

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 5 December 2017.

### PRESENT

Cllr J G Jamieson (Chairman)

Executive Members:	Cllrs	I Dalgarno S Dixon Mrs C Hegley	Cllrs	B J Spurr J N Young
Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark K M Collins Mrs A L Dodwell	Cllrs	E Ghent Ms C Maudlin Mrs T Stock B Wells
Apologies for Absence:	Cllrs	R Wenham G Tubb (Deputy Executive Member)		
Members in Attendance:	Cllrs	R D Berry P Downing P A Duckett K Ferguson	Cllrs	C C Gomm Mrs S A Goodchild Ms A M W Graham P Smith
Officers in Attendance		Mr Q Baker  Mr R Carr Mr M Coiffait Ms S Duncan Mrs S Harrison Mrs S Hobbs Mrs C Jagusz Mrs J Ogley  Mrs C Shohet Mr C Warboys		AD Legal Services (Monitoring Officer) Chief Executive Director of Community Services Senior Planning Officer Director of Children's Services Senior Committee Services Officer Committee Services Administrator Director of Social Care, Health and Housing Assistant Director of Public Health Director of Resources

E/17/70 **Minutes**

### RESOLVED

**that the minutes of the meeting held on 10 October 2017 be confirmed as a correct record and signed by the Chairman.**

E/17/71 **Members' Interests**

None were declared.

E/17/72 **Chairman's Announcements**

The following Agenda items would be considered after item 23 '2017/18 Quarter 2 Performance Report':

- Award of Contracts for Residential and Nursing Home Placements
- Village Farm, Sutton – Disposal
- Land at Saxon Drive and Sorrel Way, Biggleswade.

The Leader reported that he had presented prizes at the Looked after Children Awards evening organised by the Children in Care Council on 1 December 2017.

The National Infrastructure Commission had published their final findings in November on the Cambridge – Milton Keynes – Oxford Corridor, and the Chancellor of the Exchequer, as part of his Budget had largely endorsed the findings. While there were a number of positive aspects such as the commitment to both East West Rail and the Expressway, there were areas of concern and the focus was now on building housing and not on economic growth, in particular the target for one million new homes to be built along the Corridor. The Leader committed to keeping Members updated.

E/17/73 **Petitions**

The Executive received the following petitions:

**1. Injunction against Illegal Encampments**

The Council had received an e-petition, signed by 126 people, requesting that the Council apply for an injunction against illegal encampments.

The Executive Member for Community Services explained that the Council was aware of the impact illegal encampments had on residents in Central Bedfordshire. A Gypsy and Traveller Enforcement Officer had been employed to help address the issues. The Council had sought legal advice on the objective standards that the Court would deem appropriate for an injunction to be granted. Once the Council was in a position to move forward, appropriate action would be taken. The Council had actively lobbied local MPs for Government to provide the necessary powers to deal more effectively with these situations.

## **2. X31 Bus from Luton to Milton Keynes via Hockliffe**

Councillor Mr Scott, from Hockliffe Parish Council, presented a petition on behalf of the lead petitioner, signed by 60 people, that requested the Council to support the reinstatement of the X31 bus from Luton to Milton Keynes via Hockliffe. Residents in Hockliffe felt isolated and were struggling to travel to work and attend appointments at the Luton and Dunstable and Milton Keynes Hospitals.

The Executive Member for Community Services explained that alternative arrangements were in place as Leighton Buzzard Buzzer Bus and Dial-a-Ride services provided public transport. The majority of the funding for the X31 bus service had been provided in the past by Milton Keynes Council, and it was their cut to funding which had caused the cancellation. Central Bedfordshire Council were not in a position to replace this funding but were looking to run a bus from Dunstable to Hockliffe, Monday to Saturday. This proposed bus service was subject to the Transport Commissioner's agreement. It was anticipated that this service would commence on 18 December 2017. Funding for this bus would be provided from Section 106 Agreement monies received from development in the area. The Executive Member agreed to provide a written response to the lead petitioner.

## **3. Maintenance at the Sheltered Accommodation in Southwood Road, Dunstable**

Councillor Ghent presented the petition on behalf of the lead petitioner, signed by 22 residents, that raised concerns about the lack of maintenance at the sheltered accommodation in Southwood Road, Dunstable. This had led to the boilers breaking down and additional costs for the residents for alternative heating.

The Executive Member for Social Care and Housing expressed her disappointment that the residents had not spoken to her directly or to the Scheme Manager. All tenants were encouraged to escalate any problems through Housing Services as the Council were keen to address any issues. She explained that the heating at the sheltered accommodation had been fixed promptly and that the Director of Social Care, Health and Housing would be writing to those tenants involved explaining that compensation would be provided to those who had incurred additional costs.

