

Notice of Meeting

Council

Councillor Ms Merry (Mayor)
Councillor Gbadebo (Deputy Mayor)
Councillors Allen, Angell, Atkinson, Bhandari, Dr Barnard,
Bettison OBE, D Birch, Mrs Birch, Brossard, Brown, Brunel-Walker,
Dudley, Finch, Ms Gaw, Mrs L Gibson, MJ Gibson, Green,
Mrs Hamilton, Harrison, Mrs Hayes MBE, Ms Hayes, Heydon,
Mrs Ingham, Kennedy, Kirke, Leake, Mrs McKenzie, Mrs McKenzie-
Boyle, McLean, Mrs Mattick, Mossom, Neil, Parker, Porter, Skinner,
Temperton, Tullett, Turrell, Virgo and Wade



Wednesday 22 July 2020, 7.30 - 9.00 pm
Online only

Timothy Wheadon
Chief Executive

Agenda

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

1.	Apologies for Absence	
2.	Minutes of Previous Meeting	5 - 8
	To approve as a correct record the minutes of the Annual Council meeting held on 20 May 2020.	
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>	

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4.	Mayor's Announcements	
5.	Executive Report	9 - 14
	<p>To receive the Leader's report on the work of the Executive since the Council meeting held on 28 February 2020.</p> <p>Council is asked to resolve a recommendation in respect of:</p> <ul style="list-style-type: none"> • Community Safety Partnership (CSP) Plan 2020-23 <p>The Executive will be meeting on 14 July 2020, if any matters arise at that meeting which require a decision by Council, a supplementary report will be circulated.</p>	
6.	Use of Emergency Decision-making Powers	15 - 16
	To advise the Council of the Chief Executive's use of emergency decision making powers.	
7.	Standards Annual Report	17 - 22
	To advise the Council of activity within its Standards framework from 1 April 2019 to 31 March 2020.	
8.	Question Submitted Under Council Procedure Rule 10	
	<p><u>Councillor Temperton to Councillor Brunel-Walker, Executive Member for Economic Development and Regeneration</u></p> <p>The government has initiated the 'Kickstart' Scheme to create 6-month work placements for 16-24 year olds who are on Universal Credit and may be at risk of long term unemployment, a scheme to fund high quality traineeships for 16-25 year olds and new apprenticeship schemes. Obviously these need to be in place, as soon as possible. What is the Council doing to encourage all our businesses and partners to participate in these schemes?</p>	
9.	Motion Submitted Under Council Procedure Rule 11	
	<p><u>Motion 01/2020 moved by Councillor Temperton and seconded by Councillor Neil</u></p> <p>We congratulate and thank all schools for enabling Bracknell Forest children to return to school in September, keeping all as safe as possible. This is a very exciting time for some, but very stressful for others. For some parents, with greatly reduced finances resulting from the Covid-19 lockdown, the need to buy new uniform is a huge problem. They too want the best for their child but have no available funds. I therefore ask the Council to call upon the Executive to set up a School Uniform Grant to support those parents throughout Bracknell Forest, who have a proven need for such assistance.</p>	

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Sound recording, photographing, filming and use of social media is permitted. Please contact Kirsty Hunt, 01344 353108, kirsty.hunt@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 14 July 2020

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COUNCIL
20 MAY 2020
7.35 - 8.10 PM



Present:

Councillors Ms Merry (Mayor), Gbadebo (Deputy Mayor), Allen, Angell, Atkinson, Bhandari, Dr Barnard, Bettison OBE, D Birch, Mrs Birch, Brossard, Brown, Brunel-Walker, Dudley, Finch, Ms Gaw, Mrs L Gibson, MJ Gibson, Green, Mrs Hamilton, Harrison, Mrs Hayes MBE, Ms Hayes, Heydon, Mrs Ingham, Kennedy, Kirke, Leake, Mrs McKenzie, Mrs McKenzie-Boyle, McLean, Mrs Mattick, Mossom, Neil, Parker, Porter, Skinner, Temperton, Tullett, Turrell and Wade

Apologies for absence were received from:
Councillors Virgo

THE MAYOR, COUNCILLOR MRS McKENZIE, IN THE CHAIR

1. Declarations of Interest

There were no declarations of interest.

2. Minutes of Previous Meetings

RESOLVED that the minutes of the Council meetings held on 26 February and 11 March 2020 be approved and signed by the Mayor as a correct record.

