

**COUNCIL
22 JULY 1998**

Present: Councillors Adams, Angell, Mrs Ballin, Barnard, Bayle, Beadsley, Bettison, Birch, Blatchford, Mrs Clifford, Mrs Doyle, Egan, Fawcett, Finnie, Flood, Good, Miss Haydon, Mrs Hayes, Mrs Hirst, Jones, Mrs Keene, McCormack, Mills, North, Onions, Mrs Pile, Ryan, Sargeant, Mrs Shillcock, Simonds, Mrs Sutcliffe, Taylor, Thompson, Veakins, Wade, Ward, Wheaton and Worrall

Apologies for absence were received from:
Councillors Grayson and Harrison

THE MAYOR, COUNCILLOR FINNIE IN THE CHAIR

178 Minutes

The minutes of the annual meeting of the Council held on 25 March 1998 were approved as a correct record and signed by the Mayor.

179 Mayor's Announcements

(i) Funding Raising for British Heart Foundation

The Mayor reminded Members of fund raising events to be held in support of his charity for the 1998/99 municipal year, the British Heart Foundation.

(ii) Variation of Order of Business

The Mayor advised the Council that in view of the level of public interest in certain agenda items the number of members of the public present at the meeting and the limitations on space in the Council Chamber, he had decided that the order of business should be varied to enable petitions and matters relating to the recommendations of the Planning and Transportation Committee in Minute 111, to be dealt with sequentially as early as practicable in the meeting.

180 Scheme for Public Participation – Standing Order 12

(i) Petitions

The Council received the following petitions:

(a) a petition in the following terms was presented by Ms J Lovell:

“We, the community of Chavey Down and St Martin’s Church are opposed to the change of catchment area which excludes Chavey Down children from Winkfield, St Mary’s C of E Primary School. We are also aggrieved about the manner in which this change was enforced and ask the new LEA to rectify the mistake by the old Authority to ensure that justice prevails.”

Further to questions the petition was referred to the next meeting of the Education Committee.

- (b) a petition in the following terms was presented by Mrs M D Langton:

"We, the Pensioners of Bracknell, and our supporters, believe that we have earned the right, common to pensioners throughout Britain, to free or at least concessionary bus fares, and we urge Bracknell Forest Borough Council to continue to honour this right."

- (c) a petition submitted in the following terms from Mr A Caines was noted:

"We, the undersigned strongly object to any cuts in concessionary travel arrangements for the elderly; furthermore we maintain that we should have free travel as in many other areas."

Following questions to the petitioners, the petitions at (b) and (c) above were noted for consideration with Minute 111 of the Planning & Transportation Committee.

(ii) Statement

In accordance with Standing Order 12 the Council received a statement made by Mrs K Brinkman regarding the recommendations of the Planning & Transportation Committee at Minute 111. Following questions, the statement was noted.

(i) Question under Standing Order 11 to the Chairman of Planning and Transportation Committee (Councillor Mrs Ballin) by Councillor McCormack

"The proposed changes by the Conservative Group to the Concessionary Fares Scheme will impact on the Borough's elderly residents.

Could the Chairman of the Planning and Transportation Committee please explain what consultation took place prior to the recommendation being presented to the Planning and Transportation Committee on 25 June 1998?"

Reply by Councillor Mrs Ballin

The Chairman of the Planning and Transportation Committee advised the Council, in detail, of the consultation mechanism that had been implemented with regard to the proposals and the results of such consultation, and expanded further on the Councils proposals with regard to the continuation of a concessionary fares scheme in appropriate circumstances.

181 Planning & Transportation Committee – 25 June 1998 – Minute 111

The Council considered the recommendations set out at Minute 111 of the Planning & Transportation Committee of 25 June 1998. A motion, making amendments to the minute, was moved by Councillor Mrs Ballin and seconded by Councillor Birch. On being put to the meeting and, on a request for a recorded vote to be taken, voting on the motion was as follows:

For: Councillors Angell, Mrs Ballin, Barnard, Bettison, Birch, Blatchford, Mrs Doyle, Egan, Finnie, Flood, Miss Haydon, Mrs Hayes, Mills, North, Mrs Pile, Sargeant, Simonds, Mrs Sutcliffe, Thompson, Wade, Ward and Worrall (22)

Against: Councillors Adams, Bayle, Beadsley, Mrs Clifford, Fawcett, Good, Mrs Hirst, Jones, Mrs Keene, McCormack, Onions, Ryan, Mrs Shillcock, Taylor, Veakins and Wheaton (16)

Abstentions: (Nil)

The motion was therefore declared carried and it was

RESOLVED as follows:

1 That the Council's concessionary fares scheme be amended as follows with effect from 1 October 1998.

(i) Free bus travel passes be available at a charge of £20.80 to all persons who are:

registered blind or partially sighted; or
registered physically disabled; or
able to produce a Doctor's Certificate stating that they are unable to work for at least six months by reason of temporary disablement; or
suffering from mental handicap or severe mental handicap; or
have been refused a driving licence or have had such a licence revoked, on medical grounds under Section 87 of the Road Traffic Act; or
unable to speak or hear; or
without the use of both arms; or
a specified travelling companion of eligible persons.

(ii) Half fare bus travel passes be available at an annual charge of £12 to:

- (a) all persons aged 65 and over
- (b) individuals aged between 60 and 65 who hold bus travel passes at 25 June 1998 and continue to hold them at all subsequent renewal dates.

(iii) A concession of £15.90 be available to purchase Senior Citizens' Rail Cards to:

- (a) all persons aged 65 and over
- (b) individuals aged between 60 and 65 who hold Senior Citizens' Rail Card passes at 25 June 1998 and continue to hold them at all subsequent renewal dates.

