

STRATEGY AND POLICY
19 MARCH 1998

Present: Councillor Bettison (Chairman), Councillors Adams, Angell, Mrs Ballin, Bayle, Birch, Good, Jones, Mrs Keene, McCormack, Mills, North, Sargeant Wade, Ward and Wheaton

Also Present: Councillors Blatchford and Flood

618. Minutes

The minutes of the meeting of the Committee held on 11 February 1998 were approved as correct record and signed by the Chairman.

619. Urgent Action Taken Under Delegated Powers

The Committee noted urgent action taken under delegated powers in relation to minor variations to the agreement with Legal and General for the acquisition of land in connection with proposals for the redevelopment of Bracknell town centre.

620. County Council Debtors, Creditors and Other Rights and Liabilities (Item 1)

The Committee received a report containing draft proposals for establishing a framework to apportion debts, rights and liabilities between the six unitary authorities in Berkshire following abolition of the Berkshire County Council. The arrangements proposed related to apportionments existing at reorganisation and which might arise during the following period of 20 years. The Committee noted the approved Berkshire County Council Capital Programme for 1997/98 and later years, the proposed cost sharing formula between the unitary authorities and proposals for dealing with a range of other issues. Similar reports would be submitted to the other Borough/District authorities in Berkshire and a number of variations to the recommendations were circulated at the meeting.

RESOLVED that:

- (i) the Committee note the County Council's approved capital programme, set out in Appendix A of the report submitted, which the Acting Director of Finance of Berkshire County Council has advised is fully funded and that the Council agree to a transfer of resources (either by transferring unspent Section 106 receipts, usable capital receipts or other revenue balances) up to the level of approved capital expenditure less the expenditure which is actually incurred in 1997/98 for all items in the programme, subject to (ii) below, and that all rights and liabilities in the associated capital contracts should vest in the Authority where the scheme is located;
- (ii) in respect of those items in the programme, where the programme line supports a lottery or other bid (set out in Appendix B of the report submitted) that those bids proceed, but that the line be removed from the programme if the lottery bid fails and the relevant Unitary Authority does not indicate within a reasonable period of the failed bid that it intends to proceed with a scheme at the indicated location;

- (iii) the “Popbase” method of distribution set out in Appendix C of the report submitted be agreed as a reasonable general basis for distributing assets and liabilities of the County Council unless there is a statutory requirement to use an alternative or another basis is specifically agreed;
- (iv) Section 106 agreement receipts transfer to the authority requiring to use them (in accordance with the County Council programme referred to in Appendix A) and that receipts which are not required to transfer in accordance with (i) above transfer to the Authority where the agreement specifies work is to be done, and whether no such specification has been made to all authorities capable of complying with the agreement using the Popbase method of distribution or such other method, to be agreed, having regard to the purpose(s) for which the money was agreed to be given;
- (v) rights and liabilities under any Highways Agreements (for example Section 278 of the Highways Act 1980) transfer to the Authority to whose area the agreement relates to and any outstanding receipt, right deposit or benefit arising from a bond transfer to that Authority.
- (vi) any costs or receipts from a claim which is made within twenty years starting on 1 April 1998 arising from covenants made by the County Council or its predecessors, not connected to a property in “Category 1” transferring under the Property Transfer Arrangements, be shared by all Unitary Authorities using the “Popbase” method;
- (vii) any costs from a claim which is made by 31 March 1998 or within twenty years starting on 1 April 1998 arising from statutory orders made by the County Council (such as compensation claims arising from compulsory purchase orders) be shared by all Unitary Authorities using the “Popbase” method except where funding is included with (i) above;
- (viii) debtors and creditors in schools which would normally be paid by the school using its locally managed funds transfer to the Unitary Authority to which the school transfers;
- (ix) payroll creditors arising in the County Council accounts transfer to the Authority to which the employee transfers, unless arrangements have been made to make those payments in the contract between CSL and Reading BC as Designated Authority (for the payment of outstanding expenses), in which case the creditor transfers to Reading BC;
- (x) the “prepayment debtor” or creditor arising in the County Council’s accounts from the revaluation of schools for business rating purposes (arising from a notice issued by the Valuation Office Agency by 30 September 1998) transfer to the Authority in which the school is situated;
- (xi) those debts of the County Council which as at 31 March 1998 are secured on property, for social service client fees, transfer to the Authority taking responsibility for the client, with the transfer being made to the Designated Authority where the client is deceased;
- (xii) other debts of the County Council at 31 March 1998 which are secured on property transfer to the Authority in which the property lies and to the Designated Authority

for the residual housing mortgages and for property outside Berkshire (if any), with any proceeds being distributed using the "Popbase" method;

