

**COUNCIL**  
**10 JANUARY 2024**  
**7.30 - 9.50 PM**



**Present:**

Councillors Ejaz (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, Karim, McLean, O'Regan, Pickering, Purnell, Robertson, Smith, Temperton, C Thompson, P Thompson, Virgo, Watts, Webb, Welch, Wright and Zahuruddin

**Present Virtually:**

Councillors McKenzie-Boyle and Mossom

**Apologies:**

Councillors Jefferies and Neil

**38. Minutes of Previous Meeting**

**RESOLVED** that the minutes of the Council meeting held on 29 November 2023 be approved and signed by the Mayor as a correct record.

**39. Declarations of Interest**

Councillor Smith declared an affected interest in Item 7, Bracknell Forest Council's Participation in the Department for Education's Safety Valve Intervention Programme as his wife was employed as a teacher at a school in the borough.

**40. Mayor's Announcements**

The Mayor reported on her activities since the last Council meeting, which included updates on the following:

- White Ribbon Vigil
- A visit to Pinewood Gymnastics Club
- School Choir event in The Lexicon
- Sleeping Beauty panto at South Hill Park
- Mayor's Christmas card competition
- Home-Start Christmas Party
- Bracknell Choral Society
- Buckler's Lodge Christmas Market
- Visit to Forestcare

**41. Executive Report**

The Leader of the Council, Councillor Temperton, presented the report on the work of the Executive since the Council meeting on 29 November 2023. The Executive had met once since the last Council meeting, on 12 December 2023.

The Leader highlighted the following matters that had been considered:

## Finance and Business Change | Capital Programme 2024/25 – 2026/27 and Revenue Budget 2024/25

- The Executive agreed to consult on the draft capital programme, based on £8.328m of new spending.
- The Executive also agreed to consult on the draft revenue budget proposals for 2024/25. This totals £103.429m.
- The Executive approved writing-off £54,150 for a commercial property debt that was no longer recoverable.
- The draft revenue budget and capital programme will now be considered by Overview and Scrutiny. Their views will be reported back to the executive and full council in February, alongside feedback from residents, local groups and businesses. The final 2024/25 budget will be agreed in February.

## Finance and Business Change | Building maintenance and repair service contract

- The Executive approved the procurement plan for an organisation to provide 24-hour maintenance and reactive repairs for the council's corporate buildings and 'buy back' schools.
- The current contract has been in place since February 2020. The contract was based on a fixed price for three years, with the option to extend for a further two years.
- In February 2023, the council granted a one-year extension to the current contractor.
- Based on the current provider's performance, the council would extend the contract for a further year, meaning the contract would expire on 1 February, 2025.

## Finance and Business Change | Procurement of neutral agency vendor/specialist providers of agency staff

- The Executive approved the re-procurement of a neutral vendor contract to provide the council with agency staff, in accordance with the strategic procurement plan.
- The council spends more than £7m a year on agency staff.
- Procurement would be split into three lots to address the current issues with recruiting specialist social care and education roles under a neutral agency vendor arrangement.
- This approach should reduce the overall costs to the council.

## Planning and Transport | Making (adoption) of the Winkfield Neighbourhood Plan 2022-2037

- The Executive agreed the formal 'making' of the Winkfield Neighbourhood Development Plan. This will form part of the statutory Bracknell Forest Development Plan.
- The council, as the local planning authority, has a statutory duty to 'make' a neighbourhood development plan if more than half of those voting at a referendum, vote in favour of 'making' the neighbourhood development plan.
- The referendum was held on Thursday, 23 November 2023 with a total of 1,245 votes being cast.

## Children, Young People & Learning | Personal budgets policy

- The Executive approved the revised Personal Budgets Policy and agreed to publish and implement it in December 2023.
- In accordance with the SEND Code of Practice January 2015, local authorities must provide information on Personal Budgets as part of the Local Offer.

#### Culture, delivery and public protection | Bracknell Forest Serious Violence Strategy

- The executive endorsed the Bracknell Forest Serious Violence Strategy 2024-2027. It agreed that a more detailed action plan should be compiled, which will be reviewed and approved by the executive director and the executive member for culture, delivery and public protection.
- The Police, Crime, Sentencing and Courts Act 2022 introduced a Serious Violence Duty on specified authorities within a local government area. As part of the duty, a strategy was required to be prepared, publicised and implemented.
- The serious violence and exploitation strategic sub-group of the community safety partnership will now work within the recommendations in the strategy to develop an action plan.