(iv) A concession of £11.90 be available to persons identified in 3.1(i) above to purchase Disabled Rail Cards.

- 2 That the free and half fare passes specified in 3.1(i) and 3.1(ii) be available for the period 1 October 1998 to 31 March 1999 at charges of £10.40 and £6 respectively.
- 3 That a detailed investigation be undertaken with a view to introducing a replacement "smartcard" scheme in 1999/2000.
- 4 That the management and administration of the concessionary fares scheme be transferred from the Corporate Services Department to the Planning and Transportation Department and that the budget allocations be adjusted accordingly.
- 5 That provision of £5,000 be made to fund individuals travelling to Wexham Park Hospital by community transport on a pilot basis for six months.

182 **All Standing Committees**

The minutes of the meetings of all Standing Committees held on 25 March 1998 were submitted.

RESOLVED on the proposition of Councillor Bettison, seconded by Councillor Birch, that the reports be received.

183 **Social Services & Housing Committee**

The report of the meeting of the Social Services & Housing Committee held on 9 June 1998 was submitted.

RESOLVED on the proposition of Councillor Angell, seconded by Councillor Worrall, that the report be received.

184 **Public & Environmental Services Committee**

The report of the meeting of the Public & Environmental Services Committee held on 16 June 1998 was submitted.

With regard to minute 81 – Environment Fair 1998, the Chairman expressed his thanks to all those officers and Members who had taken part in the Council's successful Environment Fair event this year.

RESOLVED on the proposition of Councillor Mills, seconded by Councillor Egan, that the report be received.

185 **Education Committee**

The report of the meeting of the Education Committee held on 18 June 1998 was submitted.

The Chairman advised that the next scheduled meeting of the Committee for 8 October would need to be postponed to the following week and Members would be informed accordingly when a new date had been arranged.

RESOLVED on the proposition of Councillor Ward, seconded by Councillor Barnard, that the report be received.

186 **Planning & Transportation Committee**

The report of the meeting of the Planning & Transportation Committee held on 25 June 1998 was submitted.

RESOLVED on the proposition of Councillor Mrs Ballin, seconded by Councillor Mrs Doyle, that the report (excepting Minute 111, previously resolved) be received.

187 **Leisure Services Committee**

The report of the meeting of the Leisure Services Committee held on 30 June 1998 was submitted.

RESOLVED on the proposition of Councillor North, seconded by Councillor Mrs Hayes, that the report be received.

188 **Strategy & Policy Committee**

The report of the meeting of the Strategy & Policy Committee held on 15 July 1998 was submitted and the Chairman responded to questions thereon.

RESOLVED on the proposition of Councillor Bettison, seconded by Councillor Birch, that the report be received.

189 **Questions – Standing Order 11:**

- (ii) Question to the Chairman of Strategy and Policy Committee (Councillor Bettison) by Councillor Mrs Keene

“Is it acceptable for the Chairman of a Committee to use their casting vote on an issue concerning his own Ward other than to maintain the status quo?”

Reply by Councillor Bettison

“The short answer to this question is yes.

The Chairman of a Committee has a second or casting vote which may be exercised when there is an equality of votes. This is provided for in the Local Government Act 1972, Schedule 12, paragraph 39 (2).

The use of the casting vote by the Chairman is subject to the same constraints as any other voting member ie it should be used honestly and according to the Chairman’s own perception of what is best in the public interest.

The question of issues concerning the Chairman's own Ward is irrelevant to the use of the casting vote. The purpose of the casting vote is to break a deadlock which would otherwise exist. If a Chairman always used the casting vote to maintain the status quo, the effect would be to maintain a deadlock rather than break it! Indeed, the Courts have remarked that a requirement of a Chairman that he/she should vote in favour of the status quo would be unlawful.

190 **Motion – Standing Order 8**

Motion 2/98

Motion 2/98 as set out in the Agenda for the meeting was moved by Councillor Ward and seconded by Councillor Bettison.

It was then moved by Councillor Beadsley and seconded by Councillor McCormack that the whole motion be deleted, excepting "*we note the independent research done for TACFIG by Rita Hale Associates*" and adding "*and request that a report be presented to the next meeting of the Finance and Property Committee with a view to assessing the implications for the residents of Bracknell Forest*".

On being put to the meeting the amendment was declared lost. Motion 2/98 was then put to the meeting and, on a request for a recorded vote to be taken, voting was as follows:

For: Councillors Angell, Mrs Ballin, Barnard, Bettison, Birch, Blatchford, Mrs Doyle, Egan, Finnie, Flood, Miss Haydon, Mrs Hayes, Mills, North, Mrs Pile, Sargeant, Simonds, Mrs Sutcliffe, Thompson, Wade, Ward and Worrall (22)

Against: Councillors Adams, Bayle, Beadsley, Mrs Clifford, Fawcett, Good, Mrs Hirst, Jones, McCormack, Ryan, Mrs Shillcock, Taylor, Veakins and Wheaton (14)

Abstaining: Councillor Mrs Keene (1)

Motion 2/98 was declared carried and it was

RESOLVED that:

This Council supports the "Town and Country Finance Issues Group" (TACFIG) in its efforts to persuade the Government to improve the distribution of the Central Government Grant.

We recognise that the poor treatment of this Authority by Central Government in the Grant has, in effect, caused the reduction in travel grant which we have had to make this evening.

We note that the independent research done for TACFIG by Rita Hale Associates would indicate that Bracknell Forest's allocation should be £896,000 more in the Environment and Cultural Block.

In the light of the above we will ask the Chief Executive to write to the DETR to commend the research and to request that they act upon it.

The meeting commenced at 7.30pm and concluded at 10.30pm.

MAYOR