

**EXECUTIVE
17 OCTOBER 2023
5.30 - 6.15 PM**



Present:

Councillors Temperton (Chair), Bidwell, Jefferies, Purnell and Wright

Present Virtually:

Councillors Bailey and Gillbe

Also Present:

Councillor Haffegge

Apologies for absence were received from:

Councillors Neil

29. Declarations of Interest

There were no declarations of interest.

30. Minutes

RESOLVED that the minutes of the meeting of the Executive on 19 September 2023 together with the accompanying decision records be confirmed as a correct record.

31. Urgent Items of Business

There were no urgent items of business.

Executive Decisions and Decision Records

The Executive considered the following items. The decisions are recorded in the decision sheets attached to these minutes and summarised below:

32. Overview and Scrutiny Review Reports- Enforcement Strategy and Child Criminal Exploitation

RESOLVED that

- i. the reports and their recommendations be noted.
- ii. on the report from the Education, Skills and Growth Panel, on Child criminal exploitation to note the recommendations and refer the report to the Executive Member for Children, Young People and Learning.
- iii. on the report from the Environment and Communities Panel, on Enforcement Strategy to note the recommendations and refer the report to the Executive Member for Culture, Delivery and Public Protection.

33. Bracknell Forest Economic Strategy 2023 - 2033

RESOLVED that the draft Bracknell Forest Economic Strategy 2024-2034 is agreed for public consultation as detailed in paragraphs 5.19-5.21 of the Executive Director of Place, Planning & Regeneration's report.

34. **Prevent Strategy 2023-26**

RESOLVED that the Executive approve and adopt the Bracknell Forest Prevent Strategy 2024-27.

35. **Budget Update**

RESOLVED that

- i. the Council's predicted current year financial position summarised in Table 1 and detailed in Annex A is noted.
- ii. Endorses the actions agreed by the Corporate Management Team to help contain expenditure in the current year as set out under paragraph 5.4 are endorsed.
- iii. the Council's predicted medium-term financial prospects based on the assumptions detailed in paragraphs 5.9 to 5.16 and summarised in Table 2 is noted, which is subject to development of detailed draft budget proposals for 2024/25 and future years and to confirmation of the local government finance settlement in December.
- iv. the Executive will be asked at its November meeting to recommend to Full Council a Flexible Use of Capital Receipts Strategy, that will provide funding from capital resources to secure additional capacity needed to drive transformation change to help secure a sustainable future financial position.
- v. the proposed use of the Council's funding to support delivery of affordable housing as set out in paragraphs 5.20 to 5.22 is agreed.

36. **Future of Downshire Homes Limited**

RESOLVED that

- i. to consolidate the ownership and management of the Council's housing portfolio by transferring (at market price) the Downshire Homes Ltd properties to the Council by March 2024 is agreed.
- ii. that the 4 properties currently occupied by tenants holding assured shorthold tenancies (ASTs) are offered for sale to registered social landlords is agreed, noting that they will be included in the transfer of properties to the Council if sales cannot be secured in the timescale above.
- iii. to facilitate the consolidation in the most tax efficient way, supports the director(s) of DHL to progress a solvent liquidation of the company, through which its assets will transfer to the Council as shareholder and agrees to indemnify the directors, the company and the appointed liquidator against any potential claims arising from this act.
- iv. a key factor in the proposed approach will be the value of the existing loans from the Council to DHL compared with their original purchase price and funding from Council loans and that current expectations based on

indicative valuations of a sample of the properties are that the sums will broadly match;

- v. in the event that the value of the properties has increased materially at the time of the transfer compared with the original purchase price, its agreed that the Executive Director: Resources be authorised to use Council reserves to settle any resultant capital gains tax liability, as set out in paragraph 5.20.
- vi. the Legal Services Manager be authorised to conclude the appropriate legal agreements to enact the proposals above.

