

To: Council  
29 November 2023

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## Executive Report to Council The Leader

### 1 Purpose of Report

- 1.1 Since the Council agenda for the meeting on the 13 September 2023 was published, the Executive has met three times, 19 September 2023, 17 October 2023 and 14 November 2023. This report summarises decisions taken by reference to the relevant portfolio within which they fall.
- 1.2 Updated Forward Plans for the Executive and other Council meetings are published every Friday and can be viewed online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk). Full details on the decisions taken by individual portfolio holders can also be accessed online through the Council's website.

### 2 Recommendation

- 2.1 **Council is asked to consider the recommendations set out at paragraph 5.1.1, and 5.3.2.**

### 3 Reasons for Recommendations

- 3.1 The reasons for recommendations are set out in the supporting information and in the reports considered by the Executive. The relevant reports that the Executive considered can be found [here](#).

### 4 Alternative Options Considered

- 4.1 Alternative options are discussed in the relevant individual reports considered by the Executive. The relevant reports that the Executive considered can be found [here](#).

### 5 Supporting Information

#### Environment and Community Cohesion

#### 5.1 [Waste Collection Vehicle Purchase](#)

- 5.1.1 **The Executive RECOMMENDS that Council approves a Supplementary Capital Approval of £0.205m with the associated borrowing costs being accounted for within the figures in section 5.15 of the report.**

- 5.1.2 The Executive agreed to the purchase of a new twenty-six tonne waste collection vehicle in 2023 for delivery in 2024 subject to funds being approved by Council and agreed to a trial of Hydrotreated Vegetable Oil for this vehicle subject to viability and a future report to the Executive.

- 5.1.3 An increase in borough growth and an increase in households subscribing to the garden waste collection service has meant that the existing garden waste rounds are beyond full capacity. A new vehicle will enable collection capacity to be increased for

the garden waste service and also absorb some of the pressure that the larger blocks of flats are putting on the refuse and dry recycling services.

## **Culture, Delivery and Public Protection**

### **5.2 [Prevent Strategy 2024-27](#)**

- 5.2.1 The Executive approved and adopted the Bracknell Forest Prevent Strategy 2024-27.
- 5.2.2 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.
- 5.2.3 Section 26 of the Counterterrorism 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. In addition, the December 2019 update of the Counterterrorism 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".
- 5.2.4 The councils 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.

## **Adult Services, Health and Housing**

### **5.3 [Bridgewell Supported Living](#)**

- 5.3.1 The Executive noted the progress to date on the design development and agreed the timetable in paragraph 5.27 of the report, and noted the value improvement items to improve sustainability in paragraphs 5.11 of the report. The Executive also approved 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 detailed in the report at paragraphs 5.16 to 5.20.
- 5.3.2 **The Executive RECOMMENDS that Council 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 of the report.**
- 5.3.3 As per the rationale set out previously 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.
- 5.3.4 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.

### **5.4 [Development of a new Housing Allocations Policy for Bracknell Forest](#)**

- 5.4.1 The Executive approved the proposed changes to the Housing Allocation Policy and the proposed consultation plan to enable applicants, stakeholders, partner

organisations, councillors, and the wider public to give their views on the proposed policy changes prior to presenting the findings and any subsequent amendments to the Executive for approval.

- 5.4.2 A new housing allocation policy was required to bring the policy in line with legislative changes and to address the current housing supply and demand challenges facing the borough.
- 5.4.3 The proposed policy reflects and demonstrates the Council's ambitions, whilst also addresses the challenges of a limited supply of homes for allocation and an increased demand for social and affordable rented homes.

## **5.5 Future of Downshire Homes Limited**

- 5.5.1 The Executive agreed to consolidate the ownership and management of the Council's housing portfolio by transferring (at market price) the Downshire Homes Ltd (DHL) properties to the Council by March 2024 and agreed that the four properties currently occupied by tenants holding assured shorthold tenancies (ASTs) were offered for sale to registered social landlords, noting that they would be included in the transfer of properties to the Council if sales could not be secured in the set timescale.
- 5.5.2 The Executive also agreed to facilitate the consolidation in the most tax efficient way, supporting the director(s) of DHL to progress a solvent liquidation of the company, through which its assets would transfer to the Council as shareholder and agreed to indemnify the directors, the company and the appointed liquidator against any potential claims arising from this Act and noted that a key factor in the proposed approach would be the value of the existing loans from the Council to DHL compared with their original purchase price, funding from Council loans and that current expectations based on indicative valuations of a sample of the properties were that the sums would broadly match.
- 5.5.3 The Executive also agreed that, in the event that the value of the properties having increased materially at the time of the transfer compared with the original purchase price, 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 of the report and that the Legal Services Manager be authorised to conclude the appropriate legal agreements.
- 5.5.4 The transfer of stock from DHL to the Council would facilitate a more streamlined and simplified approach to managing temporary accommodation and the small volume of supported housing properties held in the DHL portfolio. This would reduce the administrative burden and additional overhead costs created by the current arrangement.

