

COUNCIL
25 JUNE 2003
(7.30 pm – 9.55 pm)

Present: The Mayor (Councillor Mrs Pile), Councillors Baily, Mrs Ballin, Barnard, Mrs Barnard, Beadsley, Mrs Beadsley, Bettison, Birch, Mrs Birch, Browne, Brunel-Walker, Dudley, Earwicker, Edger, Finch, Finnie, Harrison, Miss Haydon, Mrs Hayes, Jones, Leake, McLean, Mihell, Osborne, Packham, Piasecki, Mrs Ryder, Sargeant, Mrs Shillcock, Thomas, Thompson, Turrell, Wade, Ward and Worrall.

Apologies for absence were received from:
Councillors Adams, Grayson, Kendall, McCracken, Mills and North

Prior to the formal commencement of the meeting, Members and others present joined the Mayor in observing one minute's silence in memory of former Councillor Barry Egan and former Councillor Kitty Dancy. Barry Egan, who had died on 4 June 2003, had served as a Councillor for 20 years, including service as the Mayor of the Borough. Kitty Dancy, OBE, had been Chairman of the former Easthampstead Rural District Council in the 1960's and had been the first person to be admitted to the status of Honorary Freeman of the Borough.

Following the tribute to two former Members, Revd N Parish opened the proceedings with prayers.

14. Minutes (Item 2)

RESOLVED that the minutes of the meeting of the Council held on 21 May 2003 be approved as a correct record and signed by the Mayor.

15. Declarations of Interest (Item 3)

Councillor Beadsley declared a personal interest in paragraph 4.1(c) [Brakenhale School Disposal of Land] of the Executive Report (Item 5 of the agenda) by virtue of his membership of the governing body of Brakenhale School.

There were no other declarations of interest made at the meeting.

16. Mayor's Announcements (Item 4)

Leader of Walsall Metropolitan Borough Council

The Mayor welcomed Councillor Tom Ansell, Leader of Walsall Metropolitan Borough Council, to the meeting. Councillor Ansell was undertaking a two day visit to Bracknell Forest to observe the operations of the Council.

Funeral Service for Barry Egan

The Mayor announced that the funeral service for former Councillor Barry Egan would be held on Thursday 26 June at St. Joseph's Church, Bracknell, at 2.00 pm and afterwards at Easthampstead Park Cemetery and Crematorium.

Memorial Service for former Councillor Kitty Dancy

The Mayor announced that a memorial service for Kitty Dancy would be arranged at the Sandhurst Community Centre in September and further details would be confirmed by the family.

Annual Civic Service

The Mayor invited all Members to join her at the Annual Civic Service, which would be held at the Holy Trinity Church, Church Road, Bracknell on 14 September 2003 at 2.30 pm and afterwards at the Grange Hotel, Bracknell.

Mayor's Chaplain

The Mayor announced that she would not be appointing an individual Mayor's Chaplain for the year, but would be inviting clergymen from each of the six parishes to attend the Council to conduct prayers at the beginning of each Council meeting.

Mayor's Charity 2003/2004

The Mayor announced that she had chosen "Guiding and Scouting in Bracknell Forest" as her charity for 2003/2004. She paid tribute to the work of the guide and scout groups with young people.

Mayor's Charity 2002/2003

At the request of the Mayor, Councillor Mrs Hayes, the Immediate Past Mayor, announced that a total of £23,460.53 had been raised for the Mayor's charity in 2002/2003 and this money would be passed on to the Paul Bevan Day Hospice. The Mayor congratulated Councillor Mrs Hayes on her efforts.

17. **Executive Report (Item 5)**

The Leader of the Council presented the Executive Report to the Council. Since the last Executive Report to the Council on 24 April 2003, the Executive had met once on 17 June 2003. At that meeting, the Executive had considered three Policy Framework items which had been referred to the Council for adoption [*See minutes 19 - 21 below*] and had made decisions in relation to the following matters:

- Homelessness Strategy and Revised Allocations Policy
- The Scheme for Financing Schools
- School Terms
- Brakenhale School – Disposal of Land
- Garth Hill and Wick Hill Master Plan

- Bracknell Forest Borough Local Plan
- Land at Ringmead Great Hollands
- Approval of Tender List – Advertising Services Contract

The Leader of the Council highlighted the Homelessness Strategy and Revised Allocations Policy and its important contribution to social cohesion, but there were some concerns about the national allocations policy direction. He also highlighted the benefits of two initiatives relating to two of the Borough's secondary schools.