E/17/74

### **Public Participation**

Members of the public had registered to speak on item 8 'Gypsy and Traveller Sites – Billington Consultation'. See minute E/17/76 for further details.

E/17/75 **Forward Plan of Key Decisions**

**RESOLVED**

**that the Forward Plan of Key Decisions for the period 1 January 2018 to 31 December 2018 be noted.**

E/17/76 **Gypsy & Traveller Site - Billington Consultation**

The Executive considered a report from the Executive Member for Community Services that presented the results from the formal consultation on the proposal to make improvements to Greenacres and The Stables, Gypsy and Traveller sites in Billington. A 12 week consultation had taken place on the proposals to either develop a new Council owned and managed gypsy and traveller site or to remove the existing planning permissions and replace them with new permissions and conditions. This would involve injunctions being obtained to remove any occupants on the sites that were not legally entitled to be there.

The Chairman invited the public speakers to make their statements in accordance with the Public Participation Scheme.

Mr Barr, a resident in Little Billington, was pleased that the Council had acknowledged there were issues with the sites. He felt that the funds set aside to action the proposals were extortionate and could be used to support local residents. He enquired as to where the alternative site would be located. He objected to the residents on the sites being provided with a dedicated telephone number to enable them to respond to the consultation when the residents in the villages had not been provided with the same opportunity. He also raised concerns about anti-social behaviour that occurred off the site and enquired as to how this was going to be addressed.

Mr Swain raised concerns with the amount of Council funds that had been allocated to action the proposals. It was unclear how these proposals would benefit local residents and how the Council would guarantee that the gypsy and travellers on the site would engage with the Council to improve their behaviour despite the multi-agency approach. Toddbury Farm had not been mentioned in the report and there had been no mention of an alternative site or the reduction of the travelling population in the area.

Mr Jones spoke on behalf of the residents living on the gypsy and traveller sites. He explained that the residents were keen to engage with the Council and they had set up a residents' association. The residents' association had started to put plans together to improve the infrastructure and resolve the problems that had been identified. Since setting up the residents' association, there had been an improvement with community cohesion on the site and it was hoped that this would eventually lead to community cohesion off the site. Those residents on the sites that had not wanted to engage with the Council had left. He hoped that the Executive would support continued engagement with the residents living on site.

Councillor Ms Thompson, Chair of Billington Parish Council, raised concerns about the £9m that would be spent on the gypsy and travellers. This was on top of the money that had already been spent on these sites by different agencies in an effort to deal with the problems. However, it was recognised that the problems had to be addressed. The increase in the number of caravans on the sites was unsustainable. Evidence had been provided to Central Bedfordshire Council about the anti-social behaviour that had taken place. There was concern that only 5% of respondents to the consultation were residents from the site. She also raised concern that no alternative site had been allocated. She requested that a representative from Billington Parish Council and the local community be represented on the Project Board.

The Executive Member for Community Services explained that there were issues at Greenacres and The Stables that included the lack of infrastructure, planning breaches, anti-social behaviour and crime. Partners had been working together to address these issues and the proposals would need to be funded. He confirmed that an alternative location for a new site had not yet been settled on. If the problems could not be resolved the Council would apply to compulsorily purchase the two sites with a view to closing them following the development of a replacement facility. New planning permissions would also be considered as this would enable unauthorised caravans to be removed and the conditions on the site to be enforced. Toddbury Farm had received planning permission and the Council were able to enforce the conditions and any issues could be addressed. Whereas Greenacres and The Stables had been granted blanket permission from the Planning Inspectorate so the Council's ability to enforce conditions was compromised. There had been 382 responses to the consultation, 80% of these had been from local residents. A telephone line had been installed to help the gypsy and traveller community to respond to the consultation. The Executive Member would welcome a representative from Billington Parish Council on the Project Board. The Council had a duty of care to those residents living on the sites as well as residents living in the villages. It was hoped that the residents on the sites would continue to engage with the Council and he looked forward to seeing improvements.

Reason for decision: To enable the Council to continue engagement with the residents on the sites and take robust action to bring the sites up to standard. In the event that this could not be resolved, Officers would then be in a position to bring a recommendation back to the Executive to acquire both sites using a Compulsory Purchase Order.