## **5.6 Contract Award for 0-19 Public Health Nursing Service**

- 5.6.1 The Executive approved 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. The Executive also approved the budget for the 0-19 Public Health Nursing Service for the 7-year maximum contract period with a start date from 1 April 2024. This would be paid from the ring fenced Public Health Grant allocation to the Council to deliver the public health functions.

5.6.2 The full Invitation to Tender 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 9 June 2023 to 27 July 2023. The tender was for a 5-year initial contract term from 1 April 2024 to 31 March 2029, with two 12-month optional extensions.

## **5.7 [All Age Integrated Carers Strategy 2024-2029](#)**

5.7.1 The Executive approved the draft All-Age Integrated Carers Strategy 2024-2029, as the basis for public consultation over a period of 12 weeks and delegate approval to the Executive Director: People in consultation with the Executive Member for Adult Services, Health and Housing and the Executive Member for Children, Young People and Learning to endorse and sign off the consultation process. The Executive also agreed to receive a revised draft of the strategy following consideration of consultation feedback.

5.7.2 The All-Age Integrated Carers Strategy will support the Council in meeting their statutory responsibilities to carers and young carers as determined under the Care Act 2014 and Children and Families Act 2014 and will support a number of Bracknell-Forest Place Health and Care Plan 2022-2025 priority areas.

5.7.3 Public consultation of the co-produced strategy will ensure residents of Bracknell Forest have an opportunity to understand the proposed partnership approach to supporting carers and the associated priorities. Residents will be able to provide feedback which will be taken into consideration when drafting the final strategy for publication.

## **5.8 [Integrated Sexual and Reproductive Health \(SRH\) Recommissioning](#)**

5.8.1 The Executive approved a two-year direct award to an eligible provider to ensure continuity of Specialist, Integrated SRH service provision beyond the 30 June 2024 across Berkshire East ((RBWM), Bracknell Forest Council (BFC) and Slough Borough Council) and agreed to deliver the contract award as the Lead Authority for the procurement. The decision would be taken at RBWM's Cabinet on the 27 September 2023 and SBC's Cabinet on the 18 September 2023, with the final decision being confirmed by the 28 September 2023 when all three meetings will have met to take their decisions.

5.8.2 The Executive agreed that BFC work with the market and NHS commissioning bodies to develop a life course response to sexual and reproductive health needs that offers better services for local communities. This process will result in initiation of a procurement of the Specialist Integrated SRH service during the lifetime of the 2-year contract to ensure longer term provision.

5.8.3 The contract for the Specialist Integrated SRH service for residents in the local authorities across Berkshire East (Bracknell Forest Council; (RBWM) and Slough Borough Council) is due to expire on 30 June 2024 and the recommended approach agreed by all local authorities was to retender under the light touch regime of the Public Contracts Regulations 2015 (the Regulations).

5.8.4 In March 2023 the Director of Public Health gained approval for BFC to go out to tender for the Berkshire East Specialist Integrated SRH Service. This included a recommendation to continue joint commissioning arrangements across Berkshire East to continue funding the total contract value jointly with BFC to lead the procurement process to tender under the light touch regime.

- 5.8.5 A Prior Information Notice (PIN) was released in March 2023 as part of the tender process to test the market interest. These were assessed by the BFC officers leading the procurement including the Head of Corporate Procurement and the Public Health Strategic Commissioning Manager. Based on the information gathered as part of preparation for tender, a new options appraisal has been undertaken and this paper informs the Executive of the process most likely to secure good SRH service provision for the public and mitigating potential risks to the local authorities. The options appraisal was included in the Annex paper as this includes commercially sensitive information.

## **Council Strategy and Climate Change**

### **5.9 [Overview and Scrutiny Panel Reviews](#)**

- 5.9.1 The Executive noted the reports and recommendations set out within the report and referred the reports to the relevant Executive Director.
- 5.9.2 The two scrutiny reviews were undertaken in the last administrative term but were not presented to the Executive, due to insufficient time in the municipal calendar. The reports have now been considered by the Overview and Scrutiny Commission in their new term and the Commission has endorsed the reviews Recommendations.
- 5.9.3 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 were also incorporated at the Commission meeting of the 6 July 2023.

