

COUNCIL

26 FEBRUARY 1998

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

Apologies for Absence were received from:
Councillors Angell, Fawcett, Mrs Hirst and Sargeant

THE MAYOR, COUNCILLOR JAMES G FINNIE, IN THE CHAIR

512. Minutes

The minutes of the meeting of the Council held on 23 October 1997 and of the special meeting held on 17 December 1997 were approved as a correct record and signed by the Mayor.

513. Mayor's Announcements

The Late Former Councillor John Mattick

The Late Former Councillor Arthur Cheney

The Mayor referred to the recent deaths of former Councillors John Mattick and Arthur Cheney.

Councillor Mattick had been first elected to the former Bracknell District Council in 1976 and had served as a Councillor until 1991. During that time he had served the Council on many committees and had been Chairman of the Leisure Committee from 1972-82 and Chairman of the Housing Committee from 1983-85. Councillor Mattick also had a wide record of service to the community and he and his wife, Mrs Isabel Mattick, had undertaken much charitable work which had greatly enhanced the quality of life for Borough residents.

Councillor Cheney had been elected to the former Bracknell District Council in 1976 and had served as a Councillor for 19 years during which time he had served on most of the authority's committees. He had held office as Chairman of the District Council from 1986-88 and as the first Mayor of the Borough of Bracknell Forest from 1988-90. Councillor Cheney had dedicated much of his life to public service in numerous ways and his death represented a sad loss to the whole community.

The Council then observed a short period of silence to reflect on the memory and work of both former Councillors.

514. Education Transition Committee

The report of the meeting of the Education Transition Committee held on 5 November 1997 was submitted and the Chairman answered questions thereon.

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

515. **Education Transition Committee**

The report of the meeting of the Education Transition Committee held on 11 December 1997 was submitted and the Chairman answered questions thereon.

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

516. **Social Services Transition and Housing Committee**

The report of the meeting of the Social Services Transition and Housing Committee held on 6 January 1998 was submitted and the Vice Chairman answered questions thereon.

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

517. **Public and Environmental Services Committee**

The report of the meeting of the Public and Environmental Services Committee held on 8 January 1998 was submitted.

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

518. **Leisure Services Committee**

The report of the meeting of the Leisure Services Committee held on 13 January 1998 was submitted and the Chairman answered questions thereon.

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

519. **Planning and Transportation Committee**

The report of the meeting of the Planning and Transportation Committee held on 15 January 1998 was submitted.

RESOLVED on the proposition of Councillor Mrs Ballin, seconded by Councillor Mrs Doyle, that the report be received.

520. **Education Transition Committee**

The report of the meeting of the Education Transition Committee held on 22 January 1998 was submitted and the Chairman answered questions thereon. The Chairman further submitted an additional resolution to Minute 480 which had been adopted at the meeting but had not been recorded in the published report.

RESOLVED on the proposition of Councillor Ward, seconded by Councillor Barnard, that subject to the addendum to Minute 480 as set out below, the report be received.

- (v) in order to ensure consistency on Personnel policy matters affecting all employees of the Council, the Borough Personnel Manager attend both teachers and non-teachers consultative committees and that the minutes of the Teachers Consultative Committee be reported to the Personnel Sub Committee.

521. **Social Services Transition and Housing/Housing Sub Committee**

The report of the joint meeting of the Social Services Transition and Housing Committee with the Housing Sub Committee held on 4 February 1998 was submitted and the Vice Chairman answered questions thereon.

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

522. **Strategy and Policy Committee**

The report of the meeting of the Strategy and Policy Committee held on 11 February 1998 was submitted with the exception of Minute 501 which would be dealt with in conjunction with agenda item 5 (Financial Plans and Revenue Budget 1998/99). The Chairman answered questions on the remainder of the report.

A motion that Minute 32 of the meeting of the Personnel Sub Committee held on 29 January 1998 (Appendix I as referred to in Minute 498) *be not received by the Council* was moved and duly seconded and following debate a vote was taken and the amendment was declared lost.

RESOLVED on the proposition of Councillor Bettison, seconded by Councillor Birch, that the report be received with the exception of Minute 501 which would be considered in conjunction with the following item.

