

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 12 January 2016.

PRESENT

Cllr J G Jamieson (Chairman)
Cllr M R Jones (Vice-Chairman)

Executive Members:	Cllrs	C Hegley B J Spurr A M Turner	Cllrs	M A G Versallion R D Wenham J N Young
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Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark K M Collins I Dalgarno	Cllrs	S Dixon Mrs A L Dodwell E Ghent B Wells
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Apologies for Absence:	Deputy Executive Member	Ms C Maudlin
	Cllr	

Members in Attendance:	Cllrs	R D Berry M C Blair D Bowater P Downing F Firth C C Gomm	Cllrs	Mrs S A Goodchild Ms A M W Graham D McVicar A Ryan B Saunders D Shelvey
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Officers in Attendance	Mr Q Baker	Assistant Director Legal and Democratic Services and Monitoring Officer (Interim)
	Mr R Carr	Chief Executive
	Mr M Coiffait	Director of Community Services
	Mrs S Harrison	Director of Children's Services
	Mrs S Hobbs	Committee Services Officer
	Mrs C Jagusz	Committee Services Administrator
	Mr J Longhurst	Director of Regeneration and Business
	Mrs J Ogley	Director of Social Care, Health and Housing
	Mrs C Shohet	Assistant Director of Public Health
	Mrs G Stanton	Chief Communications Officer
	Mr C Warboys	Chief Finance Officer

E/15/76. **Minutes**

RESOLVED

that the minutes of the meeting held on 1 December 2015 be confirmed as a correct record and signed by the Chairman.

E/15/77. **Members' Interests**

None were declared.

E/15/78. **Petitions**

No petitions were received.

E/15/79. **Public Participation**

No members of the public had registered to speak.

E/15/80. **Chairman's Announcements**

Agenda item 14 'Shared Legal Services' would be discussed after item 15 'Quarter 2 Performance Monitoring Report'.

The Leader explained that he was proud of what had been accomplished over the previous 5 years to maintain and improve services and freeze Council Tax in Central Bedfordshire. He had hoped that this would continue, but the Local Government Financial Settlement announced on 17 December 2015, reflected a change in Government policy on the balance of services that would be financed nationally compared with through local taxation. There would be a very substantial loss of Government funding support over the next 4 years. The Government's expectation was that the Council Tax would be raised by 3.75% to compensate for the loss of funding, including a 2% levy specifically to contribute towards the costs of adult social care.

The Leader had lobbied Ministers, the LGA and MPs to highlight the good work of the authority and the implications of the Settlement for Central Bedfordshire. He felt that the Government should do more to support those authorities delivering housing growth, given that accelerating the supply of new homes was a national priority.

E/15/81. **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 February 2016 to 31 January 2017 be noted.

E/15/82. **Draft Budget 2016/17 and Medium Term Financial Plan**

The Executive considered a report from the Executive Member for Corporate Resources that proposed a draft budget for 2016/17 and updated the Medium Term Financial Plan (MTFP). The Local Government Financial Settlement announced on 17 December 2015 and was significantly worse for Central Bedfordshire than had been anticipated both in absolute and comparative terms. Therefore proposals needed to be identified to respond to the reduction in funding support from Government over and above the proposals contained in the draft budget/updated MTFP.

The Government had made an assumption in its financial modelling that councils would raise council tax by both a 2% precept earmarked for adult social care and an assumed 1.75% for inflation in each of the next four years.

Officers were still evaluating the Settlement as the Government's figures were still being amended and a revised Appendix B, setting out the key elements of the Medium Term Financial Plan 2016/17 to 2019/20 was tabled at the meeting reflecting the latest position.

In response to questions, the Leader and the Executive Member for Corporate Resources explained that the Council would have to look at different ways of working. The Overview and Scrutiny Committees would have an opportunity to examine the proposed savings as set out in the report.

Reason for decision: To enable consultation on the draft budget 2016/17 and Medium Term Financial Plan 2016-2020, prior to final recommendations being made by the Executive to Council in February 2016.

RESOLVED

that the draft budget proposals for 2016/17 be approved as the basis for consultation with the Overview and Scrutiny Committees and other interested parties.

