

COUNCIL
12 JULY 2023
7.30 - 9.49 PM



Present:

Councillors Ejaz (Mayor), Penfold (Deputy Mayor), Allen, Bailey, Barnard, Bidwell, Brown, Cochrane, Collings, C Eberle, T Eberle, Egglestone, M Forster, S Forster, Frewer, Frost, Gaw, Gillbe, Haffegge, Harrison, Hayes MBE, Jefferies, McKenzie-Boyle, Mossom, Neil, O'Regan, Pickering, Purnell, Robertson, Smith, Temperton, C Thompson, P Thompson, Virgo, Watts, Webb, Wright and Zahuruddin

Present Virtually:

Councillors Karim

Apologies for absence were received from:

Councillors McLean and Welch

12. Minutes of Previous Meeting

It was noted that there was an error in the minutes that referred to King Charles II rather than King Charles III, this would be amended.

RESOLVED that, subject to the above amendment, the minutes of the Annual Council meeting held on 24 May 2023 be approved and signed by the Mayor as a correct record.

13. Declarations of Interest

Councillor Christoph Eberle declared an Affected Interest in agenda item 7, as he was employed by a company that sometimes delivered engineering services to Thames Water.

14. Mayor's Announcements

The Mayor gave an overview on her past seven weeks since being made Mayor, which had been a privilege and a pleasure.

As promised, the Mayor had attended as many events, local charity events and AGMs as possible, such as:

Visiting the Fire and Rescue Services in Newbury which, who did such a valuable wonderful job and couldn't be commended enough.

Locally in Bracknell Forest, HomeStart Charity had their 30th birthday, a charity who had previously helped the Mayor and a fellow Councillor, which brought the message home how everyone was in need of help from time to time. They were a wonderful organisation working in Bracknell Forest, with an army of volunteers from the community who were there to help and support when required.

The Mayor had attended Newbold College graduation, a Christian Ministry college who's education was based on Christian teaching which had been a wonderful and beautiful experience as a Muslim Mayor.

Citizenship ceremonies had been another very valuable service that the Mayor had gotten to be involved in, and during a recent ceremony thirteen different nationalities had come together to accept their British Citizenship and making Britain, and Bracknell Forest, their home.

The recent Cultures and Communities Day held by Bracknell Forest Council had been a commendable effort to bring so many communities of Bracknell Forest together through food, music and dance.

The Mayor stated that so far she had attended twenty five events with three more to attend before the end of July and had been supported by Councillors Pickering and Watts.

15. **Executive Report**

The Leader of the Council, Councillor Temperton, presented the report on the work of the Executive since that reported at the Council meeting on 19 April 2023. The Executive had met once on the 20 June 2023.

The Leader highlighted the following matters that had been considered:

Culture, Delivery and Public Protection | Part Refurbishment of Bracknell Leisure Centre

- Additional investment into Bracknell Leisure Centre, combining borrowing and the release of section 106 funding as outlined in option 2 of the paper was agreed.
- Bracknell Leisure Centre was a strategic council asset and was at the core of providing sporting and leisure opportunities for the borough's residents and visitors delivered by Everyone Active.
- Investment into the service offer was critical if it was to remain relevant, up-to-date and attractive to existing and potential visitors.

Councillor Harrison asked what the plans were regarding consulting the Bracknell Forest residents on spending money on the leisure facilities. Councillor Jefferies, Executive Member for Culture, Delivery and Public, responded that the first stage of the process would focus on the existing structure, but a Sport and Leisure Strategy would be brought forward to look at a replacement of the current leisure centre.

Children, Young People & Learning | SEND Strategy 2023-2025

- Progress made on implementing the SEND written statement of action to improve services to children and families had been noted.
- The council had secured £1m through the Government's Delivering Better Value in SEND programme and secured DfE commitment to build a new specialist Autistic Spectrum Disorder (ASD) special school in the borough.
- The release of £350,000 from the council's corporate contingency, included in the 2023/24 budget, had been approved to fund additional short-term staffing capacity within the SEND team.

Councillor Barnard asked about the welcome investment of the £350,000 from the council's corporate contingency for short term recruitment in SEN and whether

recruitment of the right people for these roles would be possible, as he had recently attended a conference where there had been issues raised about recruitment of specialists in these areas. Councillor Temperton, Leader of the Council, responded that the Council were already out to recruit in these areas, and it was looking positive.

The Executive Director: People, Grainne Siggins, would provide a detailed response on the recruitment outside of the meeting.

Councillor Temperton also confirmed that progress would be reported in the quarterly reports, which would now be going to the Overview and Scrutiny Commission ahead of Executive for the first time ever.

