

**COUNCIL
27 APRIL 2005
(7.30 pm – 10.15 pm)**

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

Apologies for absence were received from:
Councillors McCracken, Osborne and Wade

The Mayor's Chaplain, the Reverend Guy Cole, opened the proceedings with prayers.

70. **Minutes (Item 2)**

RESOLVED that the minutes of the Council meeting held on 19 January 2005 be approved and signed as a correct record by the Mayor.

71. **Declarations of Interest (Item 3)**

No Member of the Council declared any personal or prejudicial interest in respect of any item of business on the agenda for the meeting.

72. **Mayor's Announcements (Item 4)**

Director of Education, Children's Services and Libraries

The Mayor invited the Council to join him in extending his congratulations to Tony Eccleston who, following his interview by the Council's Appointments Committee, had accepted the new position of Bracknell Forest Borough Council's Director of Education, Children's Services and Libraries.

Mayor's Charity – Recent Fundraising Events

- Charity Golf Day

The Mayor was pleased to announce that the Charity Golf Day at Mill Ride Golf Club on 7 April 2005 raised a grand total of £3,367.24 for his Charity and he extended his gratitude and thanks to all those who participated in the event.

- Easter Egg Raffle

The Mayor expressed his gratitude and thanks to the Bracknell Forest Lions Club for its donation of £1,000 to his Charity following an Easter Egg raffle by the Club held at local community centres and pubs.

Civic Reception

The Mayor expressed his thanks to all guests who attended the Civic Reception at Wellington College, Crowthorne on 15 April 2005.

Wildridings Primary School

The Mayor was pleased to announce that he had joined with the pupils and staff at Wildridings Primary School on 18 March 2005 to celebrate the award of its third Charter Mark which was a great achievement for a Primary School. He added that he was pleased to have been able to attend the morning Assembly where he presented replica badges to the pupils. The Deputy Mayor attended on the evening, where she was joined by Andrew Mackay MP who presented the award itself.

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

The Leader of the Council presented the Executive Report to the Council. Since the last meeting of the Council, the Executive had met on 15 March and 19 April 2005 and had reached decisions at that meeting in respect of the following matters:

- Establishment of a Children's Services Department
- Draft South East Plan
- Supporting People Five Year Strategy
- Safer Communities Strategy 2005-2008
- Comprehensive Performance Assessment (CPA) Final Draft Improvement Plan 2005/6-2006/7

The Leader of the Council and Executive Members then responded to questions arising from the report.

RESOLVED that the Safer Communities Strategy 2005-2008 be approved.

74. **Report of the Constitution Review Group (Item 6)**

(a) Scheme of Delegation to Officers

The Council considered a report from the Constitution Review Group, which proposed amendments to the Constitution by way of a revision to the way in which the Scheme of Delegation to Officers was drafted and enable a transfer of delegated responsibilities to the Director of Children's Services in order to comply with the provisions of the Children Act 2004. On the proposition of Councillor Ward, seconded by Councillor Birch, it was

RESOLVED that

- (i) amendments to the Scheme of Delegation to Officers, as detailed at Annexe 1 to the report, be approved; and
- (ii) on his appointment, the Director of Children's Services be delegated those powers currently delegated to the Director of Education and Libraries and the Director of Social Services and Housing in respect of those functions for which the Director of Children's Services was to be responsible pursuant to Section 18 of the Children Act 2004.

(b) Amendment to Structure of Decision Reports

The Council considered a report from the Constitution Review Group, which proposed amendments to the Constitution to adapt the Council's Committee and Executive Decision Report templates to reflect changes in legislation and progress in other policy areas. On the proposition of Councillor Ward, seconded by Councillor Birch, it was

RESOLVED that

- (i) the Executive Decision Report Template, as set out in Part 5.4 of the Constitution, be amended to reflect the changes proposed in the report;
- (ii) the changes to headings in the Committee Decision Report template, as described in the body of the report, be approved;
- (iii) where a report proposes a change in policy, an Equality Impact Assessment Record Sheet be completed by the report author and attached to the report; and
- (iv) the proposed changes be introduced, as appropriate, with effect from the Annual Council Meeting on 11 May 2005.

75. **Questions Submitted Under Council Procedure Rule 10 (Item 7)**

Notice had been received of three questions to Members of the Executive, as follows:

By Councillor Brunel-Walker to the Executive Member for Education

"Can the Executive Member for Education answer the following questions which have been raised with me by my constituents:-

1. *What percentages of primary and secondary school pupils take a school lunch currently?*

2. *When was the current contract list last tendered and what criteria did the LEA require the contract to work to, in order to reach acceptable nutritional levels?*
3. *What safeguards have the LEA in place to ensure that these standards are met?*
4. *A recent survey by the Soil Association published in The Guardian newspaper and reported in the local press indicated that Bracknell Forest had the second lowest take up of school meals in the country. What do we know of this survey and do we have any explanation for its apparent outcome?"*

Councillor Ward, in response to Question 1, stated that, on average, 39% of children in primary schools and 42% of children in secondary schools took a school lunch.