#### Adult Services, Health and Housing | Community support winter update

- The Executive endorsed the updated financial hardship action plan and agreed the Contain Outbreak Management Fund (COMF) spending plan.
- In 2022, the council recognised a need for a strategic, sustainable, and preventative approach to supporting residents who may be at risk of, or experiencing, financial hardship.
- There continues to be a lasting impact from the pandemic on health and wellbeing for communities across the borough.

There being no recommendations to Council, the report of the Executive was noted.

#### 42. **Polling District and Polling Place Review 2024**

The Council received a report on the Polling District and Polling Place Review 2024. The matter had been out to consultation and all comments from residents and councillors had been taken into consideration in the review.

On the proposition of Councillor Temperton, Leader of the Council and Executive Member for Council Strategy and Climate Change and seconded by Councillor Gillbe, it was

**RESOLVED** that the Returning Officer's proposed polling district and polling place scheme, summarised in Annex B of the report is agreed.

#### 43. **Bracknell Forest Council's Participation in the Department for Education's Safety Valve Intervention Programme**

The council received a report on Bracknell Forest Council's Participation in the Department for Education's Safety Valve Intervention Programme.

Councillor Temperton introduced the report and explained the urgency of increasing and improving local SEND provision due to the growing cost of funding placements outside the borough. An overspend of around £8 million on SEND placements was forecast for the current year, and there were not sufficient local places available for

young people whose needs could not be met in mainstream school. The proposed local provision at Sandhurst and Edgbarrow secondary schools and the new units proposed at the site of the former Warfield All Saints Primary School, along with the agreed new school at Buckler's Park, would need to be built as soon as possible. The Department for Education had invited Bracknell Forest to join the Safety Valve programme to balance the annual budget and repay the accrued deficit, using both Council reserves and a contribution from the Department for Education. The council's reserves from the 2018/19 business rates pilot meant that this contribution could now be met, but in addition, a top-slice of 0.5% of individual school budgets would be required.

Councillor Bailey commented that the consultation process with regard to the programme had been rigorous, and he thanked schools leaders, parents, carers and school governors for their co-operation despite their acknowledged reservations. Councillor Bailey also thanked headteachers and governors for their expertise on the new proposed local provisions, and for being open, honest and constructive throughout the process.

Councillor Smith expressed his concern around the implications of the programme on the local authority's budget and on future provision for schools and SEN provision. There were concerns that the debt to the Department for Education had accrued due to the funding gap for the High Needs Block and the fact that local authorities had been expected to run a deficit. Councillor Smith commented that the safety valve programme was unlikely to resolve issues of growing demand for SEND provision, and the deal would require schools to make significant compromises. However, Councillor Smith acknowledged that to refuse the deal would put this council in a worse position.

Councillor Allen reminded members that the council's reserves had been growing since 2016, and he was pleased that these had not been spent in previous years when there had been pressure to do so, as the Safety Valve would not be possible without this fund.

Councillor Watts explained that without the right setting and provision, the education, social skills and confidence of children with SEND would be damaged. SEN providers needed as much training and resource as possible, and so Councillor Watts explained she would support the proposal to increase support to young people with SEN.

Councillor Barnard thanked all who had been involved in the programme's development thus far, particularly headteachers and school leaders who would be delivering the programme. While councillors' concerns about SEN funding were recognised, it would be important to focus on early intervention with young people to keep them in mainstream provision wherever possible. The new units at Sandhurst, Edgbarrow, Warfield All Saints and Bucklers Park would ensure that children would have the right support locally. Councillor Barnard hoped that the programme would mean that the needs of children could be met early enough that fewer Educational Health Care Plans would be required.

On the proposition of Councillor Temperton, Executive Member for Council Strategy and Climate Change and seconded by Councillor Barnard, it was

**RESOLVED** that Council:

- 1 Approves the Council's Safety Valve proposal detailed in confidential Annex A for submission to the Department for Education by 12 January, including both

the management plan and mitigations endorsed by the Executive at its meeting on 12 December 2023 and a plan to fund the cumulative Dedicated Schools Grant (DSG) deficit when a balanced in-year financial position is reached in 2028/29, using a combination of grant from the Department for Education and set-aside Council reserves.

