

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 6 October 2015.

PRESENT

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

Executive Members:	Cllrs	A M Turner M A G Versallion	Cllrs	R D Wenham J N Young
Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark K M Collins I Dalgarno	Cllrs	S Dixon Mrs A L Dodwell Ms C Maudlin B Wells
Apologies for Absence:	Cllrs	C Hegley B J Spurr		
Members in Attendance:	Cllrs	R D Berry M C Blair Mrs C F Chapman MBE K Ferguson E Ghent C C Gomm Mrs S A Goodchild	Cllrs	Ms A M W Graham Mrs J G Lawrence D J Lawrence D McVicar B Saunders D Shelvey G Tubb
Officers in Attendance		Mr Q Baker Mrs D Broadbent-Clarke Mr R Carr Mr M Coiffait Mrs S Hobbs Mr J Longhurst Mr S Mooring Mrs K Oellermann Mrs J Ogley Mr C Warboys		Assistant Director Legal and Democratic Services and Monitoring Officer (Interim) Director of Improvement and Corporate Services Chief Executive Director of Community Services Committee Services Officer Director of Regeneration and Business Environmental Policy Manager Assistant Director - Commissioning & Partnerships Director of Social Care, Health and Housing Chief Finance Officer

E/15/35. **Minutes**

RESOLVED

that the minutes of the meeting held on 4 August 2015 be confirmed as a correct record and signed by the Chairman.

E/15/36. **Members' Interests**

None were declared.

E/15/37. **Chairman's Announcements**

The Chairman made no announcements.

E/15/38. **Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part 4 of the Constitution, the Executive received the following petitions:-

1. Living Wage

Mr Kenny, GMB Regional Officer, presented an e-petition containing 147 signatures urging the Council to introduce the living wage for employees at Central Bedfordshire Council, including contracted-out services, as a permanent part of basic pay for all staff who would otherwise be below this rate.

The Executive Member for Corporate Resources explained that a meeting had taken place with Mr Kenny to discuss the Council's position and provide assurance that the Council did review the payment of living wage, to enable the Council to attract suitable skilled employees. From the 1 April 2016 a national living wage of £7.20 per hour for people over the age of 25 would be in place. This was due to rise by 60% of the average wage by 2020 giving a projected sum of £9.00 an hour. The Council was focusing its attention on this mandatory payment, as it had a duty to balance the budget and provide best value for taxpayers.

2. Designated Public Place Order, Biggleswade

Mr Patel presented an e-petition containing 115 signatures seeking a Biggleswade Designated Public Place Order as there was an anti-social behaviour problem around the bus station in the town. Mr Patel was concerned that this was affecting businesses in the area.

The Deputy Executive Member for Community Services explained that an Order was in place to restrict drinking in this area which gave the police the power to demand that an individual cease drinking and surrender their alcohol. Professionals such as Alcohol Outreach Workers had been trying to address the problem. A Community Alcohol Partnership (CAP), which was a social enterprise funded by retailers/industry to tackle the effects of alcohol abuse, was being formed. A meeting was being organised and Mr Patel and other business representatives with an interest in tackling this issue would be invited to attend.

E/15/39. Public Participation

There were no members of the public registered to speak.

E/15/40. Forward Plan of Key Decisions

RESOLVED

that the Forward Plan of Key Decisions for the period 1 November 2015 to 31 October 2016 be noted.

E/15/41. Central Bedfordshire's Five Year Plan 2015-2020

The Executive considered a report from the Leader of the Council that set out the proposed Five Year Plan 2015 – 2020 following, engagement with the Overview and Scrutiny Committees and stakeholders.

The proposed priorities for the next five years were:-

- Enhancing Central Bedfordshire
- Great resident services
- Improving education and skills
- Protecting the vulnerable; improving wellbeing
- Creating stronger communities
- A more efficient and responsive Council.

The Deputy Leader and Executive Member for Health moved the following amendment to the second paragraph on page 9 of the Plan, which was duly seconded:-

“Key components of this will be providing appropriate housing, particularly for the elderly and moving care to focus more on prevention rather than cure, with services and support provided in the right place at the right time. This will require working closely with the National Health Service, to provide services locally seven days a week. Social care will continue to be developed to help people to live independently for as long as possible, either in their own homes with support or in specialist accommodation.”

Reason for decision: To enable the Council to have a refreshed Five Year Plan to support the vision of making Central Bedfordshire a great place to live and work.

RECOMMENDED to Council

that the Five Year Plan 2015 – 2020 for Central Bedfordshire be approved, subject to the above amendment to the second paragraph on page 9 of the Plan.

E/15/42. Improving Care Home Provision for Older People in Central Bedfordshire

The Executive considered a report from the Executive Member for Social Care and Housing concerning care home provision in Dunstable. The report considered the future of the rehabilitation 'step-up step-down' facility and the day care facility as well as the care for permanent residents at the Council's Older Persons' Home (OPH), Greenacre, in Dunstable.

The proposal was to consult on the closure of Greenacre as places were available to the Council at Dukeminster Court and Rosewood Court in Dunstable on acceptable terms. Both these new-build homes had modern standards of provision including en-suite facilities for each resident which would improve quality of life. If a decision was taken to close the home then users of the day centre would be offered a place at an alternative day service that would meet their needs.

In response to a question, the Leader of the Council confirmed that Houghton Regis Town Council would be included in the stakeholder engagement.

In response to a question, the Director of Social Care, Health and Housing confirmed that she would clarify to the relevant Member the care home supply and demand forecast for Chiltern Vale.

Reason for decision: To ensure that prior to making a decision about the future of the home, the Executive had as much information as possible about the options available and the views of interested parties.