37. Bridgewell Supported Living

RESOLVED that:

- i. the progress to date on the design development is noted and the timetable in paragraph 5.27 is agreed.
- ii. the value improvement items to improve sustainability in paragraphs 5.11 is noted.
- iii. the revised strategic procurement plan for appointment of the provider of landlord services (Housing Association) and care services (Support Provider) for the provision of Bridgewell Supported Living scheme for adults with learning disabilities as laid out in paragraphs 5.16 to 5.20 are noted.

RECOMMENDED to Council to approve the additional cost of works for the new accommodation by £400k, changing the previous budget from £7.15m to £7.55m as detailed in paragraph 5.12.

38. 0-19 Public Health Nursing Contract

RESOLVED that

- i. Executive approve the award of the 0-19 Public Health Nursing Service Contract to Provider A for a 5-year contract term with two 12-month optional extensions
- ii. Executive approves the budget (as provided in section 2.3 and detailed in section 9 of the confidential annex -) for the 0-19 Public Health Nursing Service for the 7-year maximum contract period with a start date from 1st April 2024. This will be paid from the ring fenced Public Health Grant allocation to the Council to deliver the public health functions.

39. Occupational Health Provider Procurement

RESOLVED that

- i. the proposed re-procurement of an occupational health contract for the provision of occupational health service for staff who work for the council in any capacity, including schools is approved.
- ii. following the completion of the procurement process, the contract award be delegated to the Executive Director: Resources in consultation with the Executive Member, Finance and Business Change.

CHAIRMAN

Bracknell Forest Council Record of Decision

Work Programme Reference	I116970
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1. **TITLE:** Overview and Scrutiny Review Reports- Enforcement Strategy and Child Criminal Exploitation

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

To present two Overview and Scrutiny Reports 'Enforcement Strategy' and 'Child Criminal Exploitation'.

4 **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the reports and their recommendations be noted.
- ii. on the report from the Education, Skills and Growth Panel, on Child criminal exploitation to note the recommendations and refer the report to the Executive Member for Children, Young People and Learning.
- iii. on the report from the Environment and Communities Panel, on Enforcement Strategy to note the recommendations and refer the report to the Executive Member for Culture, Delivery and Public Protection.

7. **REASON FOR DECISION**

- i. The presented scrutiny reviews were undertaken in the last administrative term but,weren't presented to the Executive, due to insufficient time in the municipal calendar.
- ii. However, these reports have now been considered by the Overview and Scrutiny Commission in their new term and the Commission has endorsed the reviews recommendations and asked for these to be presented to the Executive.
- iii. The comments from the relevant Officers have been incorporated into the review reports and no concerns have been indicated with any of the proposed recommendations. The views of the Statutory Scrutiny Officer have also been incorporated at the Commission meeting of the 6 July 2023.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Alternative options have been incorporated into the recommendations for the Executive.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Delivery

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I115313
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1. **TITLE:** Bracknell Forest Economic Strategy 2023 - 2033

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

Introduction and context for the Bracknell Forest Economic Strategy

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the draft Bracknell Forest Economic Strategy 2024-2034 is agreed for public consultation as detailed in paragraphs 5.19-5.21 of the Executive Director of Place, Planning & Regeneration's report.

7. **REASON FOR DECISION**

To enable a public consultation process seeking the views of residents, businesses, and partner organisations on the strategy and the proposed action plan.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative option is to rely entirely on external policies and strategies to help guide and shape the future support for our local economy. This approach would not focus specifically on the needs of Bracknell Forest's residents and businesses and may reduce the opportunities to achieve the council's objectives.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Place, Planning & Regeneration

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I116167
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1. **TITLE:** Prevent Strategy 2023-26

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

Approval requested for the Prevent Strategy 2023-26

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that the Executive approve and adopt the Bracknell Forest Prevent Strategy 2024-27.