### **5.10 [Composition of the Joint Public Protection Committee](#)**

- 5.10.1 The Executive agreed to authorise the appropriate amendment to the inter Authority Agreement to reflect the change to the membership of the Joint Public Protection Committee and agreed to the proposed changes to the Joint Public Protection Committee's Terms of Reference as set out in paragraph 5.5 of the report.
- 5.10.2 It was agreed that authority be given to the Assistant Director: Contract Services in consultation with the Borough Solicitor to implement amendments to the Inter Authority Agreement dated 6 January 2017 as well as the Committee's Terms of Reference.
- 5.10.3 At the 12 June 2023 Joint Public Protection Committee meeting the Members resolved to recommend to each of the partner authorities that the membership of the Committee be amended to include three Members from each authority, namely the Portfolio Holder with responsibility for Public Protection, and two Council representatives. They also recommended that West Berkshire Council's Constitution, as the host authority, be amended to reflect this decision.

### **5.11 [Council Plan Overview Report](#)**

- 5.11.1 The Executive noted the performance of the council over the period from April - July 2023 as highlighted in the Overview Report.
- 5.11.2 At the end of the quarter, 10 actions were completed (10%), 68 actions (72%) were rated as "green", 24 actions (26%) were "amber" and 2 actions (2%) were "red".

- 5.11.3 Indicators have continued to be included in this quarters CPOR, however as the majority of these were established at the start of the council plan period, in 2019, some are no longer particularly relevant to measuring the current priorities. For Q1, there were 51 indicators presented. Progress against key performance indicators across the Council was positive with 32 (63%) “green”, 3 (6%) were “amber” and 4 (8%) were “red”. 12 indicators (24%) have no target set as they are for monitoring only.

## **Economic Development and Regeneration**

### **5.12 [Bracknell Forest Economic Strategy 2024-2034](#)**

- 5.12.1 The Executive agreed the draft Bracknell Forest Economic Strategy 2024-2034 for public consultation.
- 5.12.2 The Council is committed to achieving growth and prosperity through a thriving and connected economy. The role the Council plays is both as an enabler and through direct delivery collaborating with employers, business representatives, regional and national government, and residents.
- 5.12.3 The strategy would be delivered in partnership with the business and education sector and through working with neighbouring local authorities. The public consultation process would seek the views of residents, businesses, and partner organisations on the strategy and the proposed action plan.

## **Finance and Business Change**

### **5.13 [Budget Update](#)**

- 5.13.1 The Executive noted the Council’s predicted current year financial position which was summarised in Table 1 and detailed in Annex A of the report and endorses the actions agreed by the Corporate Management Team to help contain expenditure in the current year as set out under paragraph 5.4 of the report. 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 of the report were noted, which was 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.
- 5.13.2 The Executive noted that they would be asked at its November meeting to recommend to Full Council a Flexible Use of Capital Receipts Strategy, that would provide funding from capital resources to secure additional capacity needed to drive transformation change to help secure a sustainable future financial position and also agreed the proposed use of the Council’s funding to support delivery of affordable housing as set out in paragraphs 5.20 to 5.22 of the report.
- 5.13.3 It was important that the Executive recognised the scale of the financial pressures that the Council is currently facing due to inflation and service demand, as well as a looking forward to the potential financial position in future years.

### **5.14 [Re-procurement of an Occupational Health Provider for Staff](#)**

- 5.14.1 The Executive approved 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. Following the completion of the procurement process, the Executive agreed to delegate the contract award to the Executive Director: Resources in consultation with the Executive Member, Finance and Business Change.

- 5.14.2 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.
- 5.14.3 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.

### **5.15 Surplus Land Depot Site - Initial Site Development Plan**

- 5.15.1 The Executive approved the outline Initial Site Development Plan (ISDP) for surplus land at the Depot site and noted that detailed proposals would be developed including design, submission of a planning application and the commercial arrangements including development funding finalised in a further Settled Site Development Plan that the Council would need to approve in around 12 months' time. The Executive also noted that the Joint Venture (JV) would engage with registered social landlords to investigate the viability of increasing the level of affordable housing in the development above the minimum policy compliant level (currently 25%) up to potentially 100%, prior to submission of Settled Site Development Plan.
- 5.15.2 The Executive also resolved that the Borough Solicitor be authorised to appropriate the land as edged red on the plan attached as Annex 1 of the report for planning purposes under Section 122(1) of the Local Government Act 1972, when a planning consent is in place.
- 5.15.3 The proposed ISDP is an outline proposal for development of the Council-owned Depot site. This will become surplus to the functioning of the Depot site itself once the redevelopment of the site is completed. If approved, this outline proposal will be refined during the coming months and will be subject to several conditions being fulfilled, including securing planning permission and fulfilling best consideration requirements for the land value.
- 5.15.4 The proposal uses a parcel of land which would otherwise be left vacant or sold to a third-party developer. Its proposed development via the JV allows the Council to retain a high level of control over what is to be built on the site.
- 5.15.5 The development would provide c40 new houses and flats close to the town centre, with a proposed 25% policy compliant scheme as a minimum. The opportunity to deliver an increased number of affordable units on site will be explored in the coming months, before a final proposal is brought before the Council for consideration in a Settled Site Development Plan.

