East England Councils	1 Representative 1 Reserve	Bettison OBE Turrell
59	South East Reserve Forces' and Cadets' Association	1 Representative	Ms Merry

	BODY	REPRESENTATION REQUIREMENTS	COUNCILLOR
60	South East Strategic Leaders	Leader of the Council	Bettison OBE
61	South Hill Park Management Committee	2 Representatives	McCracken Turrell
62	Standing Conference for Archives Including Berkshire Record Office Capital Working Group	1 Representative	Virgo
63	Thames Basin Heaths Joint Strategic Partnership Board	1 Representative from each of the 13 Local Authorities which deal with nature conservation issues around the Thames Basin Heaths	Turrell
64	Thames Valley Berkshire City Deal Joint Committee	Executive Member for Economic Development and Regeneration 1 Substitute	Brunel-Walker Heydon
65	Thames Valley Berkshire Local Enterprise Partnership	Executive Member for Economic Development and Regeneration	Brunel-Walker
66	The Parks Community Association	1 Representative	Ms Merry

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TO: COUNCIL
11 JULY 2018

EXECUTIVE REPORT TO COUNCIL **The Leader**

1 PURPOSE OF REPORT

- 1.1 Since the Council meeting on 25 April 2018, the Executive has met twice, on the 8 May 2018 and the 12 June 2018. This report summarises decisions taken by reference to the relevant portfolio within which they fall.
- 1.2 Updated Forward Plans 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 note the Executive decisions detailed in this report taken since the last Council meeting on 25 April 2018.**

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

Transformation and Finance

5.1 Planning & Building Control Transformation Review

- 5.1.1 The Executive agreed to implement the recommendations and associated savings emanating from the Transformation Review of the Planning & Building Control Service.
- 5.1.2 The results of the analyse phase of this review had previously been considered by members at a Gateway Review in September 2017. This considered a number of options for achieving £200k of savings and endorsed six recommendations to be taken forward for further investigation in the Plan Phase.
- 5.1.3 The Overview and Scrutiny Commission conducted a second Gateway Review on 14 March 2018 and provided important advice on a number of recommendations proposed for implementation during the next stage of the review.

- 5.1.4 The recommendations agreed by the Executive reflect the gateway review and centre around a core strategic option of income generation and efficiency. The future vision of the service centres around improving and enhancing the customer journey through the service and the way in which we work with members and our staff.

5.2 Parks & Countryside Transformation Review

- 5.2.1 The Executive also agreed the recommendations emanating from the Transformation Review of the Parks and Countryside service including the development of a country park, subject to further feasibility work.

- 5.2.2 The Parks and Countryside review followed a similar path to that for building control, exploring ways in which the savings target of £400k could be achieved whilst transforming the way in which the service is delivered. The outcome suggests a saving in the region of £476k delivered over 3 years could be achieved.

- 5.2.3 The key changes will be:

- Income generating potential will be established through commercially viable business assets newly created or existing.
- Land management costs will be minimised by effective management planning and procurement.
- Volunteering and sponsorship will be fully enabled to encourage and reward local residents and business to support the in perpetuity costs of open space provision.
- Maintenance costs arising from the misuse of public spaces will be met by those responsible, not by the council.
- Grant funding opportunities and developer contributions will be maximised for all open spaces.
- Discretionary work is identified, reviewed and minimised

5.2 Restructure and Performance Management

- 5.3.1 The Executive agreed the new management structure as set out in paragraphs 6.11 to 6.19 of the Chief Executive's report. As a result, the Executive also agreed the deletion of the posts of:

- Director of Resources;
- Director of Environment, Culture & Communities;
- Chief Officer: Environment & Public Protection;
- Head of Performance & Resources (Environment, Culture & Communities);
- Chief Officer: HR;
- Chief Officer: Planning, Transport & Countryside;
- Chief Officer: Customer Services;

And from 1 April 2019:

- Director: Adult Social Care, Health & Housing;
- Director: Children, Young People & Learning.