3. Election of the Mayor of the Borough of Bracknell Forest for the 2020/21 Municipal Year

It was proposed by Councillor Bettison OBE, and seconded by Councillor D Birch, that Councillor Ms Merry be elected Mayor of the Borough of Bracknell Forest for the Municipal Year 2020 – 2021.

There being no further nominations it was

RESOLVED that Councillor Ms Merry be elected Mayor of the Borough of Bracknell Forest for the 2020 - 2021 Municipal Year.

Councillor Ms Merry made the Declaration of Acceptance of Office of Mayor and thanked Members of the Council for her election. The Chief Executive confirmed he would organise for the declaration to be signed when it was safe to do so.

THE MAYOR, COUNCILLOR MS MERRY, IN THE CHAIR

In her acceptance speech Councillor Ms Merry reflected that wearing the Mayoral Badge of Office and representing the wards and residents of Bracknell Forest was an honour. She also thanked Councillor Mrs McKenzie for being such an inspiration during her year as Mayor. Councillor Ms Merry acknowledged the challenges ahead for the borough during the national health crisis. She recognised the everyday activities of key workers and residents who were doing their bit to make a difference

where it is most needed, exemplified neighbourliness and put others before themselves. She concluded by promising to support residents, key workers organisations - profit and off non-profit and the uniformed services during her mayoral year.

4. **Vote of Thanks to the Retiring Mayor**

Councillor Bettison OBE delivered a vote of thanks to the retiring Mayor, Councillor Pauline McKenzie.

5. **Response by the Immediate Past Mayor**

The retiring Mayor, Councillor Mrs McKenzie, had already been provided with the badge of Immediate Past Mayor. In her response she thanked Members of the Council for their support during the last year. She reflected that it had been a most humbling experience with many varied invitations from businesses and organisations across Berkshire, Hampshire and Surrey. She expressed her enjoyment at meeting the borough's young people who she considered a real credit to their parents, foster carers and teachers. She highlighted the Lexicon where communities came together to showcase what it had to offer and embraced different cultures and traditions. Councillor Mrs McKenzie thanked the officers who had provided guidance and in particular her husband, Roy, who had been by her side throughout. She concluded by congratulating the new Mayor and Deputy Mayor and encouraged them to enjoy every minute.

6. **Appointment of the Deputy Mayor of the Borough of Bracknell Forest for the 2020/21 Municipal Year**

It was proposed by the Mayor and seconded by Councillor Bettison OBE that Councillor Gbadebo be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2020 – 2021.

There being no further nominations, it was

RESOLVED that Councillor Gbadebo be appointed Deputy Mayor of the Borough of Bracknell Forest for the Municipal Year 2020 - 2021.

Councillor Gbadebo made the Declaration of Acceptance of Office of Deputy Mayor. The Chief Executive confirmed that he would arrange for this to be signed as soon as it was safe to do so.

The Deputy Mayor thanked the Council for his appointment and said he was looking forward to supporting the Mayor to represent the Council across the borough.

7. **Mayor's Announcements**

Thank You

The Mayor thanked volunteers, key workers, NHS staff and the staff at Bracknell Forest Council for all their hard work during this time.

8. **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 2019 - 2020 Municipal Year:

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 Harrison	Executive Member for Culture, Delivery and Public Protection
Councillor Heydon	Executive Member for Transformation and Finance
Councillor Turrell	Executive Member for Planning and Transport

Delegation of Executive Functions

The Leader of the Council announced that the responsibility for the discharge of Executive functions was as set out in Part 2, Section 5 of the Council's Constitution.

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).

9. **Remote Meetings Protocol and Procedure Rules**

The Council considered the report which sought approval to the Remote Meetings Protocol and Procedure Rules which made amendments to the Council Constitution, in particular to the Council and Committee Rules and Access to Information provisions.

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

it was **RESOLVED** that the Remote Meetings Protocol and Procedure Rules appended to the agenda report be approved.