Council Strategy and Climate Change | Financial Hardship Action Plan Update

- Initiatives to address the local cost of living challenges to be delivered over the next 100 days had been endorsed and accelerated.
- The existing Financial Hardship Action Plan would be reviewed with a report back to Executive in autumn ahead of winter 2023.
- There continues to be significant financial pressures facing many households in the borough, addressing this was a priority for the new administration.
- The recommendations provided continued and enhanced support to those most in need.

Council Strategy and Climate Change | Council Plan Overview Report

- The performance of the council over the period from January to March 2023 highlighted in the Overview Report had been noted.
- At the end of the quarter, 98 actions (83%) were rated as green (68 complete, 30 in progress) and 17 actions (14%) were amber and 3 actions (3%) were red.
- Progress against key performance indicators across the council was also very positive with 29 (45%) green, 4 (6%) were amber and 10 (15%) were red. 21 (32%) further indicators had no set target or data is currently unavailable and one indicator had been removed as this data was not recorded as part of the Children's Social Care scorecard.

Adult Services, Health and Housing | Strategic Procurement Plan Opladen Way Development

- The Strategic Procurement Plan for the Opladen Way development was approved. This would tender the appointment of a main contractor, under a traditional building contract, to create up to seven new temporary homes.
- The award of the works contract would be delegated to the Executive Member for Finance and Business Change in consultation with the Executive Director Delivery.
- In February 2023, the Executive had approved the capital expenditure for the implementation of a temporary homes facility. This would be a council-led development to provide up to seven new temporary homes for homeless households and would include a mix of single person and family homes, which would be provided at affordable rents.

The report contained recommendations that the Council was asked to resolve in respect of the following matters:

- Part Refurbishment of Bracknell Leisure Centre

Part Refurbishment of Bracknell Leisure Centre

On the proposition of Councillor Jefferies, Executive Member for Culture, Delivery and Public Protection seconded by Councillor Bidwell it was **RESOLVED** that Council approve a Supplementary Capital Approval with the associated borrowing costs already accounted for within the option 2 figures.

Councillor Temperton, Leader of the Council, provided an update on the Council Plan and highlighted some achievements of the new administration since May.

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Council Plan

- Work was underway to develop the new Council Plan.
- The Council Plan sets the vision and strategy for the next four years and the refresh ensures that it reflected commitments to residents.
- It would incorporate the insights from council staff and local data.
- There were a number of key changes that would be made to the plan, reflecting priorities as a new administration and were likely to be incorporated under the broad themes of Communities, Economy and the Environment.
- Protecting our planet and reducing carbon emissions were hugely important, and actions to address and monitor this would be one part of the new plan.
- Being out in the community, bringing the council to citizens and making sure that residents are at the heart of every decision would also all be key parts of the new plan.
- It had already been detailed how residents would be supported through the cost of living crisis over the next 100 days, taking services out into the community where they would have the best effect.
- There was a lot of good work already happening so this would continue to feature in the new plan.
- The aim was to finalise the plan in the autumn where it would be presented back to full Council.

Over the past few months, there had been lots to celebrate, including:

The launch of Craft Coop in Princess Square

A community interest company that sells arts and crafts made by local people, supported artists with their businesses and offered craft activities and events to local people.

The Neurodiversity Umbrella Project

Celebrating the strength and abilities of neurodivergent people. The art was installed in Braccan Walk South in May and aimed to raise awareness and understanding of our cognitive and learning differences.

Bracknell Forest Pride

The borough's first pride event was held on 10 June with thousands of people enjoying the pride event. The event, which was co-designed with the LGBTQIA+ community, was all about acceptance, equality and celebration.

Transformed the Bagshot Road underpass (Sainsbury's roundabout)

New artwork, hand painted by artist Lynne Hollingsworth and her team, had breathed new life into the area, making it a more welcoming space for pedestrians and cyclists.

Armed Forces Week

We said thank you to our armed forces personnel, their families and veterans in June. We were able to join a special flag raising ceremony, organised by Sandhurst Town Council, to give thanks as well as raising the flag outside Time Square.

Launched the Summer Walks for Wellbeing programme

This enabled residents to achieve a healthier body and mind through a series of guided walks around our beautiful borough.

Launched Solar Together

This enabled residents to invest in renewable energy through a group-buying scheme. It offered solar power installations so residents could afford cleaner and greener energy.

Bracknell Forest Community Day

A reimagined version of this event was held on 8 July, having been codesigned with various community representatives. It offered music, dance, food and activities from a variety of cultures and communities from across Bracknell Forest.

Extending Frost Folly

The public open space in Warfield had been extended. The natural open space had doubled in size so more people could enjoy activities like walking and watching the wildlife.

Good Ofsted for Bracknell Forest Community Learning

The service based at the Bracknell Open Learning Centre had been praised by inspectors for helping learners enjoy courses, find new skills and grow in confidence.