- (xiii) outstanding rental debtors of the County Council at 31 March 1998 transfer to the Designated Authority who will adopt the County Council's accounting arrangements for accruing or not accruing rent income (to ensure a full year's rent is shown in the County Council's accounts)'
- (xiv) the "prepayment debtor" and "prepayment creditor" in respect of employee leased cars transfer to the Authority to whom the employee transfers, provided the car transfers with the employee;
- (xv) all other revenue debtors and creditors of the County Council not covered by (viii) to (xiv) above, or previous or subsequent reports approved by all Unitary Authorities, transfer to the Designated Authority;
- (xvi) the liabilities of the County Council in connection with ongoing pension contributions (for added years) be shared by all Authorities using the "Popbase" method, with the administrative details to be agreed by Section 151 Officers of the Unitary Authorities;
- (xvii) any other claims which are outstanding on 31 March 1998 or arise within twenty years starting on 1 April 1998 from acts or omissions of the County Council or its predecessors be shared by all Unitary Authorities using the "Popbase" method;
- (xviii) costs and receipts arising from the disposal of Category 2 & 3 properties be distributed using the "Popbase" method, except that where an Authority is required to set aside part of the receipt as a provision for credit liabilities (e.g. under Section 59 of the Local Government & Housing Act 1989), the Designated Authority be advised and the Designated Authority make an adjustment to the amount of debt on which all Authorities are making contributions, as illustrated in Appendix D (using "Popbase" shares);
- (xix) the statutory requirements to meet the costs of the Designated Authority in closing the accounts of Berkshire County Council, and the contributions towards loan charges (including outstanding loan charges from the 1974 reorganisation) pro rata according to the 1997/98 tax base for tax setting purposes, be noted.
- (xx) the Borough Finance Officer be given authority to agree the method for calculating interest and other contributions towards loan charges (where the statutory default is not used), and that arrangements proceed on the basis that the debt will be cleared over 50 years.

621. Capital Programme 1998/99 - 2000/01 (Item 2)

The Director of Corporate Services submitted details of each service committee's proposals for capital spending requirements for the forthcoming year as summarised in revised Annexes A - F to the report and circulated at the meeting.

RECOMMENDED that the new schemes submitted and listed in Appendix A1 to A6 be approved for inclusion within the Council's capital programme for 1998/99.

622. **Unitary Arrangements - Health, Safety and Welfare of Employees (Item 3)**

The Director of Public and Environmental Services reported on the Council's legal responsibilities to ensure the health, safety and welfare of its staff and members of the public who were likely to be affected by the Council's work related activities. The Committee noted that work was proceeding with regard to the development of a comprehensive safety manual which would satisfy legal requirements and also provide line managers and staff with advice on safety matters relative to their work or sphere of responsibility. The report submitted contained draft statements of the Council's commitment to staff health, safety and welfare at work, a general statement of the health and safety at work policy and a general statement of the Council's occupational health and welfare policy. Subject to formal adoption, these statements of principle would be included within the Council's safety manual.

RESOLVED that the policy statements and proposed arrangements for health, safety and welfare at work as set out in the Appendices to the report submitted be adopted.

623. **Appointment of Substitute Committee Members (Item 4)**

The Director of Corporate Services referred to the pressures likely to arise for Members in a unitary authority and submitted a draft procedure for the appointment of substitute members for committees and sub committees.