In response to Question 2, Councillor Ward stated that the current School Meals contract was tendered in 2001 and expired in July 2006. He added that in order to ensure acceptable nutritional levels, the Contractor was required to comply with current Government Nutritional Guidelines which were the Education (Nutritional Standards for School Lunches)(England) Regulations 2000 which provided food nutritional standards which all menus currently met or exceeded.

In addition, the Contractor had to ensure that menus took account of healthy eating trends and that these met the nutrition guidelines set by the Caroline Walker Trust. These guidelines set upper limits for the amount of fat, saturated fat and sugar, as well as minimum levels for vitamins and minerals, and exceeded the National Standards set by the Government.

In response to Question 3, Councillor Ward stated that the Contractor was required to employ a state registered dietician to prepare a nutritional assessment of their proposed menus which were submitted to the LEA for approval, together with the recipes for any new dishes. He added that the Primary Care Trust nutritionist then analysed the nutritional content of the proposed menus and agreed recommendations for changes and improvements with a group including the LEA Contract Monitoring Officer, the School Meals Caterer (Initial Catering Ltd) and a school representative.

He went on to state that schools were also able to make changes to the final menu to suit their local needs in consultation with the Contractor, however, in practice, about half chose to do so. He concluded by stating that the LEA Contract Monitoring Officer undertook an annual surprise inspection to each school kitchen to check that the food being served corresponded with what was previously agreed on the menus.

In response to Question 4, Councillor Ward stated that the Soil Association was a U.K. organisation that was running a "Food for Life" campaign for school meals to include fresh food that was organic, unprocessed and locally sourced. He added that at the end of March 2005, it published the results of a survey of LEA primary school lunches, including the percentage of children who take a school lunch, and that this highlighted Bracknell Forest as having the second lowest take up of primary school meals in the country at 30%. He reported that this figure of 30% appeared to have been taken from the DfES Pupil Level Annual Schools Census (PLASC) for 2005 and that this was the average percentage of primary and secondary who took school meals (excluding free school meals) on the PLASC census day on 20 January 2005.

Councillor Ward went on to say that the figure of 30% was a snapshot in time of the take up of school meals on one particular day and that the figure of 39% which he quoted earlier was more realistic because it was based on an average daily take up

of school meals across the whole year. He added, however, that there was clearly scope for improvement in the take up of school meals and the LEA was looking at new ways of promoting the service that would be incorporated into the new contract when this was tendered next year.

Councillor Ward then responded to a supplementary question from Councillor Brunel-Walker in this regard.

By Councillor Earwicker to the Executive Member for Social Services and Housing

“What discussions have taken place with the voluntary and healthcare sectors concerning the provision of adult day care centre services in Bracknell Forest since the closure of Johnstone Court last year? Under what circumstances would the Council be willing to allow the voluntary sector to provide a day care centre facility at Johnstone Court?”

In response, Councillor Barnard stated there had been extensive discussion with the voluntary and healthcare sectors concerning the provision of adult day care in Bracknell Forest over the past year. He added that most of this discussion had taken place through well-established arrangements for partnership working, there being different commissioning groups and forums for different kinds of needs, such as older people, adults with mental health problems, adults with a learning disability and adults with a physical or sensory disability.

Councillor Barnard went on to state that, in respect of older people in particular, the key partnership meetings were the Older People’s National Service Framework Local Implementation Team and its various sub-groups and the Older People’s Forum. In addition, he stated that, last autumn, a Voice of Experience Conference had been staged and which had provided a major opportunity for debate about a wide range of issues which affected older people in Bracknell Forest. He added that, other than the Voice of Experience, these groups had focussed on older people’s social and healthcare needs – and they had donated a significant amount of time to discussion of the provision of day services and other day opportunities for older people.

Councillor Barnard went on to state that there had been no discussions with the voluntary sector specifically in respect of re-providing a day care facility at Johnstone Court, nor would it have been appropriate to have had such discussions. He added that very careful consideration and full consultation had taken place before Johnstone Court was closed and re-provision of a day service on this site was ruled out at the time for a number of reasons. He stated that since the time of the closure, new care and support arrangements had been made for all the people who used to attend, in accordance with their individual needs and the reopening of a day care facility at the site was not under consideration.