16. **Questions Submitted Under Council Procedure Rule 10**

Councillor Gaw asked Councillor Gillbe, Executive Member for Planning and Transport the following published question:

Can the Executive Member give an update on the progress of the Draft Local Plan, relative to its previously agreed timetable for consultation and implementation?

In response, Councillor Gillbe, Executive Member for Planning and Transport provided the following published response:

Following the decisions of the Executive 21 March 2023, officers have been working on the Modifications to the Local Plan in line with the Local Plan Inspectors letter received 19th January. I have agreed with the Executive Director Place Planning and Regeneration that the draft modifications should be forwarded to the Planning Inspectorate, for agreement prior to public consultation.

The Inspectors have been provided with the modified plan and will be reviewing the Council's modifications and will come back to the Council in due course, confirming whether the Council should consult, or whether further modifications are required. It is

anticipated that due to the Inspectors workloads and holidays that they will come back to the council over the summer period. It is likely that consultation on the modifications will take place following the summer holiday period. This is broadly in accordance with the timeframe set out in the report to the Executive in March, albeit the Council is now in the hands of the Inspectorate as to when consultation can commence.

Councillor Gaw asked Councillor Gillbe, Executive Member for Planning and Transport the following supplementary question:

What, if any, site additions, deletions or amendments in addition to those demanded by the Inspector, have been included and submitted with the modified plan?

In response Councillor Gillbe confirmed that the draft only differed to the original draft under the emerging Local Plan in as so far that it removes the Jealott's Hill site allocation as per the Inspectors letter and therefore followed the agreement of the Executive in March under the last administration.

Resident Thomas Parker asked Councillor Temperton, Leader and Executive Member for Council Strategy and Climate Change the following published question:

As part of the last administration a review of the Member's Code of Conduct was completed. Whilst this made some slight progress, the behaviours of members towards other Councillors and Officers did not substantially improve as the Code lacked teeth and the 'tone from the top' did not sufficiently ensure that it was embedded and that the culture changed.

Will the new Council administration commit to the following?:

- 1. A full review of the Member's Code of Conduct so that it is strengthened and reinforces a higher standard of behaviour that the public expect from their elected officials;*
- 2. Strengthening the rules on disclosable interests so that all there is more transparency of any member's personal financial gain derived from their position at the Council (excluding their allowances);*
- 3. Ensuring that a new culture is fostered both at the member and officer level so that the new Code can be properly embedded; and*
 - A more robust process for holding members to account where these standards are not met.*

In response, Councillor Temperton, Leader and Executive Member for Council Strategy and Climate Change provided the following published response:

As I set out in my speech to Full Council in May I am firmly committed to the Nolan Principles and was involved with the review you mention in your question. In answer to your specific questions:

- The Code of Conduct is an important element of the Council's overall Governance framework. The responsibility for oversight of the Code falls within the terms of reference of the Governance and Audit Committee rather than the Executive. The operation of the Code is kept under review by the Committee which receives a standards report from the Monitoring Officer annually highlighting the number of code complaints each year and their

outcomes. In short, the maintenance of good behaviour is a cross party matter for which all of us as Bracknell Forest Councillors must take personal responsibility. This was reflected in the recent changes to the Code which resulted in its obligations being reworded in the first person eg “I treat others with respect” rather than “you will treat others with respect”. I understand that the Committee is due to receive the Monitoring Officers report for 2022/23 next week and will no doubt make any necessary recommendations as appropriate.

- The rules on Disclosable Pecuniary Interests are set out in legislation and there is no local discretion over their application. The Council’s Code does however include an enhanced level of transparency due to the provisions relating to Affected Interests which require disclosure in a broader category of scenarios where financial interests may be affected. These were introduced locally in 2012 and provide an additional layer of transparency over and above the Disclosable Pecuniary Interest provisions.
- On the matter of culture, this is an important point and Members are currently receiving training on the Code of Conduct around embracing positive behaviours. Similarly, Officers are through the appraisal cycle required to positively demonstrate adherence to Council values and behaviours.
- Finally, the lack of adequate sanctions available under the Standards regime remains a topic of debate across local authorities. We are restricted to what is already included under our local arrangements and these arrangements exclude either suspension or disqualification due to legal restrictions. Such sanctions that do exist such as removal from committees, censure by the Council and reporting of breaches to the press are used creatively to ensure that they provide adequate deterrents against falling standards of behaviour.

Resident Thomas Parker asked Councillor Temperton, Leader and Executive Member for Council Strategy and Climate Change the following supplementary question:

Thank you very much Councillor Templeton for your response I know this is something that you care a lot about, as much as I do, and people in this room will know why this was a particularly personal question to ask. My supplementary question is that in some ways I was disappointed with the response in that it felt very corporate, and this is something that is important because it obviously involves cultural change to make sure that the behaviours that you, I and many others faced from the last Administration and those before. What specific actions will you take to ensure that there’s a long-lasting cultural change?