- 5.3.2 It was also agreed that the pay policy for Directors and Chief Officers would be linked to the 25th – 50th percentile of the Korn Ferry public and not for profit market database, that the Council's organisational change protocol would be invoked for

those officers impacted by the proposed changes and finally agreed the outline changes to the performance management system for senior officers.

- 5.3.3 Moving forward, the Chief Executive will be supported by two Executive Directors and sixteen other staff on Korn Ferry grades. Three of these, covering Finance, Organisational Development and Place, Planning & Regeneration would form the Corporate Management Team with the Chief Executive and Executive Directors.
- 5.3.4 All of the changes, except for the creation of the single Executive Director for People would be implemented with effect from 1 September 2018. In the case of People Services, it made sense to delay full implementation until 1 April 2019 so that both transformation programmes had clear and focussed leadership at Executive Director/Director level throughout 2018/19. However, once the direction of travel was clear and agreed, integration work to prepare for the new single Directorate would need to start in parallel with this. Consequently, it is proposed that a “Director Designate” be appointed with effect from 1 June 2018.

5.4 Procurement of Advisors to Support Exploration of Property Joint Venture

- 5.4.1 The Executive agreed to explore a possible Joint Venture (JV) approach to develop Council owned sites in the Borough, noting the key workstreams and timelines set out in Annexe A of the Borough Treasurer’s report and agreed to proceed to procure legal and property advice based on the draft scope attached as Annexe B of the Borough Treasurer’s report to help develop, in the first instance, a business case that will determine whether a JV approach is the best option to secure the Council’s objectives.
- 5.4.2 The Council owns a number of sites in Bracknell town centre and in the wider Borough that may be suitable for development/redevelopment in the near future or potentially at some point in the longer-term. To date, the Council’s approach had been to sell any surplus land and buildings to developers, thereby benefiting financially from a one-off capital receipt that reflects the land value. This approach is helpful in reducing the need to borrow to fund capital expenditure. However, it inevitably means that the Council is less able to influence the nature and scale of development.
- 5.4.3 As part of considering possible future options for the Market Street former depot site, officers had identified the potential of establishing a Joint Venture vehicle for that site and others with potential synergies.
- 5.4.4 An outline project plan has been developed that sets out the key work to be undertaken and significant milestones in the possible establishment of a Joint Venture partnership. Starting with the procurement of advisors to help test the feasibilities in mid-June 2018 it is likely to take until November 2019 to complete the process and agree final Joint Venture agreements. Based on examples from elsewhere, it was envisaged that the Stage 1 advice may cost in the region of £30k - £50k. The total cost of establishing a Joint Venture with the associated agreements in place is likely to be around £200k - £300k.
- 5.4.5 Appropriate governance arrangements would be needed if a JV is set up to provide a balance between influence for the Council and freedom to operate for the Company. Documents such as shareholder agreements and memoranda of understanding which set out expectations and responsibilities of both parties to JV would help to achieve this.

Culture, Corporate Services and Public Protection

5.5 Invest to Save Opportunity at Bracknell Leisure Centre

- 5.5.1 The Executive recommended to Council that invest to save capital funding of £2,488,082 is released in order to make significant improvements at Bracknell Leisure Centre. They also recommended that release section 106 funding of £291,000 allocated to the provision of built sports and recreation to contribute to improvements at Bracknell Leisure Centre. The recommendations were subsequently agreed at the Special Council meeting on 23 May 2018.

Environment

5.6 re3 Waste Strategy 2018-2020

- 5.6.1 The Executive endorsed the draft re3 Waste Strategy 2018-2020.
- 5.6.2 This Council along with Wokingham and Reading Councils have a long established partnership (re3) for the purposes of waste disposal needs. The Partnership's Joint Waste Disposal Board (JWDB) had previously agreed to recommend the draft Strategy to each of the partner Councils.
- 5.6.3 Whilst the ownership of the Strategy rests with the JWDB, each of the partner councils has a responsibility to deliver. The Strategy incorporates local collection recycling targets as incorporated in the Council Plan 2015-2019. These local targets can only be achieved with the cooperation with re3 as well as the support of the community.
- 5.6.4 All partner councils were taking the draft through their respective process. Any comments made would be fed back to a future meeting of the JWDB where the draft strategy will be finalised.

