

COUNCIL
3 DECEMBER 2003
(7.30 pm – 9.45 pm)

Present: The Mayor (Councillor Mrs Pile), Councillors Adams, Baily, Mrs Ballin, Barnard, Mrs Barnard, Beadsley, Mrs Beadsley, Bettison, Birch, Mrs Birch, Browne, Brunel-Walker, Dudley, Earwicker, Edger, Finnie, Grayson, Harrison, Mrs Hayes, Jones, Kendall, Leake, McCracken, McLean, Mihell, Mills, North, Osborne, Piasecki, Mrs Ryder, Sargeant, Mrs Shillcock, Thomas, Thompson, Turrell, Ward and Worrall.

Apologies for absence were received from:

Councillors Finch, Miss Haydon, Packham and Wade.

Prior to the formal commencement of the meeting Reverend Bill Meyer, from All Saints Church, Binfield, opened the proceedings with prayers.

47. Minutes (Item 2)

RESOLVED that the minutes of the meeting of the Council held on 24 September 2003 be approved as a correct record and signed by the Mayor.

48. Declarations of Interest (Item 3)

Following advice to the effect that Members would have a personal interest, but not a prejudicial interest in item 9 (Review of Members' Allowances), all Members present declared a personal interest in this item.

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

49. The Mayor's Announcements (Item 4)

Director of Corporate Services

On behalf of the Council, the Mayor welcomed Gill Steward, the new Director of Corporate Services, to her first meeting of the Council.

Two Star Award for Social Services

All those present joined the Mayor in congratulating the Director of Social Services and Housing and the staff in her department for being awarded two stars by the Social Services Inspectorate.

On the invitation of the Mayor, the Executive Member for Social and Health Care Services and Housing, Councillor Barnard, stated that the two star award was a reflection of a commitment to improvement and the Council's corporate effort, following the Joint Review. He also stated that the Department had also been recognised for its work in response to the findings of the Victoria Climbié Inquiry.

Christmas Lights in Bracknell Town Centre

The Mayor announced that on Sunday 23 November many people had braved the weather to watch the illumination of the Christmas lights in Bracknell Town Centre. The Mayor thanked those Councillors who had attended and assisted in collecting money for the Mayor's Charity.

Autumn Leaves Charity Ball

The Mayor thanked everybody who had attended the Autumn Leaves Charity Ball on 21 November, which had been a successful and enjoyable evening. Councillor Birch thanked the Mayor for the organisation of this event.

Sandhurst Silver Band

Following a report about the success of the Sandhurst Silver Band at the Council's September meeting, the Mayor would be hosting a reception for the Band on Friday 5 December. The Band would be playing in Crossway, Bracknell Town Centre, during Friday afternoon following which there would be an official reception and presentation in the Council Chamber.

Christmas Drinks for Staff

The Mayor would be hosting the Mayor's Christmas Drinks for the Council's staff on Monday 8 December between noon and 2pm in the Council Chamber. She invited all Councillors to attend to meet staff and to thank them for all their hard work during the year.

Race Night

Councillor Worrall would be presenting a race night on the evening of 17 January 2004, organised in aid of the Mayor's Charity. The Mayor hoped as many Councillors as possible would support this event.

Abseiling from the Roof of the Grange Hotel

The Mayor announced that she would be abseiling from the roof of the Grange Hotel on 13 March 2004 in aid of the Mayor's Charity and she would be seeking sponsors for this.

Green Flag Award

On the invitation of the Mayor, the Executive Member for Leisure Services, Councillor McCracken, announced that Popes Meadow, Binfield, had received a Green Flag Award for the second consecutive year. Westmorland Park, Warfield, had received the award for the first time. Bracknell Forest had been the only authority in Berkshire to receive such awards.

Snaprails Park

On the invitation of the Mayor, the Executive Member for Leisure Services, Councillor McCracken, announced that the Council had received funding from Countryside Agency as part of the Agency's 'Doorstep Greens Initiative' for improvements to Snaprails Park in Sandhurst.

Tenants' and Leaseholders' Compact

The Mayor announced that the Tenants' and Leaseholders' Compact had been revised. The Executive Member for Social and Health Care Services and Housing, the Chief Executive, the Chairman and another Member of the Tenants and Leaseholders Panel came forward and signed the Compact.