523. **Financial Plans and Revenue Budget 1998/99**

The Council considered a detailed report by the Director of Corporate Services together with a draft budget for the year 1998/99 which reflected the recommendations of the Strategy and Policy Committee as set out in Minute 501.

The Leader of the Council then moved adoption of the recommendation set out in Minute 501 together with further motions as set out in the resolution below.

An amendment in the following terms was then moved by Councillor McCormack and seconded by Councillor Wheaton and, following debate, a vote was taken and the amendment was declared lost.

This Council resolves to agree the recommendations submitted by the Strategy and Policy Committee with the exception of (x) and that a further one-off addition be made as follows:

£50,000 be made to the Leisure Services Committee Budget to fund:

<i>the Leisure Saver Pass for 12 months</i>	<i>£46,000</i>
<i>Evaluation of the Concessionary Fares Scheme for under 18s</i>	<i>£4,0000</i>

£250,000 to the Education Committee Budget to fund:

<i>£1,000 per school to support the Literacy and Year of Reading Projects</i>	<i>£40,000</i>
<i>Start-up funding for 2 After-school Clubs</i>	<i>£10,000</i>
<i>Enhancement of the National Grid for Learning Scheme</i>	<i>£200,000</i>

In addition a contribution of £200,000 be made from revenue balances to support capital expenditure.

On being put to the meeting, the original motion was declared carried and it was

RESOLVED that:

- (i) the recommendations contained in Minute 501 of the meeting of the Strategy and Policy Committee held on 11 February 1998 be adopted;
- (ii) it be noted that at its meeting on 23 October 1997 the Council calculated the following amounts for the year 1998/99 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-

(a) 40,500 **TAX BASE FOR WHOLE BOROUGH COUNCIL AREA**

being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year

(b) **TAX BASE FOR PART OF THE COUNCIL'S AREA**

EACH PARISH AREA

Binfield	3,210
Bracknell	17,130
Crowthorne	2,340
Sandhurst	7,610
Warfield	3,920
Winkfield	6,290

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate

(iii) the following amounts be now calculated by the Council for the year 1998/99 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992:-

(a) £131,446,033 **TOTAL EXPENDITURE INCLUDING GENERAL FUNDHOUSING REVENUE ACCOUNT AND PARISH PRECEPTS**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act

(b) £50,791,514 **TOTAL INCOME INCLUDING GENERAL FUND AND HOUSING REVENUE ACCOUNT**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (b) of the Act

(c) £3,060,000 **REDUCTION IN GENERAL FUND AND HOUSING REVENUE ACCOUNT BALANCES**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(c) of the Act

(d) £77,594,519 **BOROUGH AND PARISH EXPENDITURE TO BE FINANCED FROM GOVERNMENT GRANTS AND COUNCIL TAX**

being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) and 3(c) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year

(e) £52,483,581 **GOVERNMENT SUPPORT FOR LOCAL SERVICES**

being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant and additional grant or SSA reduction grant

(f) £20,501 **COUNCIL TAX AND RESIDUAL COMMUNITY SURPLUS**

being the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax Surplus) and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the Collection Fund (Community Charges) directions under section 98(4) of the Local Government Finance Act 1988 made on 7 February 1994

(g) £619.52 **AVERAGE BAND "D" COUNCIL TAX FOR WHOLE BOROUGH**

being the amount at 3(d) above less the amount at 3(e) and 3(f) above, all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year

(h) £1,476,507 **PARISH PRECEPTS**

being the aggregate amount of all special items referred to in Section 34(1) of the Act

(i) £583.06 **BOROUGH COUNCIL TAX FOR BAND "D" PROPERTIES**

being the amount at 3(g) above less the result given by dividing the amount at 3(h) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year if there were an area of the Borough to which no special item relates

(j) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX FOR EACH PARISH FOR BAND "D"**

Binfield	609.08
Bracknell	628.85
Crowthorne	605.28
Sandhurst	625.81
Warfield	594.71
Winkfield	612.56

being the amounts given by adding to the amount at 3(i) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate

(k) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX IN EACH PARISH FOR EACH VALUATION BAND**