Planning & Transport

5.7 Central and Eastern Berkshire Draft Minerals and Waste Local Plan

- 5.7.1 The Executive agreed the Draft Joint Central and Eastern Berkshire Minerals and Waste Local Plan and associated documents for consultation.
- 5.7.2 Bracknell Forest are developing the Central and Eastern Berkshire Joint Minerals and Waste Plan with Reading Borough Council, the Royal Borough of Windsor and Maidenhead, and Wokingham Borough Council to guide minerals and waste decision-making up to 2036. The Plan is being prepared by Hampshire Services of Hampshire County Council. A Joint Board with representation from each of the authorities made up of an Executive member and one additional representative for each authority oversees the process.
- 5.7.3 The Draft Plan had been split into three parts:
1. Minerals
 2. Waste
 3. Development Management Policies

It identifies the importance to the economy of maintaining an appropriate supply of minerals and sets out the identified needs of the area for waste management for all waste streams. Within Bracknell Forest the only site that had been put forward in the Call for Sites was Planners Farm.

- 5.7.4 Each Council will need to agree to consult upon the draft plan. Consultation is expected to take place in the summer over an eight week period, factoring in summer holiday period.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

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

Borough Treasurer

- 6.2 The Borough Treasurer's 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.

Background Papers

Executive Agenda – 8 May 2018 and 12 June 2018

Contact for further information

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TO: COUNCIL
11 JULY 2018

APPOINTMENTS TO EXTERNAL ORGANISATIONS
Director of Resources – Democratic and Registration Services

1 PURPOSE OF REPORT

- 1.1 This report clarifies the current position regarding the appointment of Members to serve on the Royal Berkshire Fire Authority.

2 RECOMMENDATION

- 2.1 **That Council agrees to waive the political balance requirements in order to confirm the appointment of Councillors Dudley, Mrs McKenzie-Boyle and McCracken as the Council's representatives on the Royal Berkshire Fire Authority until May 2019.**

3 REASONS FOR RECOMMENDATION

- 3.1 Subsequent to the Annual meeting it was drawn to the Council's attention that the six districts appointing to the Fire authority were required to review their appointments annually in accordance with political balance requirements and that it had not been made clear whether or not this had been done with reference to a Council minute.
- 3.2 Council is therefore being asked to confirm that it recognises that appointments to the Royal Berkshire Fire Authority are subject to section 15 of the Local Government & Housing Act 1989 [political balance], and waives this requirement to endorse the appointment of three councillors from the same political group.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5 SUPPORTING INFORMATION

- 5.1 Memberships to committees and external organisations were agreed at the Annual Council meeting on 23 May 2018. This included confirmation of the appointment of Councillors Dudley, Mrs McKenzie-Boyle and McCracken as the Council's representatives on the Royal Berkshire Fire Authority until May 2019. The Council is required to confirm the appointments annually.
- 5.2 The Local Government and Housing Act 1989 introduced provisions in order to ensure that the political balance on committees reflects the political complexion of the Council. In order to achieve this the following principles must be observed as far as is reasonably practicable:
- (a) that not all seats on the committee are allocated to the same political group;
 - (b) that the majority of seats on each committee should be allocated to a particular political group if the number of members of the group is a majority of the authority's membership;