## **RESOLVED**

- 1. that the results from the consultation be noted;**
- 2. to authorise the Director of Community Services to continue to co-ordinate robust action under planning, licensing, environmental health, community safety, housing and other relevant powers to bring the sites up to the following standards:**

- **compliant with planning and licensing regulations;**
  - **safe and well maintained;**
  - **well managed and accessible to the authorities.**
3. **that in the event that resolution 2 (above) does not bring the sites up to standard, Officers would bring a recommendation to the Executive, to acquire Greenacres and The Stables using a Compulsory Purchase Order; and**
4. **that the estimated costs of £9m be included in the Council's Medium Term Financial Plan, to fund the Council's original proposal to acquire the site and build a new Council owned and managed facility.**

E/17/77

### **Local Council Tax Support Scheme 2018/19**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the proposed Local Council Tax Support Scheme for 2018/19. It was proposed that the current scheme be readopted with no changes.

In response to a question, the Executive Member for Social Care and Housing explained that consideration would be given to a support package for care leavers to help them pay their Council Tax.

Reason for decision: To enable the Council to endorse the Central Bedfordshire Council Local Council Tax Support Scheme. If the Scheme was not approved by 31 January 2018, the Council would have to award Local Council Tax Support in accordance with the Government's default Scheme which would result in the cost of the Scheme significantly exceeding that of the Local Council Tax Support Scheme.

#### ***RECOMMENDED to Council***

***that the current Local Council Tax Support Scheme be extended for a further year (2018/19) with no changes being proposed.***

E/17/78

### **Flitwick Station Site and Car Park**

The Executive considered a report from the Executive Member for Regeneration that set out the recommended delivery approach for the regeneration of the Flitwick station site and car park and sought approval for a procurement process to identify and secure a development partner on the best financial terms possible.

Reason for decision: To enable the Council to regenerate the Flitwick station site and car park.

## **RESOLVED**

- 1. that the progress made towards enabling the regeneration of Flitwick Station site and car park since this matter was last considered by the Executive in April 2017 be noted, including:**
  - Preparation of provisional Heads of Terms with a major retail anchor for the scheme.**
  - The completion of a public consultation exercise between the 31st July and the 13th September which has demonstrated broad support for the scheme objectives and priorities as set out in the report considered by the Executive in April 2017.**
  - The preparation of a Memorandum of Understanding with Network Rail and Govia Thameslink Railways Ltd for the purpose of supporting partnership work towards scheme delivery.**
  - Commencement of detailed design work for the Transport Interchange as funded by Network Rail's National Station Improvement Programme (NSIP).**
  - The further refinement and improvement of the draft concept scheme based on the market view of proposed uses, including testing of likely construction costs and revenue generating potential.**
- 2. that the recommended mechanism be supported, as outlined in Part 5 (B), paragraph 57 for delivering the scheme and its benefits, namely a development partnership. Executive approval would be sought in future on key decisions in line with the Council's Constitution;**
- 3. that the Council's bids to the Government's competitive Housing Infrastructure Fund (HIF) for £5.3M and Accelerated Construction Fund for £0.8M be noted. The purpose of these bids was to support housing provision within the scheme through delivery of site infrastructure. This may include the funding of new access roads, junction improvements, public transport interchange and potentially step free access to all station platforms. A decision on which funding bids would be supported be expected in early 2018; and**
- 4. note that the Council would be lobbying Government for additional financial support via Network Rail's next investment plan (2019 to 2024) for the purpose of providing step free access at Flitwick station.**

E/17/79 **Cranfield University Masterplan**

The Executive considered a report from the Executive Member for Regeneration that set out the proposed Cranfield University Masterplan. The Masterplan covered the area of Cranfield University that included the academic campus, Technology Park and the residential and recreational core areas.

In response to questions, the Executive Member for Regeneration explained that the Masterplan had been developed over the last 2 years. A separate Masterplan was being developed for Cranfield Airport. Discussions with neighbouring authorities were taking place as part of the development of the draft Local Plan that would be published on 3 January 2018 as part of Regulation 19, for consideration by the Executive on 9 January. The route for the East West Railway through Central Bedfordshire had not been decided. He endorsed the concerns that since the doctors surgery on the campus had been closed, there had been a greater impact on the Cranfield Village doctors surgery and invited the University to take this into account.

Reason for decision: To enable the Council to adopt the Masterplan as technical guidance for the purposes of development management.

**RESOLVED**

**that the Cranfield University Masterplan be adopted as technical guidance for Development Management purposes.**

E/17/80 **Central Bedfordshire Children and Young People's Plan (2018 - 21)**

The Executive considered a report from the Executive Members for Social Care and Housing and Educations and Skills that presented the Central Bedfordshire Children and Young People's Plan 2018-2021 for endorsement.