Parish	A	B	C	D	E	F	G	H
Binfield	406.06	473.73	541.41	609.08	744.43	879.78	1015.14	1218.16
Bracknell	419.24	489.10	558.98	628.85	768.60	908.34	1048.09	1257.70
Crowthorne	403.52	470.77	538.03	605.28	739.79	874.30	1008.80	1210.56
Sandhurst	417.21	486.74	556.28	625.81	764.88	903.95	1043.02	1251.62
Warfield	396.48	462.55	528.64	594.71	726.87	859.03	991.19	1189.42
Winkfield	408.38	476.43	544.50	612.56	748.69	884.81	1020.94	1225.12

being the amounts given by multiplying the amounts at 3(j) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands

- (iv) it be noted that for the year 1998/99 the Thames Valley Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

	A	B	C	D	E	F	G	H
Thames Valley Police Authority	33.84	39.48	45.12	50.76	62.04	73.32	84.60	101.52

- (v) having calculated the aggregate in each case of the amounts at 3(k) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 1998/99 for each of the categories of dwellings shown below:-

(a) Part of the Council's area **TOTAL COUNCIL TAX FOR EACH AND EACH VALUATION BAND**

Parish	A	B	C	D	E	F	G	H
Binfield	439.90	513.21	586.53	659.84	806.47	953.10	1099.74	1319.68
Bracknell	453.08	528.58	604.10	679.61	830.64	981.66	1132.69	1359.22
Crowthorne	437.36	510.25	583.15	656.04	801.83	947.62	1093.40	1312.08
Sandhurst	451.05	526.22	601.40	676.57	826.92	977.27	1127.62	1353.14
Warfield	430.32	502.03	573.76	645.47	788.91	932.35	1075.79	1290.94

Winkfield 442.22 515.91 589.62 663.32 810.73 958.13 1105.54 1326.64

- (vi) (a) amount of money which is for the time being the maximum amount which the authority may have outstanding by way of borrowing shall be the sum of the current external borrowing at 31st March 1997 plus the value of the Government's Basic Credit Approval plus such short term borrowing that is needed for temporary capital or revenue purposes or £10 million, whichever is the lower ("the overall borrowing limit");
- (b) amount of money, being part of the overall borrowing limit, which may be held by way of short term borrowing is limited to £1 million;
- (c) proportion of the total amount of interest payable by the Council which is at a rate or rates which can be varied by the person to whom it is payable or which vary by reference to any external factors shall be limited to 10%.

During the course of debate a five minute adjournment took place at 8.50 pm to allow a Member who was feeling unwell to leave the meeting.

524. Public Participation: Question - Standing Order 10

- (i) Question to Chairman of Strategy and Policy Committee (Councillor Bettison) by Mrs J Oxenbury

In view of recent events and the Prime Ministers statements on corrupt practices in local government, would the Leader of the Council answer the following questions:-

Have any investigations into alleged corrupt practices by a Councillor taken place in Bracknell Forest Borough Council since 4 April 1997?

What action should the Council, police, political party or political group take when such allegations are made?

What action can be taken against any Councillor found guilty of such practices.

Reply by Councillor Bettison

The following reply by Councillor Bettison was circulated and read out at the meeting:

I would like to preface my response to the specific questions by a few opening remarks.

May I first of all thank Mrs Oxenbury for her questions. As a Council we are committed to open government and to ensuring that there is effective public scrutiny of both the Council and each of use individually as Councillors in the performance of our public duties. In our roles as Councillors we must always be prepared to demonstrate to the public that we have behaved with that degree of propriety which the public quite rightly demands of us.

The Prime Minister has indeed made clear that any corrupt practices in local government must be rooted out and I am sure that I speak for every Member of this

Council when I say that the Council fully endorses the sentiments which the Prime Minister expressed. Nevertheless, although the reputation of local government has regrettably been tarnished by a few high-profile cases it is important to put them into context. In his letter in which he delivered his report on his investigation into Standards of Conduct in Local Government, Lord Nolan commented that "the vast majority of Councillors and officers observe high standards of conduct". He went on to note the awareness of Councillors and officers "that high ethical standards are critical to maintaining public confidence in local government". If I may say so, this Borough has been well served by the exacting standards of propriety which all our Councillors, of all political parties, have observed.

It is important in answering the questions put to me to clarify what is meant by "corrupt practices". I suspect most members of the public would think of "corrupt practices" as meaning Councillors accepting bribes for taking decisions favourable to a particular person or organisation. In that sense of "corruption" I am not aware of any investigations or indeed any allegations.