- (c) subject to paragraphs (a) and (b) above, that the total number of all seats allocated to each political group on ordinary committees should reflect the political balance of the Council; and
 - (d) subject to paragraphs (a) to (c) above, that the number of seats on each committee allocated to each political group should reflect the political balance of the Council.
- 5.3 Appointments to the Fire Authority must be made in accordance with these principles. Whilst the Council explicitly waived the proportionality rules for a number of committees and sub-committees it did not do so for the Fire Authority.
- 5.4 The Conservative Group is the only political group on the Council. There is one Labour councillor on the Council however it requires two Members to form a Group; as a result Councillor Mrs Temperton is not entitled to a seat on the Fire Authority as of right. However to give effect to (a) above, one seat was offered to Councillor Mrs Temperton who indicated that she did not wish to take up the appointment. As a result the Conservative Group have taken all three seats.
- 5.5 Such a departure from the normal rules of proportionality is permitted by the Regulations if notice is given of the proposal in the agenda and if it is approved by the Council with no Member voting against the proposal. If any Member votes against the proposal then the normal proportionality rules will be applied and Councillor Mrs Temperton will have a seat on the Fire Authority and Council will be asked to confirm which of the current appointees will no longer have a seat.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to the report.

Borough Treasurer

- 6.2 There are no additional revenue implications arising from the above recommendation.

Equalities Impact Assessment

- 6.3 Not relevant to this report.

Strategic Risk Management Issues

- 6.4 Not relevant to this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Conservative Group and Councillor Mrs Temperton

Method of Consultation

7.2 Discussion

Representations Received

7.3 Outcome of discussions reflected in this report.

Background Papers

None

Contact for further information

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TO: COUNCIL
11 JULY 2018

STANDARDS ANNUAL REPORT (Director of Resources – Legal)

1. Purpose of Report

- 1.1 The attached report advises Council of activity within its Standards framework from 1 April 2017 to 31 March 2018.

2. Recommendation

- 2.1 **That Council notes the Standards output in 2017/18 as set out in this report.**

3. Reasons for Recommendations

- 3.1 To keep Council apprised on an annual basis of activity relating to its Standards Regime.

4. Supporting Information

- 4.1 The Standards Framework comprises a number of elements including the code of conduct for Councillors, rules around disclosure of interests, procedure for dealing with complaints and sanctions for breach. Until its dissolution in November 2016 responsibility for oversight of the Standards Framework vested in the Standards Committee. Subsequently this has transferred to the Governance & Audit Committee.
- 4.2 The attached report appraises the Council of Standards related activity in from 1 April 2017 to 31 March 2018.

5 Borough Solicitor's Comments

- 5.1 The Borough Solicitor is the author of this report.

6 Borough Treasurer's Comments

- 6.1 There are no financial implications arising.

7 Strategic Risk Management Issues

- 7.1 None.

8 Background Papers

None.

9 Contact for Further Information

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STANDARDS ANNUAL REPORT 2017/18

1. The Council's Standards Committee was dissolved in 2016 and its functions incorporated into the terms of reference of the Governance and Audit Committee.
2. A Code of Conduct Working Group was convened and met on one occasion during the year to consider the continuing viability of Affected Interests within the Code of Conduct regime given their non-statutory basis as well as a general sense of disquiet amongst some Members as to their application in practice. . The Working Group agreed to retain Affected Interests but to limit their effect. Consequently whilst any Member possessing an Affected interest in a matter still needs to disclose such an interest they will no longer be required to refrain from participating or voting on the matter.

Complaints

3. Under the current procedure for the handling of complaints alleging a breach of the Code of Conduct for Members, a complaint is first considered by the Monitoring Officer. The options available to the Monitoring Officer at that stage are:-
 - refer for investigation
 - refer for some other form of action ("other action")
 - determine that no further action is required. ("no action")

If a complaint is referred for investigation the ensuing report is considered by the statutory Independent Person and the Monitoring Officer. At that stage the options are:-

- refer to a Code of Conduct Panel for consideration.
 - refer for resolution by some other form of action (e.g. if the investigation finds that there has been a breach and the Member agrees to apologise)
 - no further action required (investigation finds no breach which conclusion is agreed by the independent person and Monitoring Officer)
4. In the period between 1 April 2017 and 31 March 2018 the Monitoring Officer received 6 complaints alleging breaches of Codes of Conduct for Members. The grounds of each complaint and its outcome are set out in the table below.