7. **REASON FOR DECISION**

- i. Prevent is one of the four elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism. The Home Office works with local authorities and a wide range of government departments, and community organisations to deliver the Prevent Strategy.
- ii. Section 26 of the Counter-Terrorism and Security Act 2015 and its revisions places a duty on specified authorities to "have due regard to the need to prevent people from being drawn into terrorism" in the exercise of their functions.
- iii. In addition, the December 2019 update of the Counter-Terrorism and Security Act 2015, introduced a new duty for local authorities to "provide support to people vulnerable or susceptible to being drawn into terrorism or violent extremism".
- iv. Bracknell Forest's response to both duties is the Prevent Strategy which draws together how it will work with partners to comply with the duties and prevent harm.

8. **ALTERNATIVE OPTIONS CONSIDERED**

No alternative options have been considered for the following reasons:

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- The duties are laid down in law
- A published strategy and action plan sets out our identified priorities as well as how we plan to tackle them
- Prevention and support for those at risk of radicalisation is a multi-agency process which is best co-ordinated through a strategy and action plan
- Acts of terrorism and radicalisation destroy communities and lives, causing deaths and injuries to many and leaving communities living in fear and

sometimes divided by hatred and confusion. Radicalisation is the process by which a person comes to support terrorism and extremist ideologies.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I117023
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1. **TITLE:** Budget Update
2. **SERVICE AREA:** Resources
3. **PURPOSE OF DECISION**

To provide the Executive with an update on the current year's predicted spending against budget and an outline of future financial prospects.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the Council's predicted current year financial position summarised in Table 1 and detailed in Annex A is noted.
- ii. Endorses the actions agreed by the Corporate Management Team to help contain expenditure in the current year as set out under paragraph 5.4 are endorsed.
- iii. the Council's predicted medium-term financial prospects based on the assumptions detailed in paragraphs 5.9 to 5.16 and summarised in Table 2 is noted, which is subject to development of detailed draft budget proposals for 2024/25 and future years and to confirmation of the local government finance settlement in December.
- iv. the Executive will be asked at its November meeting to recommend to Full Council a Flexible Use of Capital Receipts Strategy, that will provide funding from capital resources to secure additional capacity needed to drive transformation change to help secure a sustainable future financial position.
- v. the proposed use of the Council's funding to support delivery of affordable housing as set out in paragraphs 5.20 to 5.22 is agreed.

7. **REASON FOR DECISION**

The recommendations are intended to ensure that the Executive is aware of the Council's current and predicted future financial position.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Executive could choose not to support expenditure on the proposed priority areas. This is not recommended as the measures proposed are viewed as preventing more significant cost increases in the period ahead.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Resources

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I110505
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1. **TITLE:** Future of Downshire Homes Limited

2. **SERVICE AREA:** Resources

3. **PURPOSE OF DECISION**

To consider different options and propose the most appropriate future management arrangements for residential properties purchased by Downshire Homes Limited, with funding provided by Bracknell Forest Council, recognising that a similar number of properties are owned directly by the Council. Operational management of both portfolios is provided by the Council's Housing Team.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. to consolidate the ownership and management of the Council's housing portfolio by transferring (at market price) the Downshire Homes Ltd properties to the Council by March 2024 is agreed.
- ii. that the 4 properties currently occupied by tenants holding assured shorthold tenancies (ASTs) are offered for sale to registered social landlords is agreed, noting that they will be included in the transfer of properties to the Council if sales cannot be secured in the timescale above.
- iii. to facilitate the consolidation in the most tax efficient way, supports the director(s) of DHL to progress a solvent liquidation of the company, through which its assets will transfer to the Council as shareholder and agrees to indemnify the directors, the company and the appointed liquidator against any potential claims arising from this act.
- iv. a key factor in the proposed approach will be the value of the existing loans from the Council to DHL compared with their original purchase price and funding from Council loans and that current expectations based on indicative valuations of a sample of the properties are that the sums will broadly match;
- v. in the event that the value of the properties has increased materially at the time of the transfer compared with the original purchase price, its agreed that the Executive Director: Resources be authorised to use Council reserves to settle any resultant capital gains tax liability, as set out in paragraph 5.20.
- vi. the Legal Services Manager be authorised to conclude the appropriate legal agreements to enact the proposals above.