- 2 Approves the addition to the current year's capital programme of schemes to secure new local SEND provision at Sandhurst and Edgbarrow secondary schools and the former Warfield All Saints primary school site as detailed in paragraph 5.12 a) to c), which are key to achieving a sustainable local SEND system to support Bracknell Forest's children and young people.
- 3 Authorises the Chief Executive in consultation with the Leader of the Council to make changes to the Council's proposal if necessary in response to any further feedback from the Department for Education and prior to the proposal being formally presented for Ministerial approval, so long as any such changes continue to reflect the nature of the proposal in confidential Annex A.

#### 44. **Question Submitted Under the Public Participation Scheme**

Bracknell resident, Dr Michael Brown, asked Councillor Gillbe, Executive Member for Planning and Transport the following question:

"I would like to understand the latest status of the diverted footpaths at the Royal County of Berkshire Polo Club fields in Winkfield.

As you know this issue has been ongoing for more than 3 years without resolution despite numerous efforts by the public and councillors to resolve. There is a proposed diverted path however it is,

1. Still not signposted ( temporary signs have been removed from a significant proportion of the route) and therefore not clear
2. The diverted route is partly along a road shared with cars, vans and heavy trucks - this is not a footpath and has the potential to increase the council's liability to maintain it in the future
3. Large sections of the "path" are entirely waterlogged and virtually unusable - it is the responsibility of the local authority to maintain the surface of public footpaths.

My question therefore is when and how will this all be resolved so the users of the public footpath can do so safely and free of risk of injury?"

In response, Councillor Gillbe provided the following published response:

"I thank the resident for their question, and provide reassurance that this matter continues to be a focus of the time of our SANG and Rights of Way Officer. The answers to the specific questions are set out below;

1. The signposting of the temporary diversion route is the responsibility of the Polo Club. The council met with the Polo Club in December 2023 to clarify the current issues with the diversion and the various surface upgrades required before a formal Diversion Order can be confirmed. Once the formal diversion order is confirmed then the council will install new waymarking along the route.
2. The diverted route does follow the verge of short sections of shared use track. The traffic use is minor and is considered acceptable where

the surface is good and sightlines are clear. Due to the vehicular use the Polo Club remain responsible for upkeep and it would be expected that these sections would be of a more resilient surface than other rural footpaths (e.g. across arable or wet fields).

3. The waterlogged areas of the diversion route have been discussed with the Polo Club following the site meeting in December 2023. The works required to get these sections up to the standard expected for a rural footpath have been highlighted and the next meeting is currently being arranged with Wooldridge, the company developing the site, who the Polo Club will use for the completion of practical works, for January 2024. It is worth noting that many rural paths are suffering particularly this winter from the wet weather conditions and whilst issues have been raised and need to be agreed, ground conditions may slow progress.

It is anticipated that the diverted route will be complete and functioning by the end of Spring 2024, with works subject to the weather conditions but seeking to ensure improvements are made in phases as soon as conditions allow.”

As a supplementary question, Dr Brown asked the following:

**Given that this whole process has gone on for many years, what will be the next step if the polo club do not complete the ground work within the timeframe expected now?”**

Councillor Gillbe responded to explain while the Council was in current dialogue with the polo club and wished to maintain a positive relationship, the Council had legal remedy which it could use as a last resort if the polo club did not comply with requirements. Councillor Gillbe remained in conversation with the Chair of the Local Countryside Access Forum who had also raised the same concerns.

#### 45. **Questions Submitted Under Council Procedure Rule 10**

Councillor McLean asked Councillor Wright, Executive Member for Adult Services, Health and Housing the following question:

“Could the Executive Member please confirm the numbers of homes delivered annually in Bracknell Forest, which were available on the basis of affordable rents and shared ownership since 2017?”

Councillor Wright responded with the following published response:

“I can confirm that 595 affordable rented and shared ownership homes were delivered in Bracknell Forest between April 2017 and March 2023, with a further 265 affordable rent and shared ownership homes forecast for completion by the end of this financial year, a total of 860 homes within the period April 2017 to April 2024.

These figures can be provided by year with 75 homes delivered in 2017/18, 95 in 2018/19, 149 in 2019/20, 107 in 2020/21, 117 in 2021/22, 52 in 2022/23 and 265 forecast for 2023/24. Of the total number of homes delivered (and forecast to be delivered this financial year) 501 are affordable rented homes and 359 are shared ownership homes.”