	Date of Complaint	Status of Complainant	Borough or Parish Councillor	Grounds of Complaint	Outcome
1	May 2017	Resident	Borough	Social media comment	No action. Unsubstantiated
2	May 2017	Resident	Borough	Social media comment	No action. Unsubstantiated
3	May 2017	Resident	Borough	Social media	Apology.

				comment	Informal resolution.
4	May 2017	Resident	Borough	Social media comment	Apology. Informal resolution.
5	Nov 2017	Resident	Borough	Undisclosed Personal Interest	No action. Unsubstantiated
6	Feb 2018	Resident	Borough	Not particularised	No action Unsubstantiated

5. The table reflects the growing trend of relatively low level complaints which do not warrant the time and expense of investigation under the Standards Framework .In each case where no action was taken this decision was preceded by consultation with the Independent Person (Dr Louis Lee) before being shared with the Complainant and subject member. In accordance with a protocol adopted in 2016, the Party whip was also notified.

Previous years data

Year	No. of Complaints	Upheld
2008/09	0	0
2009/10	6	2
2010/11	1	0
2011/12	2	0
2012/13	4	0
2013/14	6	0
2014/15	5	0
2015/16	2	0
2016/17	7	0

- 6 Whilst the adequacy of sanctions within the Standards regime continues to attract debate nationally there are currently no proposals flowing from the Ministry of Housing, Communities and Local Government to introduce further legislation.
7. In January 2018 The Committee for Standards in Public Life ("CSPL") commenced a review of ethical standards in local government. The findings from that review are still awaited and will be reflected in next year's Annual Standards report for this Council. A round table meeting of Monitoring Officers, Clerks and Independent Persons was hosted by the CSPL on 18 April. A summary note of that roundtable discussion which will help inform the findings is attached (**Annex A**)

Councillors are reminded of their duties both in respect of the rules relating to the registration and disclosure of Interests set out in the Code of Conduct and their behavioural obligations under the Code.

**ETHICAL STANDARDS IN LOCAL GOVERNMENT
ROUNDTABLE OF MONITORING OFFICERS, CLERKS, AND INDEPENDENT PERSONS
WEDNESDAY 18 APRIL 2018 - BIRMINGHAM**

SUMMARY NOTE OF DISCUSSION

Codes of conduct

- There is a high level of variation in local authority codes: both in length and in provisions. Codes range from those which simply list the Nolan Principles, to long and complex documents.
- This variation creates complexity: for example, public living on the borders don't understand differences between neighbouring counties; and dual- or triple-hatted councillors are subject to multiple regimes. This confusion is particularly acute in respect of specific requirements such as declarations of interests. Participants generally agreed that the public expects the same ethical standards at all tiers of local government.
- A successful code needs to aid public understanding of standards, as well as set expectations for councillors.
- One participant suggested that around half of parish councils used a template a code of conduct drafted by NALC.
- Members of the public can find it difficult to understand provisions in codes sufficient to identify which under which one they should lodge their complaint.
- Shorter codes based on the Nolan Principles alone are the hardest to administer and can lead to disputes or more complaints due to the breadth of interpretations open.
- The availability of case law has meant some councils have retained codes adopted under the previous statutory regime so that they can be more easily interpreted.
- Some authorities do not revise their codes regularly or in light of experience.

Declaration of interests

- The 'disclosable pecuniary interests' introduced in the Localism Act 2011 are a new category of interest in local government law and are difficult to deal with. Some councils use three, overlapping, categories of conflicts (personal, prejudicial, and disclosable pecuniary).
- In small communities, some level of overlapping interests by an individual is inevitable.

- The definition of disclosable pecuniary interests under the Localism Act 2011 is narrower than would be the public's expectation. Councils find that they need to supplement the statutory requirements with their own code.
- The criminal offences relating to pecuniary interests are complex and there is little prospect of follow-up.
- Putting an interest on a register and declaring it at a meeting are both needed for full transparency, but the current regime does not require a declaration as long as the interest is registered.