7. **REASON FOR DECISION**

The transfer of stock from DHL to the Council is recommended on the basis that this will facilitate a more streamlined and simplified approach to managing temporary accommodation and the small volume of supported housing properties held in the DHL portfolio, reducing the administrative burden and additional overhead costs created by the current arrangement.

8. ALTERNATIVE OPTIONS CONSIDERED

- i. Do nothing - retain housing stock both with the Council's wholly owned housing company DHL and with the Council directly. This is not recommended since the proposed approach enables the benefits obtained by having the DHL housing stock to be retained at a lower overall cost to the Council.
- ii. Trickle transfer – to gradually transfer properties from DHL to the Council over time. This option has been discounted due to the additional costs that would be incurred in Stamp Duty Land Tax, which can be avoided by taking the recommended approach.
- iii. To transfer the Council's directly owned housing stock to DHL. This is not recommended because the Council would need to undertake additional borrowing to on-lend to DHL for the company to fund the purchase of its properties for "best consideration". In addition, the company needs to pay VAT on its expenditure which the Council does not, meaning that such a transfer would cost more than currently, with no added benefit.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Resources

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I116801
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1. **TITLE:** Bridgewell Supported Living

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

The purpose of this report is to provide an update to the Executive on the progress of the Bridgewell Supported Living project. The project was previously approved for delivery by Executive on 21 June 2022. Further decision is required relating to the capital cost of the building works and the re-approval of the strategic procurement plan for the procurement of the a) landlord service provider and b) the care & support service provider.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the progress to date on the design development is noted and the timetable in paragraph 5.27 is agreed.
- ii. the value improvement items to improve sustainability in paragraphs 5.11 is noted.
- iii. the revised strategic procurement plan for appointment of the provider of landlord services (Housing Association) and care services (Support Provider) for the provision of Bridgewell Supported Living scheme for adults with learning disabilities as laid out in paragraphs 5.16 to 5.20 are noted.

RECOMMENDED to Council to approve the additional cost of works for the new accommodation by £400k, changing the previous budget from £7.15m to £7.55m as detailed in paragraph 5.12.

7. **REASON FOR DECISION**

- i. As per the rationale set out in the previous Executive report, the service is needed because without the new accommodation, a large cohort of vulnerable people are either already or will soon be living in accommodation not suited to their needs, or unable to be adapted to be suited to their needs. People have the right to suitable accommodation as well as independence. On completion of the project, residents will have an increase in independence and reduction of social isolation. They will be able to enjoy freedom and independence and are encouraged to be in control of their lives, ensuring that they are supported to manage their daily living skills to the best of their ability.
- ii. The added value of Supported Living is that parents / carers are enabled to better

juggle their roles in caring and paid work, leading to improved well-being, avoiding a detrimental effect on the family's financial circumstances. Ensuring the right accommodation with a person-centred care and support package will reduce escalation to costly residential placements.

- iii. Design and Build: the design and build contractor (Neilcott Construction) was appointed through competitive restricted tender in January 2023. They have developed the design and obtained planning permission. As the concept design progressed into a detailed technical specification, Neilcott obtained pricing from their supply chain, which exceeds the budget by £400k. Further details are given in paragraphs 5.9 to 5.15.
- iv. Provider Model: prior to commencing procurement activity, the Commissioning team has been working with Campbell Tickell (Subject matter expert consultancy) to undertake a detailed options appraisal of each of the commissioning models available for Bridgewell. Following this review, a change to the Strategic Procurement Plan is being requested that was previously approved by Executive in June 2022.