As a supplementary question, Councillor McLean asked the following:

**There is a lot of misinformation about the delivery of the housing numbers that Bracknell Forest has achieved since 2017. Does the Executive Member join me in condemning this propagation of disinformation as it's detrimental to the work of the Council in supporting our residents?**

Councillor Wright commented that while she was not aware of such comments on social media, she agreed to investigate the matter and ensure the record is corrected.

Councillor Gaw asked Councillor Bailey, Executive Member for Children, Young People and Learning the following question:

“Can the Executive Member for Children, Young People and Learning please update Council on the progress, completion and implementation of Education Health and Care Plans (EHCP's) during the last six months and provide statistical information on those EHCP's still outstanding/ in progress?”

Councillor Bailey responded with the following published response:

“The SEND Team are responsible for co-ordinating the Education Health and Care needs assessment (EHC na) process. They also co-ordinate the review of EHC plans once they are in place for children and young people.

The current census year runs (reporting period for published data) runs from 1 January – 31<sup>st</sup> December.

During the above period for 2023:

- 258 EHC needs assessments were completed
- 126 EHC needs assessment currently open to assessment.

The data above is regularly shared with the Department for Education.”

As a supplementary question, Councillor Gaw asked the following:

**“In the interests of good practice and transparency, will you ensure that there are opportunities for members to receive regular information on key aspects relating to children, young people and learning and additionally, the opportunity to scrutinise the information whilst ensuring that the protocols of check and balance are employed? Currently there is no such opportunity in place.”**

In response, Councillor Bailey responded it was very important to keep parents and carers updated and make sure the council acted swiftly. Councillor Bailey committed to undertaking Councillor Gaw's proposal.

#### 46. **Motion (or Motions) Submitted Under Council Procedure Rule 11**

##### Motion 01/2024

Motion 01/2024 was moved and seconded by Councillors McLean and Barnard respectively as follows:

Residents and local businesses across the Borough have suffered travel chaos and inconvenience over the last few months, caused by a series roadworks. This Council,

working with our local MPs, will lobby central government for greater powers to better plan all but emergency works, and to issue higher penalties for those that over-run, in order to minimise disruption.

Councillor Gillbe proposed an amendment which was accepted by Councillors McLean and Barnard as follows:

Residents and local businesses across the Borough have suffered travel chaos and inconvenience over the last few months, caused by a series of roadworks. **Most of these are directed by providers outside the Council – including gas, electricity, water, and telecommunications – and the reasons for refusal of streetwork permits are limited. Whilst the importance of upgrading this infrastructure is recognised, to ensure that residents and businesses continue to receive these critical services to their homes and premises, local authority powers to control these roadworks are insufficient.** This Council, working with our local MPs, will lobby central government for greater powers **to control** all but emergency works, **making it a requirement for utility companies to collaborate on their programmes of work and enabling higher penalties to be issued to those that over-run.**

On being put to the vote, the motion was carried.

#### 47. **Presentation by Thames Valley Police and the Police and Crime Commissioner**

Councillors welcomed Chief Constable Jason Hogg, Superintendent Andy Cranidge and the Police and Crime Commissioner Matthew Barber to the meeting.

Police and Crime Commissioner, Matthew Barber gave an update on the key pieces of work from his office including the development of a victims' portal where victims could find updates on their crimes in order to reduce pressure on 101 requests, improving digital channels for reporting community intelligence and strengthening police neighbourhood teams. Matthew commented that cyber crime and fraud remained the biggest risk to residents, but there remained work to improve confidence in neighbourhood policing. The budget was due to be published in the coming weeks.

Chief Constable Jason Hogg of Thames Valley Police presented some statistics for the force, and introduced the senior management team. The force was a diverse organisation which had been recognised nationally for pushing boundaries of diversity, however there was a need to invest further in special constables and volunteering. There had been a 16% increase in calls to 999 since April 2023, and the nature of calls had become more complex than ever before. A recent inspection from HMIC had indicated that the Thames Valley Police workforce was overstretched and feeling exhausted. Retention was a struggle for the force as officers were moving to jobs in the private sector and recruitment processes had been reviewed in light of this. The organisation was being restructured to combine 11 local command areas into 5 to manage demand more effectively. The number of neighbourhood police officers was being doubled to improve the visibility of police officers.