## **Children, Young People & Learning**

### **5.16 [SEND Written Statement of Action \(WOSA\) implementation](#)**

- 5.16.1 The Executive noted the progress made on implementing the SEND WSOA to improve services to children and families and the feedback from the DfE and NHS England since the end of June 2023 and the invitation from the DfE to participate in the Safety Valve intervention programme 2024-25 for local authorities with high Designated Schools Grant (DSG) deficits.
- 5.16.2 The third review meeting with the DfE and NHS England took place on 10 July 2023. Written feedback provided by the DfE after the review meeting acknowledged that there has been a great deal of activity since the last review meeting that has moved the local area on at pace.
- 5.16.3 In the introduction the DfE was advised that the Executive had agreed £350,000 for staffing investment, with some of these additional posts already filled. Activity to improve processes is also underway, along with a staff training and development programme of activity.
- 5.16.4 The review meetings take each of the nine improvement areas of significant weakness identified in the Ofsted and Care Quality Commission (CQC) inspection, and review progress made, the impact of the work on children, young people and families, and next steps.

### **5.17 [New SEND School Site](#)**

- 5.17.1 The Executive agreed Bucklers Park as the site for the new special school and delegated authority to the Executive Director – People, and the Executive Member for Children, Young People and Learning, to agree any minor amendments that may be further required.
- 5.17.2 The Council needs to provide new places for future SEND provision since it currently pays for a high number of pupils to be educated out of the borough which is expensive and is projected to increase in terms of demand and cost. Part of the emerging SEND strategy is to provide more places within the borough which includes the provision of new schools.
- 5.17.3 The opportunity to use the land at the Bucklers Park site at a cost of a nominal £1 purchase price from the developers and for the DfE to fund the design and build of a new school, is an opportunity for the Council which should be pursued.

### **5.18 [Approval of the Strategic Procurement Plan for Integrated Therapies Service and associated contract extensions](#)**

- 5.18.1 The Executive approved the Strategic Procurement Plan for the provision of an Integrated Therapies Service as a jointly commissioned service with NHS Frimley Integrated Care Board, the Royal Borough of Windsor and Maidenhead and Slough Borough Council. The NHS Frimley Integrated Care Board will be the lead commissioner. The Executive also agreed the proposed contractual term of 7 years, starting with an initial period of three years and two further optional extension terms of 2 years (3+2+2 years).
- 5.18.2 The Executive delegated authority for the contract award decision to the Executive Director: People in consultation with Executive member for Children, Young People &



Learning and approved an extension via waiver of the current Children and Young People's Occupational Therapy Service Level Agreement for one year to cover the dates 02/09/23-01/09/24 and, if required, to cover the dates 02/09/24-01/09/25.

- 5.18.3 The procurement of the Integrated Therapies Service is required to meet the needs of children and young people with Special Educational Needs and Disabilities (SEND).
- 5.18.4 The proposal for jointly commissioning an Integrated Therapies Service will include a core clinical service. The core clinical offer includes SALT, OT and Physiotherapy. This core element of the integrated service will provide services where there is a clinical need such as intervention when a child or young person has experienced an accident or where there is a specific clinical need.

## **6 Advice Received from Statutory and Other Officers**

### **6.1 Leader Appointments**

The Leader of the Council has appointed a Social Value Consultative Group in the ratio 4:1:1:1 to work with the Head of Corporate Procurement to help shape the council's social value policy. Each group can appoint substitutes up to the limits set out in the constitution.

<b>Labour (4)</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Green (1)</b>
Bidwell (chair elect)	Barnard	M Forster	Haffegge
Temperton (vice-chair elect)			
Welch			
Wright			
<b>Substitutes</b>	<b>Substitute</b>	<b>Substitute</b>	<b>Substitute</b>
Penfold	Allen	Smith	Collings
Watts			

### **Legal Advice**

- 6.2 The Borough Solicitor's comments have been addressed in the reports to the Executive.

### **Financial Advice**

- 6.3 The Executive Director: Resources' comments have been addressed in the reports to the Executive.

### **Equalities Impact Assessment**

- 6.4 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

### **Strategic Risk Management Issues**

- 6.5 Any strategic risks have been identified in the reports to the Executive.

### **Climate Change and Ecological Implications**

6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>.

The reason the Council believes that this will have no impact on emissions is that the report is providing an update on decisions taken rather than proposing any action. The impact or not of each of the individual decisions was set out in the respective reports.

Health & Wellbeing Considerations

6.7 There are no considerations.

Background Papers

Executive Agenda – [19 September 2023](#), [17 October 2023](#) and [14 November 2023](#)

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