The Leader of the Council referred to the meeting of the Public Scrutiny Commission on 9 June 2003, at which the Council's proposals and contract arrangements for the Edge smart card had been reviewed. He reported that the Commission had been supportive of the Edge and the new arrangements for the contract would save the Council approximately £200,000 per annum.

The Leader also reported four recent successes for the Council: an audit by the Social Services Inspectorate of services to children in need had found that the Council was serving most children well with promising prospects for improvement; the Council's adult services had been short-listed in the last four for the Department of Health and Community Care National Award; an Ofsted inspection of the Council's Standing Advisory Council on Religious Education had found that support for religious education in schools was good; and the Council's human resource strategy had been highlighted by the Audit Commission as notable good practice.

The Leader of the Council responded to questions on the Executive Report.

19. Policy and Performance Plan 2003/2004 (Item 6 [1])

The adoption of the Policy and Performance 2003/2004 was moved by Councillor Bettison and seconded by Councillor Birch. On being put to the meeting, the motion was declared carried. It was thus

RESOLVED that the Policy and Performance Plan 2003/2004 be adopted.

20. Adult Learning Plan 2003/2004 (Item 6 [2])

The adoption of the Adult Learning Plan 2003/2004 was moved by Councillor Ward and seconded by Councillor Birch. On being put to the meeting, the motion was declared carried. It was thus

RESOLVED that the Adult Learning Plan 2003/2004 be adopted.

21. Food Law Enforcement Plan 2003/2004 (Item 6 [3])

The adoption of the Food Law Enforcement Plan 2003/2004 was moved Councillor Mrs Ballin and seconded by Councillor Wade. On being put to the meeting, the motion was declared carried. It was thus

RESOLVED that the Food Law Enforcement Plan 2003/2004 be adopted.

22. **Reference from Planning & Highways Committee: 2 Prince Albert Drive, Ascot (Planning Application Reference: 03/00078/FUL) – (Item 7)**

In accordance with Council Procedure Rule 17, a planning application relating to 2 Prince Albert Drive, Ascot, which had been considered by the Planning and Highways Committee on 16 April 2003, had been referred to the Council for determination. The Head of Planning and Building Control presented the report on the planning application to the Council.

Councillor Worrall, seconded by Councillor Mrs Ballin, moved the Committee's recommendation for debate, as follows:

that, subject to:

- a) advertising the application as a departure from the Development Plan,
- b) no significant objections being raised as a result of the above publicity, and
- c) referring the application to the Secretary of State as a departure from the Development Plan,

the Head of Planning and Building Control be authorised to approve the application, subject to the following conditions:

- (1) Z101 Time limit for commencement of development
- (2) Z201 Approved Plans: Insert: Drawing Numbers 623/01 and 02
- (3) Z501 Materials to match existing building.

On being put to the meeting, the motion set out above was declared lost.

Councillor Worrall, seconded by Councillor Mrs Ballin, then moved a motion in the terms set out below. On being put to the meeting, the motion was declared carried, it was thus

RESOLVED that the application be refused for the following reason:-

- (1) the proposed development, together with the previous extensions to the property, would result in an inappropriate disproportionate addition to the original dwelling which would be harmful to the open and rural character of the green belt contrary to Policy C4 the Berkshire Structure Plan 1991 – 2006 and Policy GB1 of the Bracknell Forest Local Borough Plan 2002.

23. **Review of Parliamentary Boundaries (Item 8)**

A report was submitted by the Acting Director of Corporate Services which invited the Council to establish a Committee to formulate representations to the Boundary Commission for England on behalf of the Council in relation to the Commission's proposals for changes to the Parliamentary Constituencies in Berkshire.