8. ALTERNATIVE OPTIONS CONSIDERED

- i. Design and Build: The proposed design is for four households with 5-bedrooms and en-suites plus shared communal areas. In the concept stage, self-contained flats were considered but found not to be suitable. The groups that we are proposing have at least a moderate learning disability, their mobility is deteriorating, and they are getting older. The current cohorts being considered, are not able to participate to any significant extent in their meal preparation; some of them currently reside together. Some need support or at least monitoring while they eat. Cost reduction by decreasing the number of bedrooms to be built could lower the overall capital cost but it will increase the per square meter cost of the project, which will in turn incur abortive design cost. Changing the scheme dramatically at this stage, will also affect the planning permission.
- ii. Commissioning Model for procurement of the Housing provider and Support provider: The previously approved Strategic Procurement Plan (SPP) set out an approach to separately procure the a) housing provider through competitive tender and b) the care & support service provider through either the upcoming Supported Living Framework or via a separate compliant tender process. This would result in two separate unrelated procurement and contractual arrangements with two providers. Following a detailed commissioning review of this approach, it is now accepted that, this is not the most advantageous route to market, to ensure the service offers a seamless, high-quality service to tenants, value for money for the Council and is an attractive opportunity to prospective bidders.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I116265
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1. **TITLE:** 0-19 Public Health Nursing Contract
2. **SERVICE AREA:** Place, Planning & Regeneration
3. **PURPOSE OF DECISION**

Decision to award 0-19 Public Health Nursing Contract

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive
6. **DECISION:**

- i. Executive approve the award of the 0-19 Public Health Nursing Service Contract to Provider A for a 5-year contract term with two 12-month optional extensions
- ii. Executive approves the budget (as provided in section 2.3 and detailed in section 9 of the confidential annex -) for the 0-19 Public Health Nursing Service for the 7-year maximum contract period with a start date from 1st April 2024. This will be paid from the ring fenced Public Health Grant allocation to the Council to deliver the public health functions.

7. **REASON FOR DECISION**

- i. The full Invitation to Tender (ITT) for the 0-19 Public Health Nursing Service was carried out as prescribed by the Bracknell Forest Council Procurement Manual. The tender was published from 09 June 2023 to 27 July 2023.
- ii. The tender was for a 5-year initial contract term from 1 April 2024 to 31 March 2029, with two 12-month optional extensions.
- iii. The outcomes of the moderated evaluation are set out below:
 - Provider A – The successful bidder and now the recommended provider.
 - Provider B – The unsuccessful bidder. The bid was scored below 40% threshold for the quality score and was not considered further.

8. **ALTERNATIVE OPTIONS CONSIDERED**

- i. Not to commission the service. However, the Health and Social Care Act 2012 assigns local authorities in England the statutory responsibility for commissioning public health services for children and young people aged 0-19 years (including children aged up to 25 years with special educational needs and disabilities).
- ii. Failure to commission the service will not be in accordance with the statutory requirement.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Place, Planning & Regeneration

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I116748
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1. **TITLE:** Occupational Health Provider Procurement

2. **SERVICE AREA:** Resources

3. **PURPOSE OF DECISION**

To agree to procurement commencing for the selection of an occupational health provider to directly follow on from the termination of the current contract, which terminates on 30 June 2024. The new contract will be effective from 1 July 2024.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the proposed re-procurement of an occupational health contract for the provision of occupational health service for staff who work for the council in any capacity, including schools is approved.
- ii. following the completion of the procurement process, the contract award be delegated to the Executive Director: Resources in consultation with the Executive Member, Finance and Business Change.

7. **REASON FOR DECISION**

The Council currently spends approximately £80,000 a year on its current occupational health service, which provides a variety of services, such as; preemployment screening, sickness referrals, ill-health retirement, management guidance and advice as well as health surveillance such as; statutory hearing tests, night worker assessments as well as immunisation, disablement advice, home visits, emergency planning advice, health related risk assessments, training and advice services, and health promotions when required. The provision of these services supports managers with staff absence management and employees early return to work which has a positive impact on sickness absence levels.

8. **ALTERNATIVE OPTIONS CONSIDERED**

- i. Consideration has been given to securing a provider to supply both occupational health and counselling services, which was the approach undertaken the last time the service was procured. However, as there were no bids at that time to provide both services, separate procurements are being undertaken on this occasion.
- ii. If we were no longer to provide an occupational health service then this would be considered to have a negative impact on managing staff absence and would likely have an adverse impact on the level of days lost to sickness absence.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Resources

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
17 October 2023	24 October 2023