Gifts and Hospitality

- Most councils include a gifts and hospitality register in their code of conduct, however, councils do not tend to receive complaints about a lack of declaration of gifts or hospitality. Most participants did not consider this a significant problem.
- It is difficult for local authorities officers to advise councillors on registering gifts and hospitality due to a number of roles they might hold, and the capacity in which they are offered gifts and hospitality.

Sanctions

- Participants highlighted an inconsistency with an approach of being able to set a code but not enforce it. Participants strongly felt that a lack of stronger sanctions undermines the system and erodes public confidence.
- Being censured by a council can, depending on the individual and the situation, be seen as a 'badge of honour'.
- Introducing the ability to suspend councillors may require an appeal stage to ensure it is Article 6 ECHR compliant.
- Councils have been creative with the use of sanctions under their existing competency: for example, by withdrawing facilities, including IT, or putting in place bans from council premises.
- Political consensus assists with making disciplinary findings against members in some cases where conduct is very serious. The interaction between political parties and the sanctions process is complex.
- Investigations are currently disproportionately expensive to sanctions available.
- Parish councils are not organised (politically or otherwise) or structured in the same way as principal authorities and, in many cases, are not sufficiently resourced to avail themselves of effective sanctions, even if they were aware that such sanctions were possible.
- Most councillors go into local government to make a difference, conduct themselves well, and would find any sanction very sobering. More sanctions are needed for the small minority of councillors who show poor conduct.

Independent Person (IP) role

- The Independent Person (IP) is a wholly advisory role.
- Their effectiveness heavily depends on the culture of the authority and their relationship with the Monitoring Officer. With the right relationship, the IP can be an effective position.
- Subsequent legislation has found other roles for IPs, for example, on panels for Chief Officer disciplinary hearings and Combined Authority audit committees.

- Some participants suggested strengthening and clarifying the IP role. Others expressed a concern that IPs can lose their independent perspective after serving for a long period and should therefore have a limited term of appointment.

Pressures on Monitoring Officers

- Participants felt that the Monitoring Officer role was difficult. Monitoring Officers need carefully to navigate relationships with councillors - they may have to deal with complaints about them whilst at same time need to build a relationship with them.
- The role is particularly difficult in small authorities as they cannot share the workload among a team.
- The role is more likely to be successful where there is a collaborative, and not adversarial, culture between members and officers.
- Some complaints can become ethical issues due to the escalating nature of the complaint; equally, weak governance can create situations where ethical standards complaints are more likely.
- There is a small number of parish councils that create a disproportionate standards caseload, partly because there are fewer external bodies and processes to oversee town and parish councils.
- A number of participants reported that many clerks would rather walk away from their role than use the employment or code complaints avenues to resolve behaviour directed towards them in their role.

Culture and improvement

- Participants spoke of the need to convince members that it is not in anyone's interest to become involved in formal complaints and sanctions.
- Any standards regime needs to be robust enough to deal with councillors who do not 'buy in' to it.
- Need to improve public understanding of ethical standards expected of councillors and that standards are central to a council's activity.
- Standards committees should not stand alone; ethical standards should be incorporated into the overall governance of a council.
- Equally, standards should not be seen as the exclusive responsibility of the Monitoring Officer, but the responsibility of all statutory officers. An ethical culture is strongest where senior officers work together.
- Many councils do not publish data about the type of complaints investigated and categories of outcomes, which does not meet expectations about transparency.
- Councillors may take up their role without knowing what standards are expected and their responsibilities: early induction is important, but takes resources.

Role of central government

- Participants contrasted the current approach in England to that in the devolved administrations in the UK, describing the Standards Commission in Scotland and Public Service Ombudsman for Wales in particular as 'cheerleader regulators'.
- Only central government could give councils legal power to levy additional sanctions.
- Besides this, participants suggested that many changes could take place at the local level, and that it was important to retain an element of local flexibility.
- Some participants suggested that steps could be taken by central government to enforce transparency data relating to standards issues and complaints.

- Participants generally agreed that it is the duty of councillors to set standards, and that local councils could themselves put in place clearer and fairer codes that more clearly set out expectations for complainants and councillors.