E/15/83. **Draft Capital Programme 2016/17 to 2019/20**

The Executive considered a report from the Executive Member for Corporate Resources that proposed the draft Capital Programme for the four years from 1 April 2016. The Capital Programme continued to be dominated by a number of large schemes, including the requirement to provide New School Places, M1/A421 Junction 13 – Milton Keynes Magna Park, Highways Structural Maintenance, New Depots and Household Waste Recycling Centres, the Woodside Link and Dunstable Leisure Centre and Library.

Reason for decision: To enable consultation on the Council's proposed Capital Programme for the MTFP period 2016/17 to 2019/20.

RESOLVED

that the draft Capital Programme for 2016/17 to 2019/20 be approved as the basis for consultation with Overview and Scrutiny Committees and other interested parties.

E/15/84. Draft Budget for the Housing Revenue Account (Landlord Service) Business Plan

The Executive considered a report from the Executive Member for Corporate Resources that set out the financial position of the Housing Revenue Account (HRA) and the draft budget for 2016/17. The report also set out proposals relating to recent legislative changes, the debt strategy, investment potential and rent reduction.

The Government had intervened in the financing of stock retained authorities HRAs and had previously stipulated that rents should reduce by 1% for each of the next 4 years. It was estimated that the rent reductions would result in a loss of income of £12.7m over the 4 years and £219m over the 30 year Business Plan.

In response to a question, the Executive Member for Corporate Resources explained that in 2012 the Government had abolished the housing subsidy system to enable councils to have greater autonomy and influence over the financial management of their housing assets. As a result, the Council had acquired a proportion of the national housing debt in return for the right to retain the full rental income from its housing stock.

Reason for decision: To enable consultation on the draft budget for HRA for 2016/17, prior to final recommendations being made by the Executive to Council in February 2016.

RESOLVED

that the Draft Housing Revenue Account budget proposals for 2016/17, as set out in the report, be approved as the basis for consultation with Overview and Scrutiny Committees and other interested parties.

E/15/85. Neighbourhood Planning

The Executive considered a report from the Executive Member for Regeneration that provided an update on Neighbourhood Planning in Central Bedfordshire and set out the statutory processes involved. Currently sixteen Neighbourhood Areas had been designated and at least six parishes were well advanced with plans. It was anticipated that at least two draft plans would be published by parish councils in the next few months.

In response to a question, the Executive Member for Regeneration explained that it was for parish councils to propose the composition of a Neighbourhood Area.

Reason for decision: The Council needs a process in place to make the Plan or Order, following the statutory stages as set out in the report.

RESOLVED

to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to:

- 1. publish submitted Neighbourhood Plans and Neighbourhood Development Orders for comment;**
- 2. appoint an Examiner in conjunction with the relevant body;**
- 3. submit the documentation for Examination;**
- 4. following Successful Examination, proceed to a referendum; and**
- 5. to 'Make' the Plan or Order, subject to the statutory stages as set out in paragraph 7 in the report and the outcome of the referendum.**

E/15/86. Proposal to make Drainage Byelaws

The Executive considered a report from the Executive Member for Community Services that proposed byelaws in connection with drainage matters to assist the Council in meeting its statutory duties and to help reduce the risk of flooding for local communities. The primary purpose of these proposed byelaws was to ensure efficient drainage within the Council's area. The associated benefits of making the proposed byelaws were:-

- managing and reducing flood risk;
- improving water quality;
- improving biodiversity;
- ensuring drainage infrastructure would be maintained and adapted over time; and
- improving the quality of life for people by improving the quality of public spaces and the water environment.

In response to a question, the Director of Regeneration and Business confirmed that Local Planning Authorities must satisfy themselves that the proposed minimum standard of operation of Sustainable Drainage Systems (SuDS) on new developments was appropriate. Drainage systems would also need to comply with the Council's Sustainable Drainage Policy.

Reason for decision: To enable the Council to monitor and enforce the efficiency of flood defences and support work with developers and local communities to reduce flood risk now and in the future.