However, I am advised that "corrupt practices" does also have a technical meaning in Election Law and relates to matters such as undue influence, personation and the like.

Having said all that, my answers to the questions put are as follows:-

1. Allegations can come from any source and range from the frivolous to serious. Whenever allegations are received by the Council they are examined to see whether or not further investigation is appropriate. I am happy to report that since 4 April 1997 no formal investigation has been warranted.
2. As I have indicated in response to the first question, any allegation of corruption is examined by the Council to establish whether or not there is any substance to the allegation. If following an initial investigation it was considered that there might be substance to the allegations the matter would be referred to the police. Of course, if the Council considered that there was no merit in the allegations but the complainant disagreed, it would always be open to the complainant to refer the matter to the police of his or her own volition.

If any allegations of corrupt practice by a Councillor were made to the Police they would doubtless be investigated by the police and any such investigation would receive the utmost co-operation from the Council.

Although the Council is comprised of members of political groups it does not have any jurisdiction over the way in which they handle allegations against Councillors in their group - that is a matter for the individual political groups and parties according to their respective constitutions.

3. Corrupt practices are criminal offences. Any Councillor convicted of such an offence could be imprisoned or fined. In addition, if a Councillor behaves improperly in the discharge of his or her duties as a Councillor the Council may suspend the Councillor from his or her membership of

committees. Members will recall that Lord Nolan's report proposed that each Council should establish a Standards Committee with various powers over individual Councillors. The government is currently considering its response to the Nolan recommendations and I am advised that it will shortly be issuing a consultation paper to seek comments on proposals for reform. The public can be assured that we shall be committed to fully implementing any sensible proposals to ensure that local government in this Borough continues to be clean and free of corruption.

525. Reports by Members of the Council and Other Representatives

The Council received short reports as listed below:

Councillor Mrs Clifford	Bracknell Mediation Service
Councillor Mills	Farleywood Community Association
Councillor Finnie	Community Council for Berkshire - Report on Integrated Transport Conference

526. Local Government Reorganisation - Joint Arrangements

In accordance with the requirements of the Local Government Changes For England (Miscellaneous Provisions) Regulations 1995, consideration was given to a report by the Chief Executive on proposed joint arrangement agreements to be entered into by the Council for the discharge of certain functions to be transferred to the Council on 1 April 1998.

RESOLVED that

- (i) the Council confirms that the services identified in the Appendix to the report submitted could be discharged advantageously with other Berkshire Local Authorities; and
- (ii) agreements for joint arrangements be entered into as authorised by service committees.

527. Motion - Standing Order 6

Motion 1/98

Motion 1/98 as set out in the Agenda for the meeting was moved by Councillor Mills and seconded by Councillor Mrs Pile.

It was then moved by Councillor Jones and seconded by Councillor Beadsley that, in the second line of the second paragraph, the words "*at no cost to the Council taxpayer*" be added following the word "Bracknell".

On being put to the meeting the amendment was declared lost. Motion 1/98 was then put to the meeting and, on a request for a recorded vote to be taken, voting was as follows:

For: Councillors Adams, Mrs Ballin, Barnard, Bayle, Beadsley, Bettison, Birch, Blatchford, Mrs Clifford, Mrs Doyle, Egan, Finnie, Flood, Good, Grayson, Harrison, Miss Haydon, Mrs Hayes, Jones, Mrs Keene, McCormack, Mills, North, Mrs Pile, Ryan, Mrs Shillcock, Simonds, Mrs Sutcliffe, Thompson, Veakins, Wade, Ward, Wheaton and Worrall (34)

Against: (Nil)

Abstaining: (Nil)

Motion 1/98 was declared carried and it was

RESOLVED as follows:

Balanced open space in the centre of Bracknell is vital and this Council recognises the strategic importance of the RAF Staff College site to the existing and future communities in the Borough.

Therefore, this Council resolves to seek sources of external funding, including support from the Heritage Lottery Fund, to purchase the land for the people of Bracknell, thereby empowering our residents to control their future and preserve their environment.

528. **Gala Charity Concert**

The Mayor reminded the Council of the Mayor's Charity Gala Concert to be held in South Hill Park on 30 March 1998.

The meeting commenced at 7.30pm and concluded at 9.50pm.

MAYOR