Reason for decision: To ensure the Council meets its statutory duty as set out in the Children Act 2004 to make arrangements to promote co-operation with partners to improve the wellbeing of children in the authority's area.

**RESOLVED**

**that the Central Bedfordshire Children and Young People's Plan (2018-21), set out at Appendix A to the report, be endorsed.**

E/17/81 **Commissioning New School Places in the ward of Stotfold through the delivery of a new extended secondary Free School (Pix Brook Academy)**

The Executive considered a report from the Executive Member for Education and Skills that sought approval for the release of land (subject to planning permission) for the new Pix Brook Academy Free School and for the Council to manage the delivery of the build on behalf of the Department for Education (DfE). The construction of the Free School was to be funded by the DfE through the Free Schools Programme.

Reason for decision: To enable the Council to provide additional school places due to a deficit of school places in the area.

## **RESOLVED**

- 1. that the release of land (subject to planning) for the new free school be approved and that the Council deliver the new free school on behalf of the Department for Education; and**
- 2. to authorise the Director of Community Services, in consultation with the Director of Children's Services, to enter into all appropriate legal documentation to implement the scheme, including the building contract and ancillary documents, funding agreement, development agreement, Academy lease and all contracts required to secure delivery and operation of the new school.**

E/17/82

### **Temporary Increase in Pupil Admission Numbers and related Capital Expenditure - Thomas Johnson Lower School, Lidlington and Biggleswade Academy**

The Executive considered a report from the Executive Member for Education and Skills that sought approval for the commencement of capital expenditure for the temporary expansion of pupil numbers at:

- Thomas Lower School, Lidlington to allow the school to admit up to 30 pupils by 2018; and
- Biggleswade Academy by an additional 60 pupils for 2018 and 2019.

In response to questions, the Executive Member for Education and Skills explained that the Council was focussed on ensuring school places were available for local children. He acknowledged the comments from the Children's Services Overview and Scrutiny Committee. He agreed to provide a briefing paper to the relevant Members on the cost of new school places per pupil. Each school had different requirements to enable it to expand, in particular with Biggleswade Academy it was proposed that the additional accommodation included circulation and toilets, refurbishment and remodelling of the dining space, car parking and hard play.

Reason for decision: To enable the Council to provide sufficient school places.

## **RESOLVED**

- 1. that the commencement of capital expenditure, as set out in the report, be approved subject to the granting of planning permissions under Part 3 of the Town and Country Planning Act for the temporary expansion of Thomas Johnson Lower School and Biggleswade Academy; and**

2. **to authorise the Director of Community Services, in consultation with the Director of Children's Services to enter all appropriate legal documentation to implement the schemes.**

E/17/83

### **Resilient Highway Network**

The Executive considered a report from the Executive Member for Community Services that sought adoption of the documentation required in order to demonstrate a renewed commitment at senior level to the principles of asset management and resilience to achieve Band 3 status.

Reason for decision: To enable the Highways Service to continue on track to becoming a Band 3 authority, secure incentive funding and become a more efficient and resilient service.

### **RESOLVED**

**that the following key documents be adopted:**

- **The Resilient Network, set out in Appendix A to the report; and**
- **Network Maintenance Management Plan, set out in Appendix B to the report.**

E/17/84

### **Authority to Tender Contract for Coroner Services**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought approval of delegated authority to award contracts for two aspects of the Coroner Services on behalf of the Bedfordshire and Luton Coroner area, following the completion of the EU procurement process.

Reason for decision: To ensure that the Coroner Service had in place suitable mortuary, post-mortem and pathology services and a contract for conveyance of bodies.

### **RESOLVED**

1. **to authorise the Director of Resources, in consultation with the Executive Member for Corporate Resources, to award contracts for the delivery of mortuary, pathology and post-mortem services identified within the report in order to meet the required timescales, allowing the contracts to be operational at the earliest opportunity; and**
2. **to authorise the Director of Resources, in consultation with the Executive Member for Corporate Resources, to award contracts for the conveyance of bodies as detailed within the report if necessary.**

E/17/85

### **Revenue Budget Monitoring Provisional Forecast Outturn September 2017 (Quarter 2)**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the projected outturn financial position for 2017/18 as at September 2017. The revenue forecast outturn position was £3.3m over budget. The year to date spend was £0.6m over budget.

Reason for decision: To maintain rigour and transparency through the Executive's regular public monitoring of the revenue budget.