On the proposition of Councillor Bettison, seconded by Councillor Birch it was **RESOLVED** that

- (i) a special Committee "The Parliamentary Boundaries Review Committee" of seven members be appointed (six Conservative, one Labour) to consider the proposals of the Boundary Commission for the Review of Parliamentary Boundaries in Berkshire and formulate to representations to the Boundary Commission on behalf of the Council; and

- (ii) Councillors Mrs Ballin, Barnard, Beadsley, Brunel-Walker, Leake, McLean and Worrall be appointed to serve as members of the Committee with Councillors Finnie, Jones and Mills appointed to serve as substitute members.

23. **Amendment to Officer Delegation (Item 9)**

The Acting Director of Corporate Services submitted a report to the Council which proposed an amendment to the Scheme of Delegations to Officers in Part 3 of the Council's Constitution which would enable tree preservation orders and notices under the Building Act 1984 to be signed by the Director of Environment or by an officer nominated by that Director.

On the proposition of Councillor Bettison, seconded by Councillor Birch, it was **RESOLVED** that Part 3 of the Council's Constitution be amended that signing of tree preservation orders, notices under the Building Act 1984 and under the Building Regulations to the list of functions delegated to the Director of Environment.

24 **Local Authorities (Member's Allowances) (England) Regulations 2003: Establishment of Independent Remuneration Panel**

The Acting Director of Corporate Services submitted a report which invited the Council to establish an Independent Remuneration Panel and to make appropriate arrangements pursuant to the Local Authorities (Member's Allowances) (England) Regulations 2003.

On the proposition of Councillor Bettison, seconded by Councillor Birch, it was **RESOLVED** that

- (i) the Chief Executive be authorised:
 - (a) to constitute an Independent Remuneration Panel having regard to the advice of the appointed Independent Chairman, Dr Declan Hall of Birmingham University,
 - (b) to determine the level of allowances payable to members of the Independent Remuneration Panel,
 - (c) in consultation with the Chairman of the Standards Committee, to remove any member of the Independent Remuneration Panel if it should be considered that his/her continuing membership of the Panel would discredit the Panel and/or undermine public confidence in the deliberations of the Panel,
 - (d) to replace any member of an Independent Remuneration Panel removed pursuant to (c) above;
- (ii) the Independent Remuneration Panel act as a Parish Remuneration Panel, if the Council should be advised by any Parish Council that it wishes to pay a Parish Basic Allowance;

- (iii) the tenure of membership of the Independent Remuneration Panel be limited to an initial period of three years; and
- (iv) the Independent Remuneration Panel review the current scheme of Members allowances having regard to the provisions of the Regulations and make recommendations for a new scheme to be adopted by the Council before 30 September 2003.

26. Re-designation of Council Champion (Item 11)

It was moved by Councillor Bettison and seconded by Councillor Barnard that the "Looked After Children and Young People's Champion" be re-designated the "Vulnerable Children and Young People's Champion". On being put to the meeting, the motion was declared carried. It was thus

RESOLVED that the Looked After Children and Young People's Champion be re-designated the Vulnerable Children and Young People's Champion.

27. Questions Submitted under Council Procedural Rule 10.2

By Councillor Beadsley to the Executive Member for Social & Healthcare Services and Housing

What action has been taken to respond to motion 2/2003 passed by the Council on 26 March 2003?

Councillor Barnard referred to the complexity of the system for claiming child tax credit and the Government's concern in this regard. He also referred to the need for applicants to produce a series of documentation and to complete a 44 page application form. Bracknell Forest officers were seeking information on the child tax credit system, although final guidance from the Local Government Association had not been produced. He referred to the average family receiving between £5 to £6 per week as a result of the family tax credit system, although 10% in national insurance contributions would offset this. There were also problems with tax credit helpline and a large backlog of claims to be processed.

In responding to a supplementary question from Councillor Beadsly, Councillor Barnard agreed to report progress to the Council in September.

THE MAYOR