RECOMMENDED that

- (i) the procedure for the appointment of substitute members for committees and sub committees, as detailed in the report submitted, be approved for implementation at the annual Council meeting;
- (ii) the procedure be prescribed in the Council's Standing Orders as outlined in Annexe A of the report submitted, subject to the Committees being able to appoint up to three Councillors from any political group to act as substitutes for Members of their Groups appointed to Sub Committees.

624. **Millennium Sub Committee (Item 5)**

The Committee noted that there was a need to consider more fully the options available to the Council to mark the millennium and the Director of Leisure Services submitted proposals for the establishment of a Sub Committee for the following purposes:

- (a) to develop a range of options relating to the millennium celebrations and to submit outline proposals with approximate costings, if appropriate, to the Strategy and Policy Committee for consideration;
- (b) subject to approval and funding, to ensure implementation of proposals.

RESOLVED that

- (i) a Millennium Sub Committee be established with the outline brief set out above;

- (ii) 9 members be appointed to serve on the Millennium Sub Committee for the year 1998/99; and
- (iii) the Director of Leisure Services be designated as lead officer for the purposes of supporting the Millennium Sub Committee.

625. Scheme of Council and Committee Management (Item 6)

The Chief Executive referred to the importance of the Council having a clearly defined scheme of Council and Committee management as a unitary authority, and the need for the scheme to provide clear definitions of the responsibilities of the Council, Committees, Chairmen and Officers. A report by the Director of Corporate Services was submitted which described the background to the preparation of a draft Scheme of Council and Committee Management which had been developed to ensure that each part of the organisation had clear responsibilities and freedom to act within an established framework and which sought to achieve a balance between the need for democratic control by the full Council and the benefits of delegating authority to committees and to officers. Two volumes of the scheme had been drafted; Volume 1 dealt with Member arrangements whilst Volume 2 dealt with management arrangements. A third volume which would contain details of specific authorisations delegated to officers would be drafted in future.

Both volumes were considered in detail by the Committee and a number of specific adjustments were approved and other issues raised in discussion. The attention of the Committee was specifically drawn to proposed variations in the Council's Standing Orders and to revised Financial Regulations included within Volume 1 and Volume 2 respectively.

RECOMMENDED that, subject to the adjustments made at the meeting, Volumes 1 and 2 of the Scheme of Council and Committee Management be adopted with effect from the annual Council meeting.

RESOLVED that a review of the operation of the scheme be undertaken after one year.

626. Environment Strategy 1998-2000 (Item 7)

The Committee noted that following the launch in 1996 of the Council's Outline Environmental Strategy, the Public and Environmental Services Committee had endorsed a revised draft prepared by the Environmental Impact Group which had now been considered by other service committees. The revised draft had been well received by committees and a number of helpful comments had been made which would be incorporated in the final Strategy document. The draft had been circulated to all Members and, subject to adoption by the Council, would be launched at the Environment Fair to be held in May 1998.

RECOMMENDED that, subject to the incorporation of the changes identified by service committees, the Council adopt the Environmental Strategy 1998-2000 as circulated to all Members.

627. DETR Consultation Papers - Modernising Local Government

- (i) Local Democracy and Community Leadership Item 8(i)
- (ii) Best Value in Service Delivery Item 8(ii)

The Chief Executive reported on the series of consultation papers being issued by the Government to stimulate wider debate about the areas of radical change which the Government believed were necessary to modernise local government. Details of the two consultation papers issued so far were reported to the Committee and in view of the significance of the issues raised and the requirement for comments on the first consultation paper on Demographic Renewal and Community Leadership by 9 April 1998, it was suggested that the existing joint Strategy and Policy and Audit Performance and Scrutiny Focus Group should be authorised to approve the terms of the Council 's response.

Arising from discussion, Members requested that copies of the full consultation papers should be issued to all Members of the Council for comment.

RESOLVED that

- (i) the two DETR consultation papers issued to date be received; and
- (ii) the existing joint Strategy and Policy and Audit Performance and Scrutiny Focus Group be authorised to approve the Council's response to the DETR.