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

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

RESOLVED that:

- (i) the establishment of ordinary committees, their size and allocation of seats, agreeing a local variation to the proportionality rules be agreed, as set out in paragraph 6 of the agenda report;
- (ii) the establishment of the Licensing and Safety Committee and the Overview and Scrutiny Commission, their size and allocation of seats be agreed, as set out in paragraph 6 of the agenda report;
- (iii) the establishment of Appeal Panels as required be agreed, as set out in paragraph 6 of the report;
- (iv) the membership of each committee, in accordance with political group(s) wishes be agreed as Annex A to the minutes;
- (v) appointments to external organisations be agreed as Annex B to the minutes;
- (vi) the appointment of Council Champions, in accordance with Part 1 Section 7 of the Constitution be as set out below:
Commuters' Champion – Cllr Atkinson
Large Business Champion – Cllr Bhandari
Small Business Champion – Cllr Wade
Older People's Champion – Cllr Ms Gaw
Voluntary Sector Champion – Cllr MJ Gibson

CHAIRMAN

To: **COUNCIL**
22 July 2020

EXECUTIVE REPORT TO COUNCIL **The Leader**

1 PURPOSE OF REPORT

- 1.1 Since the Council meeting on 26 February 2020, the Executive has met on the 10 March 2020, 28 April 2020, 15 June 2020 and 30 June 2020. 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 consider the recommendations set out at paragraphs 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.

4 ALTERNATIVE OPTIONS CONSIDERED

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

5 SUPPORTING INFORMATION

Planning and Transport

5.1 Capital Programme for 2020/21- Highways and Transport

- 5.1.1 The Executive approved the overall Highways and Transport Capital Programme for 2020/21 and that highway maintenance funding for 2020/21 would be targeted towards the Highway Maintenance Forward Programme whilst having due regard to priority, availability of road space and available budget. The Executive also noted the implications for resourcing the delivery of the work programmes.
- 5.1.2 Following the merge of the Highway Asset Management and Transport Development Divisions in April 2019, a review of the newly combined Highways and Transport Division has identified opportunities to make service efficiencies and financial savings.
- 5.1.3 Core funding for the 2020/21 programme is made up of an Integrated Transport Grant from Central Government (£720k) alongside developer contributions for

transport mitigation measures via S106 agreements and Community Infrastructure Levy (CIL) receipts – totalling £3.4m. In addition, the Council has been successful in securing additional funds from Central Government through the Local Growth Fund (LGF) which is aimed towards implementing transport measures linked to economic growth and carbon reduction with a focus on removing pinch points. LGF funding (£5.519m) has been awarded for A3095 (south) corridor improvements and further enhancements to the A322/A329 corridor.

- 5.1.4 The overall Transport Capital Programme for 2020/21 totals £9.939m and significantly exceeds the 2019/20 programme value of £5.4m.
- 5.1.5 The Highway Maintenance Capital Programme seeks to ensure that the Council maintains the highway network in as good a condition as resources allow, giving due regard to public safety. Funding for the 2020/21 programme is made up of a Highway Maintenance Grant from Central Government (£1.369m) alongside a further Government allocation based on an ‘efficiency’ assessment of the Council’s approach to highway maintenance – BFC currently receives the maximum enhancement of £285k.
- 5.1.6 The overall Highway Maintenance Capital Programme for 2020/21 totals £2.254m, however even with this level of funding, the level of demand for planned maintenance far exceeds the available budget. Funding must to be targeted according to an assessment of need based upon the condition. Additional provision is made in the revenue budget for reactive highway maintenance work. This is used for routine and urgent maintenance purposes and the sum allocated within 2020/21 is circa £2.4m.

Culture, Resources and Public Protection

5.2 Community Safety Partnership (CSP) Plan 2020-23

5.2.1 The Executive recommend that full Council approve and adopt the new CSP Plan 2020-23

- 5.2.2 The CSP Plan 2020-23 is based on a comprehensive 2019 strategic assessment of crime and disorder in Bracknell Forest which includes volumes, trends, hotspot analysis, projections, legislation changes, and emerging issues identified nationally.
- 5.2.3 The CSP were widely consulted on the findings and took part in a workshop to agree the priorities. In addition, and as required by the Crime and Disorder Act 1998 and the Crime and Disorder (Formulation and Implementation Strategy) Regulations 2007). Public views were sought in a consultation which yielded 497 responses, 463 (93%) of which agreed that the priorities were correct and appropriate.

5.3 Support for Everyone Active during Covid-19

- 5.3.1 The Executive approved the measures set out in in annex 1 of the Executive Director: Delivery’s report. Agreement would be by signature of acceptance of annex 1 delegated by the Executive to the Chief Executive.