In response Councillor Temperton stated that when she opened the AGM she had talked about the Nolan Principles which need to be embedded in everything that the Council undertook, and that councillors needed to have the courage to stand up and move things, which had already happen in some instances. Councillor Temperton encouraged Councillors to continue to be bold and brave and actually take this on, which had not happened before but must happen now.

17. **Motions Submitted Under Council Procedure Rule 11**

Motion 03/2023

Motion 03/2023 was moved and seconded by Councillor Virgo and Barnard respectively as follows:

Bracknell Forest Council recognises that many residents are extremely concerned about sewage discharges, specifically those flowing from Thames Water facility works in our Borough, into streams and water courses. These concerns have been amplified by the recent news over financial problems at Thames Water. The Council commits to work to examine and support the tightening of regulations, through the work of the Executive and Overview and Scrutiny, to help end this harmful process, that is destroying both the environment and our wildlife.

An amendment to the motion was proposed and seconded by Councillors M Forster and C Eberle respectively as follows:

Bracknell Forest Council recognises that many residents are extremely concerned about sewage discharges, specifically those flowing from Thames Water facility works in our Borough, into streams and water courses. These concerns have been amplified by the recent news over financial problems at Thames Water. Furthermore, the Council commits to work with other Local Authorities across the Thames Valley to challenge the failures of Thames Water to collectively minimise the environmental damage we are all facing.

Councillors Virgo and Barnard did not accept the proposed amendment and therefore the amendment was put to the vote.

On being put to the vote the amendment was carried and became the new substantive motion.

An amendment to the new substantive motion was proposed and seconded by Councillors Temperton and Virgo respectively as follows:

- To add “the *Council recommends that Overview and Scrutiny commits to work with other Local Authorities across the Thames Valley*”

Councillors M Forster and C Eberle accepted the proposed amendment, and the substantive motion became:

Bracknell Forest Council recognises that many residents are extremely concerned about sewage discharges, specifically those flowing from Thames Water facility works in our Borough, into streams and water courses. These concerns have been amplified by the recent news over financial problems at Thames Water. Furthermore, the Council recommends that Overview and Scrutiny commits to work with other Local Authorities across the Thames Valley to challenge the failures of Thames Water to collectively minimise the environmental damage we are all facing.

On being put to the vote the new substantive motion was carried.

Motion 04/2023

Motion 04/2023 was moved and seconded by Councillor Harrison and Hayes MBE respectively as follows:

That the Council:

- Commends the progress made by Bracknell Forest Council's Public Protection Partnership officers in detecting and prosecuting environmental crime such as fly tipping.

- Reaffirms its commitment to deterring and detecting fly tipping in the borough with the use of signage, CCTV cameras, both mobile and fixed. To follow through on the prosecution of offenders and publication of their names.
- Encourages residents to report in on flytipping so more prosecutions can be intelligence lead.

An amendment to the motion was proposed and seconded by Councillors Jefferies and Purnell respectively as follows:

That the Council:

- Commends the progress made by Bracknell Forest Council's Public Protection Partnership officers in detecting and prosecuting environmental crime such as fly tipping.
- Reaffirms its commitment to deterring and detecting fly tipping in the borough with the use of signage, CCTV cameras, both mobile and fixed. To follow through on the prosecution of offenders and publication of their names.
- Encourages residents to report in on flytipping so more prosecutions can be intelligence lead.

Councillors Harrison and Hayes MBE did not accept the proposed amendment and therefore the amendment was put to the vote.

On being put to the vote the amendment was carried and became the new substantive motion.

An amendment to the new substantive motion was proposed and seconded by Councillors Smith and Barnard respectively as follows:

That point number four be added to the motion as follows:

- That the Council commits to review of the most effective use of the funds available due to any budget underspend in 2023/24, with specific consideration of whether additional CCTV cameras to tackle fly tipping represents value for money for residents.

Councillors Jefferies and Purnell accepted the proposed amendment, and the substantive motion became:

That the Council:

- Commends the progress made by Bracknell Forest Council's Public Protection Partnership officers in detecting and prosecuting environmental crime such as fly tipping.
- Reaffirms its commitment to deterring and detecting fly tipping in the borough with the use of signage, CCTV cameras, both mobile and fixed. To follow through on the prosecution of offenders and publication of their names.
- Encourages residents to report in on flytipping so more prosecutions can be intelligence lead.
- Commits to review of the most effective use of the funds available due to any budget underspend in 2023/24, with specific consideration of whether

additional CCTV cameras to tackle fly tipping represents value for money for residents.

On being put to the vote the new substantive motion was carried.

CHAIRMAN