Councillor Barnard then responded to a supplementary question by Councillor Earwicker in this regard.

By Councillor Piasecki to the Executive Member for Public and Environmental Services and Parish Liaison

“What actions do we have planned to reduce the damage to grass verges which is being caused by anti-social parking?”

In response, Councillor Mills stated that anti-social behaviour, at whatever level, was unacceptable and that the Government was not listening to the associated

complaints and related concerns being raised by members of the public and local authorities. He added that future planned development, under Planning Policy Guidance 3, (i.e. reduced car parking spaces) would create more anti-social car parking than was in evidence today.

In terms of relevant legislation, Councillor Mills stated that the Government had missed its chance to include the issue of parking in either, or both, its Transport Act and Clean Neighbourhood Act.

Councillor Mills advised the Council that there was grant funding available for the creation of cycle ways but not for parking. He added that people should be educated through awareness and that there was also a case for Government reinvesting more revenues from fuel and other car taxes in car parking solutions. Councillor Mills also stated that the Council recognised the problem and that it was encouraging residents to look for solutions such as constructing crossovers to take cars onto their own properties.

The Council also encouraged residents to purchase appropriate small plots of land adjacent to their homes for car parking purposes. The Borough Council, to date, had constructed in excess of 750 spaces across its residential areas with, potentially, a further 50 due to come on board following pending planning applications. Councillor Mills stated that this was a costly exercise.

Councillor Mills went on to say that the Council could not accept cars damaging grass verges since this impaired the visual environment, downgraded residents quality of life and was costly to put right. He added that there was a clear case for removing abandoned vehicles, including cars which were not taxed, as these were taking up valuable spaces and that their respective owners be targeted to reclaim the costs associated with their removal.

Councillor Mills stated that there was no justifiable need for anti-social parking or verges being damaged. He added that community initiatives to target and alleviate the problem should be encouraged and welcomed. He stressed that Bracknell Forest Borough Council was committed to tackling the problem within its budget constraints and that the Government should also react in a similar manner to assist in solving the problem.

Councillor Mills then responded to a supplementary question by Councillor Piasecki in this regard.

76. **Motions Submitted under Council Procedure Rule 11**

- (i) Motion 3/2005, as set out in the agenda for the meeting, was moved by Councillor Mrs Ballin and seconded by Councillor Leake. On being put to the vote, the motion was carried and it was

RESOLVED that the Council call for the abolition of the South East England Regional Assembly (SEERA) and the return of its statutory and other powers, including housing allocations, to local authorities, which were best placed to assess, determine and champion the interests and needs of local people.

- (ii) Motion 4/2005, as set out in the agenda for the meeting, was moved by Councillor Ward and seconded by Councillor McLean. In accordance with

paragraph 16.4 (a) of the Council Procedure Rules, a recorded vote was taken in relation to the motion, with the voting as follows:

For the motion (31) Councillors Baily, Mrs Ballin, Barnard, Mrs Barnard, Bettison, Birch, Mrs Birch, Browne, Brunel-Walker, Dudley, Edger, Finch, Finnie, Grayson, Miss Haydon, Mrs Hayes, Kendall, Leake, McLean, Mihell, Mills, North, Packham, Mrs Pile, Mrs Ryder, Sargeant, Thomas, Thompson, Turrell, Ward and Worrall.

Against the motion (7) Councillors Adams, Beadsley, Mrs Beadsley, Earwicker, Jones, Piasecki and Mrs Shillcock.

On being put to the vote, the motion was carried and it was

RESOLVED that the Council urges the Government to review, as a matter of urgency, the current disparity in the funding of school places which saw pupils in Bracknell Forest disadvantaged in comparison to those in other areas.

(iii) Motion 5/2005, as set out in the agenda for the meeting, was moved by Councillor Mrs Shillcock and seconded by Councillor Beadsley. In accordance with paragraph 16.4 (a) of the Council Procedure Rules, a recorded vote was taken in relation to the motion, with the voting as follows:

For the motion (7) Councillors Adams, Beadsley, Mrs Beadsley, Earwicker, Jones, Piasecki and Mrs Shillcock.

Against the motion (30) Councillors Baily, Mrs Ballin, Barnard, Mrs Barnard, Bettison, Birch, Mrs Birch, Browne, Brunel-Walker, Dudley, Edger, Finch, Finnie, Grayson, Miss Haydon, Mrs Hayes, Kendall, Leake, McLean, Mihell, Mills, North, Packham, Mrs Pile, Mrs Ryder, Sargeant, Thompson, Turrell, Ward and Worrall.

On being put to the vote, the motion was thus declared lost.

MAYOR