628. Appointment of Insurance Brokers (Item 9)

Consideration was given to proposed arrangements for the engagement of an Insurance Broker to provide additional support and advice in developing an active risk management strategy. In view of the limited amount of time available to the Council to re-tender the services of Insurance Broker and the relationship which had been developed with the Council's existing Brokers, it was proposed to proceed by way of a negotiated contract in accordance with the provisions of Standing Order 62.

RESOLVED that

- (i) in accordance with Standing Order 62, the requirements of Standing Order 60 with respect to competitive tendering be waived; and
- (ii) the Borough Finance Officer be authorised to negotiate a contract for the appointment of Aon Risk Services as the Council's Insurance Broker for period 1 April 1998 to 31 March 1999.

629. Calendar of Meetings 1998/99 (Item 10)

The Committee received a draft calendar of meetings of the Council, Committees and Sub Committees for the forthcoming municipal year.

RESOLVED that the draft calendar of meetings of the Council, Committees and Sub Committees for the 1998/99 municipal year be adopted as submitted.

630. Local Government Reorganisation - Miscellaneous Matters (Item 11)

It was noted that there were a number of outstanding matters arising from local government reorganisation which required to be finalised before 31 March 1998.

RESOLVED that

- (i) a Local Government Reorganisation Sub Committee be appointed and that the Sub Committee be delegated authority until and including 31 March 1998 to determine all outstanding issues concerning local government reorganisation;
- (ii) a meeting of the Sub Committee be held at 6.30pm on Wednesday 25 March; and
- (iii) the members of the Strategy and Policy Executive Sub Committee be appointed to serve on the Local Government Reorganisation Sub Committee.

631. **References from Other Committees (Item 12)**

The Committee received Minute 592 of the meeting of the Social Services Transition and Housing Committee held on 17 March 1998.

RESOLVED that the recommendations contained in Minute 592 (Social Services Systems Strategy for CRIS and Homecare Year - 2000 Compliancy) be adopted.

632. **Special (Insurance Tenders) Sub Committee**

RESOLVED that the minutes of the meeting of the Special (Insurance Tenders) Sub Committee held on 5 March 1998, as set out in Appendix B hereto, be received and noted.

633. **Finance and Property Sub Committee**

RESOLVED that the minutes of the meeting of the Finance and Property Sub Committee held on 5 March 1998, as set out in Appendix C hereto, be received and that the recommendations in Minute 52 (Bracknell and District Victim Support Scheme) be adopted.

634. **Access Committee**

RESOLVED that the minutes of the meeting of the Access Committee held on 11 March 1998, as set out in Appendix D hereto, be received and that the recommendation in Minute 97 (RAMPO Fund) be adopted.

635. **Personnel Sub Committee**

RESOLVED that the minutes of the meeting of the Personnel Sub Committee held on 12 March 1998 as set out in Appendix E hereto, be received and that the recommendations in Minute 38 (Council Policy on the Exercise of Discretionary Provisions regarding Pensions and Severance) be adopted.

636. **Exclusion of Public and Press**

RESOLVED that pursuant to Section 100A of the Local Government Act 1972 members of the public and press be excluded from the meeting for the consideration of Item 13 which involves the likely disclosure of exempt information under the following categories of Schedule 12A of that Act:

- (7) Information relating to Financial/Business Affairs
- (9) Information relating to Terms to be proposed for a Contract

637. **Easthampstead Park Mansion and Grounds (Item 13)**

In a report containing exempt information, the Director of Leisure Services submitted proposals for the future management arrangements and uses of Easthampstead Park Mansion following its transfer to the Council on vesting day.

RESOLVED that

- (i) responsibility for the management arrangements associated with Easthampstead Park Mansion and grounds be assigned to the Leisure Services Committee;
- (ii) the priority need for capital works at Easthampstead Park Mansion be noted;
- (iii) the Director of Leisure Services be authorised to initiate negotiations with the existing Conference Centre contractor and, dependant on the outcome of discussions, to either;
 - (a) report to the Leisure Services Committee if a suitable contract can be provisionally negotiated; or
 - (b) market test the management contract in accordance with Standing Orders.

The meeting commenced at 7.30pm and concluded at 9.55pm.

CHAIRMAN