On the invitation of the Mayor, the Executive Member for Social and Health Care Services and Housing, Councillor Barnard, paid tribute to the work underlying the Compact and reaffirmed the Council's commitment to it.

50. Question Submitted under Procedure Rule 9 (Item 5)Question from Mr G Hine to the Executive Member for Education, Councillor Ward.

What will happen to the Fox Hill Primary School site as the Consultation Technical Information document gives the release of the Fox Hill site as an advantage and the Executive report says you are going to sell the site?

Fox Hill takes 80% of its pupils from its catchment area unlike other schools in the review, therefore it is a true neighbourhood school serving its community, well managed, financially viable and yet planned for closure, why?

In the year 2000, Fox Hill Primary School was refurbished and enlarged at a cost of £500,000 following the fire. The LEA insisted that three additional classrooms be provided to cater for Staff College development. These three classrooms can be shown to be the cause of the surplus places at Fox Hill due to the proposed change in designated area. Please justify the original expenditure and your subsequent decision to close the school?

Reply

Councillor Ward responded by stating that he had spent twelve hours answering questions on the proposals for South Bracknell over several evenings. The consultation process was continuing until 19 December and it was premature to make any statement with regard to the eventual decision at this stage. Councillor Ward stated that none of the three sites (Wooden Hill Primary, Fox Hill Primary and the Pines Infant and Junior Schools) were planned for sale by the Council, irrespective of the outcome of the consultation.

In relation to the second part of the question, Councillor Ward stated that of the three schools identified for possible closure, whilst Fox Hill received the largest number of pupils from its immediate designated area, the review of primary school provision in South Bracknell extended to ten schools and was aiming to address a surplus of over 800 places – the equivalent of two large primary schools. By removing some of the excess building capacity, resources would be redirected to the “chalk face”.

In relation to the third part of the question, Councillor Ward confirmed that the refurbishment in the year 2000 had followed a fire but as a reconfiguration of the building to remove the castellated design to provide a coherent exterior. The additional classrooms were not intended for any additional numbers arising from the development of the former Staff College site.

Councillor Ward also stated that the consultation process was genuine and a final decision would not be made until this process had been completed. He referred to a recent editorial in the Bracknell News. Councillor Ward confirmed that he would continue working with parents to seek a final outcome. He stated that whilst each of the consultation meetings had lasted four hours, he was prepared to talk to parents again.

Councillor Ward then responded to a supplementary question from Mr Hine.

51. **Executive Report (Item 6)**

The Leader of the Council presented the Executive report to the Council. Since the last Executive report on 24 September 2003, the Executive had met on 21 October and 18 November 2003 and made decisions in relation to the following matters:

- Strategic Objectives 2003-2007
- Comprehensive Performance Assessment Improvement Reporting – Self Assessment
- The Green Paper, Every Child Matters
- Implementing Electronic Government Return (IEG2)
- South Bracknell Review of Primary Schools
- Wick Hill/Garth Hill Masterplan
- Eastern Gateway Planning Brief
- Bracknell Town Centre – Partnership Funding for Renewable Energy
- Adult Services: Day Opportunities Review
- Annual Review of Social Services Performance 2002-2003

The Leader of the Council highlighted the decisions made in relation to the Strategic Objectives for 2003-2007; and ‘Every Child Matters’. In relation to the Strategic Objectives, the Leader reported that an ambitious programme of four year objectives had been planned for the coming four years which included fifteen key objectives and 98 specific actions. Consultation had been undertaken with the public and key partners and there had been broad support for the Council’s policy direction.

In relation to 'Every Child Matters', the Leader advised that following a seminar to which all Councillors had been invited on 11 November, a draft response had been approved by the Executive on 18 November, which had been endorsed by the Children and Young People's Local Strategic Partnership Group on 24 November. Whilst the response was supportive of the principles outlined in the Green Paper, the Council's view was that there should be greater emphasis on health and any structural changes required should be determined by local councils themselves.

The Leader of the Council also referred to the approval at the Garth Hill/Wick Hill Masterplan and the Eastern Gateway Planning Brief as major issues, which also related to the redevelopment of Bracknell Town Centre. The Leader of the Council referred to the difficult decision required in relation to the review of primary school places in South Bracknell, which would be made in January 2004. The Leader stressed that the review of day opportunities for older people and for people with learning disabilities, which had followed extensive independent consultation, would lead to a service modernisation in line with the findings of the Joint Review.