Council Strategy & Community Cohesion

5.3 Service Plans 2020/21

- 5.3.1 The Executive endorsed the Directorate Service Plans for the period 2020/21.

5.3.2 The Council Plan 2019/23 was developed following the May 2019 borough election and was approved by the Executive on 27 November 2019. The Council Plan is centred upon six strategic themes or priority areas;

- Value for money
- Economic resilience
- Education and skills
- Caring for you and your family
- Protecting and enhancing our environment
- Communities

5.3.3 The Directorate Service Plans support the Council Plan and form a key part of the Council's overall local performance framework. It is necessary to maintain a framework that provides transparency, accountability and oversight of the performance of the organisation.

5.4 Council Plan Overview Report

5.4.1 The Executive noted the performance of the council over the period from October – December 2019 highlighted in the Overview Report.

5.4.2 The Executive noted the performance of the Council over the third quarter of the 2019/20 financial year (October-December 2019). At the end of the quarter, 77 actions (79%) were rated as “green” (16 complete, 61 in progress) and 21 actions (19%) were “amber” (2 complete, 19 in progress). No actions were red.

5.4.3 Progress against key performance indicators across the Council was also very positive, with 29 (81%) “green” – i.e. on, above or within 5% of target; 3 (8%) were “amber” – i.e. between 5% and 10% of target; and 4 (11%) were “red” – i.e. more than 10% from target. 35 further indicators had no set target.

5.4.4 Q3 of 2019/20 was the last before the massive disruption caused by the Coronavirus pandemic. The focus of the whole organisation switched to maintaining essential services whilst limiting opportunities for social contact in line with government guidance.

5.5 Residents' COVID-19 Impact Survey 2020

5.5.1 The Executive agreed the survey questions as set out in Appendix A of the Chief Executives report alongside the proposed timescale for delivery of the survey. They also agreed that the methodology and sample size applied to the Residents' Survey 2017 would be used to ensure a representative sample of people participate in the survey by ward and demographics, and the communication plan for the survey.

5.5.2 The Council is undertaking a Community Impact Assessment to understand how the COVID-19 pandemic has impacted on the borough's communities and residents' behaviours. The survey would inform the ongoing recovery and renewal strategy and decision making through understanding what may need to be sustained or done differently.

5.5.3 The aims of the survey are:

- To obtain the views of residents on the impact of COVID -19 to them, their family and the community including the social, economic and environmental impact;

- To provide insight into the support the borough will need to recover from the community impact of COVID -19; and
- To identify opportunities and behaviour change to sustain through recovery as well as how to respond to adverse impacts.

Adult Services, Health and Housing

5.6 Emergency Duty Service Contract

- 5.6.1 The Executive agreed to authorise the Borough Solicitor to enter into an Agreement for Emergency Duty Service provision on behalf of Bracknell Forest Council with current partners of the service to take effect immediately upon the expiry of the current arrangement on 5 June and to cover a term of seven years. The Agreement being based on Bracknell Forest standard terms with the Borough Solicitor being authorised in conjunction with the Executive Director: People to make any necessary drafting amendments which were necessary to conclude the Agreement without materially effecting its intent and substance
- 5.6.2 An Emergency Duty Service is a statutory requirement demanded of all local authorities across the UK and assumes responsibilities for Emergency Out of Hours Social Care to safeguard vulnerable children and adults. Bracknell's Emergency Duty Team is contracted to supply out of hours emergency social care to itself and 5 other partner authorities: Reading, Windsor and Maidenhead, Wokingham, Slough, West Berkshire.

5.7 Bracknell Forest Outbreak Management Plan

- 5.7.1 The Executive endorsed the Bracknell Forest Local Outbreak Control Plan.
- 5.7.2 In June 2020 national government announced the requirement for local government to build on existing health protection plans to put in place measures to identify and contain outbreaks and protect the public's health, through the development of Local Outbreak Plans.
- 5.7.3 Local Outbreak Plans for COVID-19 are a combination of health protection expertise and capabilities (the public health sub-disciplines of epidemiology and surveillance, infection suppression and control techniques, contact tracing and evaluation) and the multi-agency capabilities of bodies in supporting these efforts through the deployment of the necessary resources to deliver these health protection functions at scale, where needed.
- 5.7.4 Local Directors of Public Health are responsible for defining the measures and producing the plans, working through Covid-19 Health Protection Boards. They will be supported by and work in collaboration with Gold command emergency planning forums and a public facing Outbreak Engagement Board led by council members to communicate openly with the public.