The Chief Constable also explained the new approach to mental health, Right Care Right Person which had been developed in collaboration with the Home Office, the Department for Health and Social Care and NHS England. The new approach was that the police would only deal with someone in mental health crisis if a crime had been committed, if there was a threat to their life or the individual was being threatening to someone else. Thames Valley Police had a good relationship with



mental health providers and partners locally and stressed that any frontline worker who felt threatened would be supported by the police.

The Chief Constable highlighted that Thames Valley was the safest force in the country in relation to serious violence due to proactive work on knife crime and violence against women and girls.

Superintendent Andy Cranidge, Local Police Area (LPA) Commander presented some statistics on a local level. There had been an increase in crime in the last year in Bracknell, however this was likely due to the growing population and increased footfall in the town centre. There had also been an increase in domestic abuse cases, however this could be due to increased police engagement and closer work with partners and third parties rather than an increase in actual cases. The Police work closely with partners to commission services around accommodation and support services for domestic abuse.

Reductions continued around violence and knife crime, and prevention work with schools was critical to this.

There had been a 7% increase in sexual offences during the year, largely due to an increase in child to child sharing of images which would be addressed through education.

The LPA reviewed key indicators including hate crime on a daily basis, to identify trends and patterns and use resources from across the LPA or wider force. The increasing trend around dwelling burglaries had slowed down and was on track to have a reduction in Bracknell in the current year. Officers were working on attendance at burglaries to discuss crime prevention with victims, as some perpetrators were from crime groups and some were opportunist offenders. Drug dealing hotspots at Great Hollands and Birch Hill had been identified through discussion with partners and the public, and work was ongoing to tackle these hotspots. County Lines feedback from perpetrators was that organised crime groups tended to be caught if they came to Bracknell, and one current County Line in the area was being tackled. Officers were working with housing associations on cuckooing.

Councillors noted some Police case studies relating to retail theft from Marks and Spencer's on Bagshot Road and anti-social behaviour at the Meadows in Sandhurst.

### Questions

Councillor Bailey asked about information on complaints against the police, and whether the press coverage had had an impact on recruitment. In response, it was noted that the force would not hesitate to sack more officers to address the crisis of confidence in the Police and every opportunity would be taken to remove officers who didn't support Police values. There were emerging themes arising from complaints about victims of crime not being kept up to date, and officers not taking sufficient action when a crime was reported. There were plans to launch measures to assess public perception of Thames Valley Police.

Councillor Bidwell asked about what was being done to deter the use of cycles and e-scooters in the Lexicon in order to prevent accidents. In response, it was noted that there was a gap in legislation around Police response to e-scooters. Thames Valley Police had launched a new approach for frontline officers to engage with those e-scooter users who were stopped, as e-scooters were illegal to ride on the road or pavement unless covered by a Council scheme. More signage had been installed in

The Lexicon and officers were making use of CCTV to identify individuals using e-scooters. It was noted that behaviour while using e-scooters was perhaps more key to tackle, as it was likely that they would be legalised in some form in the future. Councillor Wright asked about specific data rather than percentage change headlines, and all Councillors were invited to contact the Police for any information they need as lots of local level data was available.

Councillor Virgo asked a question about the increase in unsocial behaviour such as graffiti, bad parking and speeding, and whether the increase in police officers would result in more police on the streets. It was commented that although there was no evidence that increasing the number of police officers drives down crime, it was understood that residents feel safer with a police officer presence. The number of neighbourhood officers would be doubled, and it was down to LPA Commanders to decide where they should go. In Bracknell and Wokingham, it was hoped that there would be an identifiable officer in each parish.

Councillor Forster asked a question about whether the Police were satisfied with the levels of public confidence. It was noted that the only data available was the Crime Survey of England and Wales which showed that the public had a higher level of satisfaction in Thames Valley Police than the national average. The Police and Crime Commissioner's officer were looking into securing a private company to gather information on public confidence on demographics.

Councillor Forster asked another question about the engagement with Berkshire Healthcare Foundation Trust and whether the Trust could meet the demands of the Right Care Right Person policy. It was commented that Julian Emms, Chief Executive of Berkshire Healthcare Foundation Trust was engaged with the programme and was meeting with Police on a strategic level to discuss plans for the policy.

Councillor Forster asked a final question on whether the force had the resource it needs to meet the Policing Plan and residents' expectations. In response, it was commented that when the budget was published it would show a growth of £50m, and the Police and Crime Commissioner was lobbying government on the funding formula for police forces.

**CHAIRMAN**