Finally, the Leader of the Council referred to the provisional local government finance settlement on the 18 November. The Executive would be considering its draft budget on 16 December prior to its submission to a period of consultation.

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

52. Public Scrutiny Commission: Chairman's Progress Report (Item 7)

Councillor Sargeant, Chairman of the Public Scrutiny Commission, introduced his report, which set out a summary on the progress made in the development of the overview and scrutiny process in Bracknell Forest since the introduction of revised arrangements in May 2003. The Chairman referred to the importance of the development of the scrutiny function, focussing not only on holding the Executive to account and keeping the Council's policies and performance under review, but also in contributing to policy development and generating ideas and input on issues which were important to the people of the Borough.

Following the appointment of the Public Scrutiny Commission and three standing scrutiny panels on 21 May, a scrutiny work programme had been developed which focussed on the concerns and priorities of local people, whilst at the same time reflecting the community plan and the priorities arising from the Comprehensive Performance Assessment. The Chairman also highlighted the importance of the dedicated officer team and paid tribute to Jan Haunton and Andrea Carr for the support which they had provided to the overview and scrutiny function.

Councillor Sargeant responded to questions on his report.

53. Member/Officer Protocol (Item 8)

The Council considered a report from its Standards Committee, which had met on 18 November 2003. The Committee had recommended for adoption a protocol to govern relations between officers and members.

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

RESOLVED that

- (i) the Member Officer Protocol, as set out in the Annexe to the report, be adopted as part of the Council's Constitution; and
- (ii) it be noted, with reference Paragraph 17 of the Protocol, that further guidance would be prepared for approval by the Council with regard to visits by Members to Council establishments.

54. Local Authorities (Members Allowances) (England) Regulations 2003 – Review of Members' Allowances (Item 9)

The Director of Corporate Services submitted a report to the Council, which included the report of an Independent Remuneration Panel established under the Local Authorities (Member Allowances) (England) Regulations 2003.

On the proposition of Councillor Birch, seconded by Councillor Jones, it was

RESOLVED that

- (i) the recommendations of the Independent Remuneration Panel be approved, subject to the special responsibility allowance for the Leader of the Principal Opposition Group being set at the level for an Executive Member with Portfolio;
- (ii) the revised Scheme of Members' Allowances (as set out at Annex 2 to the report) be approved, subject to the amendment set out in (i) above;
- (iii) the civic dignitaries allowances paid to the Mayor and Deputy Mayor be set at £10,967 and £3,655 respectively, with effect from 21 May 2003, as described in paragraph 4.7 of the Director's report and these allowances be indexed from the annual meeting each year, on the same basis as Members' Basic and Special Responsibility Allowances; and
- (iv) members of Education Appeal Panels appointed by the Clerk to the Appeal Panel be entitled to claim travel allowances at the rates provided for in the revised Scheme of Members' Allowances.

(Note: Councillor Thomas requested that his vote against the resolution in this Minute be recorded.)

55. Meetings Timetable 2004/2005 (Item 10)

The Council considered a report from the Director of Corporate Services which set out a meetings schedule for the 2003/2004 municipal year. On the proposition of Councillor Birch, seconded by Councillor Barnard, it was

RESOLVED that

- (i) the meeting dates for the Council, its committees (including the Public Scrutiny Commission and its scrutiny panels) and other bodies, as set out in the annexe to the report be approved; and
- (ii) the meeting dates for meetings of the Executive, the Executive Briefing and its committees be noted.

56. Questions Submitted under Council Procedure Rule 10 (Item 11)**(1) Question by Councillor Earwicker to the Executive Member for Social and Health Care Services and Housing**

How will the decision taken by the Executive on 21 October to close Johnstone Court Day Centre contribute significantly to improving the quality of life for adults receiving day care support in the Borough?

Reply

Councillor Barnard responded by stating that Bracknell Forest had conducted an extensive consultation with the service users who accessed day opportunities in the Borough to determine their expectations and requirements for the future. The consultation had used innovative techniques, including drama, to ensure that the feedback was both relevant and inclusive. This was a necessary part of reforming the Council's services, in response to the Joint Review of the Council's services in the year 2000; subsequent inspections and a decline in the use of day centres, which was a local and national trend. Councillor Barnard advised that Johnstone Court averaged less than 25 users per day against a capacity of 40.