RESOLVED

that the proposal to make drainage byelaws as set out in Appendix 1 to the report be endorsed.

RECOMMENDED to Council

that the byelaws following completion of the stakeholder consultation be adopted.

E/15/87.

Determination of the Proposal to Recommission Primary Specialist Provision for Autistic Spectrum Condition (ASC) in Dunstable

The Executive considered a report from the Executive Member for Education and Skills that provided the outcome of the consultation by Ardley Hill Academy on its proposal to establish a new eight place primary specialist provision for Autistic Spectrum Condition in Dunstable from September 2016. The consultation on the proposal had received 17 responses, of which 16 were in favour with only 1 respondent recording that they neither agreed nor disagreed with it.

Reason for decision: To ensure that the Council continued to meet its statutory obligations to secure sufficient school places for children with special educational needs.

RESOLVED

- 1. that the response received to the consultation by Ardley Hill Academy for the proposal to establish a new 8 place primary specialist provision for Autistic Spectrum Condition at Ardley Hill Academy in Dunstable from September 2016, as set out in the report be noted; and**
- 2. that the commencement of capital expenditure, as set out in the report, be approved, subject to:-**
 - the approval of the proposal by the Education Funding Agency; and**
 - the grant of planning permission under Part 3 of the Town and Country Planning Act 1990.**

E/15/88.

Quarter 2 Performance Monitoring Report

The Executive considered a report from the Executive Member for Corporate Resources that set out the quarter 2 2015/16 performance for Central Bedfordshire Council's Medium Term Plan indicator set. New indicator sets were being developed in support of the recently adopted Five Year Plan 2015-2020.

The Executive Member for Social Care and Housing suggested that when developing the new set of indicators, consideration should be given to identifying exceptional performance.

Reason for decision: To ensure a rigorous approach to performance management across Central Bedfordshire Council.

RESOLVED

- 1. that the continuing good performance for those indicators currently being used to help support the monitoring of progress against the Medium Term Plan priorities, be acknowledged; and**
- 2. that officers be requested to further investigate and resolve underperforming indicators as appropriate.**

E/15/89.

Shared Legal Services

The Executive considered a report from the Executive Member for Corporate Resources that sought approval of the preferred legal shared service provider, following the selection process. Three bidders had been invited to submit proposals, which had been rigorously evaluated. The bids had been assessed using the criteria of 40% price (or savings) and 40% quality as well as 20% staff welfare.

The Corporate Resources Overview and Scrutiny Committee would monitor the implementation of savings over 2016/17.

The Executive Member proposed a revised recommendation 2 and a new recommendation, this was duly seconded:-

- “2. That the provider shown as the winning tender, as set out in the exempt report, be approved as the preferred provider and request the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to seek to agree Heads of Terms to establish the Legal Services shared service with the winning provider whilst also ensuring that the interests of Central Bedfordshire Council are protected, and thereafter, if satisfactory, to enter into a formal agreement.
3. That the intention to discuss the proposed arrangements with the Council’s external auditors before being finalised, be noted.”

The Executive Member and Chief Executive explained that the Council had received notification that the National Audit Office had received a complaint through the whistleblowing procedure. The Council’s external auditors would now investigate this.

Reason for decision: To appoint a legal service provider, as a partner to Central Bedfordshire Council, for the provision of legal services to enable the Council to deliver the financial savings without impacting upon service levels.

RESOLVED

1. that the outcome of the selection process for a provider of a legal shared service be noted;
2. that the provider shown as the winning tender, as set out in the exempt report, be approved as the preferred provider and request the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to seek to agree Heads of Terms to establish the Legal Services shared service with the winning provider whilst also ensuring that the interests of Central Bedfordshire Council are protected, and thereafter, if satisfactory, to enter into a formal agreement; and
3. that the intention to discuss the proposed arrangements with the Council's external auditors before being finalised, be noted.

[Note that Mr Q Baker, Monitoring Officer was not present during this item.]

E/15/90. **Exclusion of the Press and Public**

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

E/15/91. **Shared Legal Services**

See minute E/15/91 for further details.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.50 a.m.)

Chairman

Dated