Transformation and Finance

5.8 Utilities – Supply of Water and Return to Sewer

- 5.8.1 The Executive approved the Procurement Plan for the appointment Water and Wastewater supplier to the Council.

5.9 Relocation Options for EDS/Forestcare

- 5.9.1 The Executive agreed to the relocation of Forestcare and EDS to Waterside Unit B and that the funding of the scheme be from a combination of deferred planned maintenance works and the current underspend in the Time to Change budget.

Children, Young People and Learning

5.10 School Meals Service – Award of Contract

- 5.10.1 Subject to consultation with participating schools, the Executive approved the contract for the framework for provision of the school meals service from August 2020 be awarded to Contractor A.
- 5.10.2 The current contract for the provision of school meals expires at the end of July 2020. Following consultation with schools, the re-procurement of this service was delayed by the Covid-19 outbreak and is currently running approximately six weeks behind schedule. Whilst the tender evaluation has been completed, time is required to consult schools on the tender outcome, therefore the award decision is subject to consultation with participating schools.

6 NOTIFICATION OF APPOINTMENTS MADE BY THE LEADER

The Leader appointed Councillor Mark Brunel-Walker (Chairman-Elect), Councillor Dr. Barnard and Councillor Birch to the Local Outbreak Engagement Board.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

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

Director: Resources

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

Equalities Impact Assessment

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

Strategic Risk Management Issues

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

Background Papers

Executive Agenda – 10 March 2020
28 April 2020
15 June 2020

30 June 2020.

Community Safety Plan 2020-23

Contact for further information

Hannah Stevenson, Delivery - 01344 352308

Hannah.stevenson@bracknell-forest.gov.uk

To: Council
22 July 2020

Use of Emergency Decision-making Powers Director of Delivery – Democratic & Registration Services

1 Introduction

- 1.1 This report advises Members of the Chief Executive's use of emergency decision-making powers which authorised him to make all necessary changes to the Constitution to facilitate Council and Executive decision-making during the COVID-19 national emergency. The Chief Executive was authorised to exercise these powers on 24 March 2020 in accordance with the urgency procedure set out in Part 2: section 6.4.1 of the Constitution.
- 1.2 The Constitution requires a report to be presented to Council advising of the exercise of the emergency powers.

2 Supporting Information

- 2.1 At the beginning of the COVID-19 crisis it was quickly evident that council/committee meetings could not go ahead and that the Council could not lawfully hold meetings 'virtually' as the Local Government Act 1972 required that all Members must be physically present at decision-making council/committee and Executive meetings in order to be part of the quorum and to vote.
- 2.2 The Constitution makes provision for urgent Executive and non-Executive decision-making under urgency provisions. Exercise of these powers was sought to allow the Chief Executive to make decisions in relation to non-Executive matters in such times, in consultation with the relevant senior qualified officer(s), chairman of the relevant committee or panel responsible for the subject matter of the decision if available, and others deemed necessary according to the requirements of the decision at hand.
- 2.3 The Chief Executive exercised this authority on four occasions as follows:
- On 27 March to delegate planning powers to the Head of Planning
 - On 31 March to delegate to the Director of Finance authority to approve the annual Internal Audit Plan
 - On 7 April to suspend Part 4: section 11(7) of the Constitution relating to contract standing order waivers for contracts of a value up to the relevant EU threshold
 - On 7 April to amend Part 4: section 11(8) of the Constitution relating to contract extensions and variations, to the effect that any references to Director were extended to include any Executive Director, Director or Assistant Director whose remit included the relevant service area
- 2.4 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations') came into force on 4 April 2020, making provisions for remote access to local authority meetings. From 23 April the Council has been able to hold meetings remotely via Teams and therefore all

Executive and non-Executive decisions have been able to be made in accordance with the Constitution.

- 2.5 The Chief Executive's authority to exercise emergency decision-making powers was subject to review at the end of June and has not been renewed.

3 Equalities Impact Assessment

- 3.1 Not relevant to this report.

4 Strategic Risk Management Issues

- 4.1 Not relevant to this report.