#### **RESOLVED**

- 1. that the forecast revenue outturn position which was currently to overspend budget by £3.3M (over budget by £0.6M in September 2016) be noted;**
- 2. to note that the budget included £2.1M of contingency costs against which no call had yet been made. If this contingency was released then this would result in an overspend of £1.275M; and**
- 3. that officers be requested to continue to look for compensatory savings in order to deliver a balanced budget.**

E/17/86

### **Capital Budget Monitoring Forecast Outturn Report September 2017 (Quarter 2)**

The Executive considered a report from the Deputy Executive Member for Corporate Resources that set out the capital projected outturn for 2017/18 as at September 2017.

Reason for decision: To maintain rigour and transparency through the Executive's regular public monitoring of the capital budget.

#### **RESOLVED**

- 1. that the gross forecast outturn of £96.8M, excluding HRA but including deferred spend from 2016/17 which was currently below the approved budget by £13.9M (£3.7M below last year against a higher budget of £132.6M) be noted; and**
- 2. to note that the net forecast was £3.7M below budget (£2.4M below budget at the same stage last year).**

E/17/87

## **Housing Revenue Account Budget Monitoring September 2017 (Quarter 2)**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources and Executive Member for Social Care and Housing that provided details of the 2017/18 Housing Revenue Account (HRA) projected outturn revenue and capital position as at September 2017.

In response to a question, the Executive Member for Social Care and Housing explained that the Council was still waiting for guidance from the Government on funding for local authorities to be able to build their own housing provision.

Reason for decision: To maintain rigour and transparency through the Executive's regular public monitoring of the HRA.

### **RESOLVED**

- 1. that the revenue forecast position to achieve a balanced budget with a contribution to HRA Reserves of £6.182M, thus strengthening the Council's ability to invest and improve its stock of Council homes, be noted;**
- 2. to note that the capital forecast position indicates a net outturn of £8.227M against a budget of £14.342M. The deferral of £2.539M of future investment works to 2018/19, be approved;**
- 3. that Right to Buy (RtB) sales would be monitored for the possible impact on predicted surpluses in the medium to longer term; and**
- 4. that the virement of the underspend at Croft Green (£3.725M) to the New Build and Acquisitions budget line, to enable further purchases of properties that would address the increasing temporary accommodation pressure in the General Fund, be approved.**

E/17/88

## **2017/18 Quarter 2 Performance Report**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the quarter 2 performance for the Council's Medium Term Plan indicator set.

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

### **RESOLVED**

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

E/17/89 **Award of Contracts for Residential and Nursing Home Placements**

The Executive considered a report from the Executive Member for Social Care and Housing that set out the outcome of the re-procurement of the contract for care homes places for older people and sought to award the contracts to the recommended providers.

Reason for decision: To enable the Council to award the contracts for the provision of care in Residential and Nursing Homes for Older People.

**RESOLVED**

- 1. that the award of contracts for the provision of care in Residential and Nursing Homes for Older People to the providers listed in Appendix A of the report as having been successfully evaluated, be approved; and**
- 2. to authorise the Director of Social Care, Health and Housing, in consultation with the Executive Member for Social Care Health and Housing to approve the future addition of one or more new providers to the contract by following the process set out in paragraph 34 of the report.**

E/17/90 **Village Farm, Sutton - Disposal**

The Executive considered a report from the Executive Member for Education and Skills that set out the proposal to dispose of land at Village Farm, Sutton.

Reason for decision: To enable the Council to dispose of land and bring its own land forward for housing development in accordance with Government requirements.

**RESOLVED**

**to authorise the Director of Community Services, in consultation with the Executive Member for Education and Skills, to dispose of 0.855 ha of land and buildings at Village Farm, Sutton on the best available terms.**

E/17/91 **Land at Saxon Drive and Sorrel Way, Biggleswade**

The Executive considered a report from the Executive Member for Education and Skills that set out the proposals to dispose of land at Saxon Drive and Sorrel Way, Biggleswade.

Reason for decision: To enable the Council to dispose of land and bring its own land forward for housing development in accordance with Government requirements.

**RESOLVED**

**to authorise the Director of Community Services, in consultation with the Executive Member for Education and Skills, to dispose of land at Saxon Drive and Sorrel Way, Biggleswade on the best available terms.**

**E/17/92 Letting of Contract for Residential and Nursing Home Placements**

See minute E/17/89 for further details.

**E/17/93 Village Farm, Sutton - Disposal**

See minute E/17/90 for further details.

**E/17/94 Land at Saxon Drive and Sorrel Way, Biggleswade**

See minute E/17/91 for further details.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.37 a.m.)

Chairman .....

Dated .....