The findings of the consultation had supported those of the Joint Review in that day opportunities should be geared to improving the quality of life for our service users; to providing support for carers when required and in particular for vulnerable elderly residents; and to combating isolation. The Council therefore decided to move to a more user focused service that was focused on the individual needs of the user rather than predominantly buildings based approach.

The remodelling of day opportunities for older people was therefore part of an overall strategy to promote independence and choice. The new services would aim to offer a great variety of options to more older people in the Borough. One of the aims would be to develop a range of more local services throughout Bracknell Forest. A secondary aim would be to enable more older people to continue to participate in community life in Bracknell Forest.

Councillor Barnard added that this approach was consistent with the Council continuing its drive to improve services in Bracknell Forest for current users and the demanding expectations of future potential service users. In the case of Johnstone Court this also meant respecting and supporting the day centre users in transferring to alternative provision. Funds, professional social worker support and a respect for friendship groups was at the core of this work.

Councillor Barnard then responded to a supplementary question from Councillor Earwicker.

(2) Question by Councillor Earwicker to the Executive Member for Social and Health Care Services and Housing

What are the implications for other day centres receiving financial support from the Council at the present time of the decisions to close Johnstone Court and withdraw support from the Woodmancote Home and Day Centre in Crowthorne?

Reply

Councillor Barnard replied that the Council had in the past supported the Woodmancote Home and Day Centre, but had respected the independence of the Centre and its trustees. Bracknell Forest was very keen to work with existing day centres such as Sandhurst and Age Concern to offer support to older people. The Council was currently liaising with the trustees of the Woodmancote Home and Day Centre with a view to exploring the possibilities of providing some day services based in Crowthorne.

Councillor Barnard then responded to a supplementary question from Councillor Earwicker.

(3) Question by Councillor Earwicker to the Executive Member for Planning and Transportation

What discussions have been held with local bus operators to maintain and improve local bus services following the decision by First Beeline to reduce certain services with effect from 26 October?

Reply

Councillor Mrs Ballin in reply stated that discussions had been held and would continue to be held with the bus operating companies with regard to their service provision. The Government had specified a consultation procedure for discussions between a bus operator and a relevant local transport authority, when a bus operator was proposing changes to its networks. The Government's procedure assumed that bus operators, as commercial operations, needed to maintain efficient and profitable services.

In relation to the changes to services which were effective from 26 October, Councillor Mrs Ballin stated that First Beeline had given the Council notice of its proposed network changes, in accordance with the procedure, and discussions had been held about their implications. Councillor Mrs Ballin confirmed that the Government's procedure had thus been followed. Options for dealing with the changes had been considered against an already fully committed budget. Tender prices for bus contracts had been increasing in excess of inflation in the region, which was putting pressure on local authorities' ability to maintain existing services, let alone replace services under threat of de-registration by bus operators.

On this occasion, contracts for services through the Western Business Area and Priestwood had been placed with First Beeline using a developer contribution under a section 106 agreement. Thus, some basic services had thus been retained that might otherwise have been withdrawn, and also assisted the profitability of other services, whose proposed withdrawal was reversed by First Beeline.

Councillor Mrs Ballin concluded by stating that some improvements had resulted from the network changes, though some areas, and some individuals, who had relied on buses, had lost services. Opportunities for improvement to services were kept under review.

Councillor Mrs Ballin then responded to a supplementary question from Councillor Earwicker.

(4) Question by Councillor Earwicker to the Executive Member for Public and Environmental Services and Parish Liaison

How many mobile phone masts are located on Council property and what financial benefit does the Council derive from them?

Reply

Councillor Mills responded by referring to the difficulty of defining the term 'mobile phone mast', as this term could include a receiver, a transmitter, a dish or a microcell. Councillor Mills advised that from a property perspective there were agreements in place for the siting of eleven sets of telecommunications equipment at five different locations in the Borough. This included equipment associated with the Royal Berkshire Ambulance Service, the Thames Valley Police, cable television services and the Council's own radio system.

Councillor Mills added that some of these agreements for siting the equipment predated the use of mobile phones and indeed were seen as being provided for the community. The equipment used for commercial purposes produced an income to the Council, which was currently £46,105 per annum. As telecommunications companies were treated as utility companies, they were able to locate equipment on land adopted for highway purposes without the need to pay any rent. Thus there were no property agreements for any telecommunication installations on the adopted highway.

Councillor Mills then responded to a supplementary question from Councillor Earwicker.

THE MAYOR