Background Papers

None

Contact for further information

Ann Moore, Head of Democratic & Registration Services: 01344 352260
Ann.moore@bracknell-forest.gov.uk

To: Council
22 July 2020

STANDARDS ANNUAL REPORT Executive Director – Delivery (Legal)

1 Introduction

- 1.1 This report advises Council of activity within its Standards framework from 1 April 2019 to 31 March 2020 and provides an update in respect of the work of the Local Government Association (LGA) in developing a new Model Code of Conduct further to one of the recommendations set out in the January 2019 Committee for Standards in Public Life report into Ethical Standards in Local Government

2 Supporting Information

- 2.1 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

3 Equalities Impact Assessment

- 3.1 None

4 Strategic Risk Management Issues

- 4.1 None

Contact for further information

Sanjay Prashar (Borough Solicitor) 01344 355679
sanjay.prashar@bracknell-forest.gov.uk

APPENDIX A

STANDARDS ANNUAL REPORT 2019/20

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.

Complaints

2. 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")
3. 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 2019 and 31 March 2020 the Monitoring Officer received 7 complaints alleging breaches of Codes of Conduct for Members. The grounds of each complaint and its outcome are set out in the table attached **(Appendix B)**
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
2017/18	6	0
2018/19	8	1

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. As set out in last year's Annual Standards report the Committee for Standards in Public Life (CSPL) published a report in January 2019 relating to Standards of Councillor Conduct in Local Government since the introduction of a new national framework for Standards in 2012. The paper made a number of recommendations and identified best practice to improve ethical standards in local government. The recommendations were made to government and to specific groups of public office holders. These included a number of changes to primary legislation, which would be subject to Parliamentary timetabling, but also to secondary legislation and the Local Government Transparency Code, which the CSPL envisaged could be implemented more swiftly. The best practice recommendations for local authorities were presented as a benchmark of good ethical practice, which the CSPL expected that all local authorities can and should implement.
8. By way of background information, a link to the report is included below.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF
9. The recommendations were considered by the Governance & Audit Committee on 26 June 2019. The Committee accepted that they broadly reflected current arrangements within the Bracknell Forest Council Standards Framework and that therefore no changes needed to be made to the Councillor Code of Conduct or the existing corporate arrangements for dealing with Standards Complaints
10. It will be noted that one of the CSPL recommendations was for the Local Government Association *"to create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government."*
11. The Board of the LGA at its meeting on 11 September considered and agreed to commence work on a new Model Code ahead of central government's response to the recommendations of the CSPL report. This work is part of a wider programme of work on civility in public life and in response to rising local government concern about the increasing incidence of public, member-to-member and officer/member intimidation and abuse and overall behavioural standards and expectations in public debate, decision making and engagement. The LGA appointed consultants Hoey Ainscough through a competitive exercise to work with it to review the Code.

12. The LGA's Code drafting timetable envisaged a draft Code being released for a 6 week consultation from 16 March 2020 with a final version being published at the launch of the LGA annual Conference in Harrogate on 30 June. However, this work was delayed due to the impact of Covid 19 and the draft was in fact issued for consultation in June. A meeting of the Code of Conduct working group is being convened in August in order to agree a corporate response to this consultation.

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.

Appendix B

	Date of Complaint	Status of Complainant	Borough or Parish Councillor	Grounds of Complaint	Outcome
1	23 April 2019	Resident	Town	Failing to treat complainant with respect	Code breach- informal resolution (apology)
2	26 April 2019	Resident	Parish	Failing to treat complainant with respect Bringing the Council or office of councillor into disrepute Discriminating against me and/or others	Code breach- informal resolution (apology)
3	31 July 2019	Resident	Borough	Bringing the council or the office of councillor into disrepute Failing to treat complainant with respect	No breach-No further action
4	23 Nov 2019	Resident	Borough	Compromising or acting in a way likely to compromise the impartiality of those working for or on behalf of the Council.	No breach-No further action

5	3 February 2020	Resident	Borough	<p>Bullying complainant</p> <p>Compromising or acting in a way likely to compromise the impartiality of those working for or on behalf of the council.</p> <p>Discriminating against complainant.</p> <p>Failing to treat complainant with respect,</p> <p>Improperly disclosing confidential information.</p> <p>By improperly using their position to secure an advantage for themselves and/or others or to disadvantage another person.</p>	No breach-No further action
6	28 February 2020	Resident	Borough	Bullying complainant	Not referred for investigation
7	12 March 2020	Resident	Town	<p>Bullying complainant</p> <p>Failing to treat Complainant with respect</p>	No breach-Not acting in official capacity. IP not consulted.