RESOLVED

- 1. that the opportunities to further improve care home provision for older people in the Dunstable area be recognised by authorising the commencement of formal consultation on proposals for the future of Greenacre Older Persons' Home and the services provided from it, as set out in paragraphs 36 to 48 of the report; and**
- 2. that a report be submitted to a future meeting of the Executive advising on the outcome of the consultation and making recommendations about the future of the home and the services provided from it.**

E/15/43. **Fees and Charges 2016**

The Executive considered a report from the Executive Member for Corporate Resources that proposed revised fees and charges for 2016, identified new services for which it was proposed that fees or charges would be levied and identified those charges where proposed increases were significantly different from the 1% advisory increase as per the 2016/17 budget strategy.

The Overview and Scrutiny (O&S) Committees would consider the proposed fees and charges during the October cycle of meetings. A request was made that the statutory charges be summarised and a list of charges where there is flexibility for them to be increased be provided to the O&S Committees.

This would enable the Sustainable Communities O&S Committee to consider the proposed increase in car parking charges. In response to a question, the Executive Member for Corporate Resources explained that the proposed increase in car parking charges would allow the Council to invest in improving the technology and customer experience at the Council's busiest car parks.

Reason for decision: To enable the Council to agree the fees and charges prices for 2016 as part of delivering a balanced budget for 2016/17 and identify resource requirements for the Medium Term.

RECOMMENDED to Council

that subject to any recommendations from Overview and Scrutiny and the amendments set out in the Executive Chairman's Briefing Note:-

- 1. that the Fees and Charges prices for 2016 be agreed;***
- 2. that the new Fees and Charges proposed to be introduced for 2016 be agreed;***
- 3. that Fairer Charging be brought in line with Residential Care charging, and that charging commence when the care started with effect from 1 January 2016, as set out in paragraphs 11 and 12 in the Executive report;***
- 4. to confirm that whilst some statutory charges have been left at the 2015 rate currently, these would be amended to the new charges once the Council had been advised of the rates applicable to 2016; and***
- 5. the progress of the Fees and Charges cyclical review process, as set out at Appendix D to the Executive report, be noted.***

E/15/44. **Determination of Proposal to Commission New Middle School Places in Leighton Linlade**

The Executive considered a report from the Executive Member for Education and Skills that set out the outcome of the consultation undertaken, with the support of the Council, by the Governing Body of Leighton Community Middle School on the proposal to provide new middle school places from September 2016. The proposal was to expand the school from 480 places to 600 places for pupils aged 9 to 13, increasing the published admission number from 120 to 150.

In response to questions, the Executive Member for Education and Skills was aware of the concerns that this proposal would increase traffic in the area. The Council's Highways Officers were assisting the school with finding ways to mitigate traffic congestion. If the proposal to expand the school was approved by the Executive then a planning application would be submitted to the Development Management Committee along with a traffic assessment. The Executive Member would meet with the relevant Member to explain why it was appropriate to expand Leighton Community Middle School and not one of the other schools in the area.

Reason for decision: To ensure that the Council continued to comply with its legal obligation to ensure sufficient school places were available.

RESOLVED

1. **that the proposal to expand Leighton Community Middle School from a 4 form of entry (480 place) middle school for pupils aged 9 to 13 to a 5 form of entry (600 place) middle school for pupils aged 9 to 13 be approved, increasing the school's published admission number from 120 to 150 with effect from 1 September 2016, thereby approving the commencement of the project and related expenditure, subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990 by 1 January 2016; and**
2. **to authorise the Director of Children's Services, in consultation with the Executive Member for Education and Skills, to approve contractual arrangements to undertake capital works required to deliver the proposed project in the report.**

E/15/45. **Special Educational Needs and Disabilities Capital Programme 2015/16**

The Executive considered a report from the Executive Member for Education and Skills that sought approval to commence capital expenditure to provide specialist provision for hearing-impaired pupils at Parkfields Middle and Toddington St George Church of England School and for pupils requiring social, emotional and mental health provision at Oak Bank School.

Reason for Decision: To support the Council's policy of investment in successful schools and to comply with its legal obligation to secure sufficient primary and secondary school places to provide appropriate education for pupils in its area.

RESOLVED

that the commencement of capital expenditure, as outlined within the report, to deliver specialist provision for hearing impaired (HI) pupils at Parkifields Middle and Toddington St George Church of England School and for pupils requiring social, emotional and mental health provision (SEMH) at Oak Bank School be approved.

E/15/46. **Consultation on the Council's Admission Arrangements for the Academic Year 2017/18**

The Executive considered a report from the Executive Member for Education and Skills that sought approval to commence the consultation on admission arrangements. The Council was the admissions authority for Community and Voluntary Controlled schools and had to ensure that statutory requirements for admissions consultation was met. The proposed changes to the admission arrangements included:-

- the removal of the feeder school criteria in the admissions policy for Leighton (Community) Middle School; and
- an amendment to the catchment area at Houghton Regis (Community) Primary School to include all housing in a recent local housing development known as Tilia Park.

Reason for decision: To enable the Council to comply with its legal duty to consult on changes to admission arrangements.

RESOLVED

1. that the commencement of consultation for the proposed changes to the Council's admission arrangements for the academic year 2017/18 be approved. The proposed changes to the Council's admission arrangements include:

- **the removal of the feeder school criteria in the admissions policy for Leighton (Community) Middle School; and**
- **an amendment to the catchment area at Houghton Regis (Community) Primary School to include all housing in a recent local housing development known at Tilia Park.**

2. **to authorise the Director of Children's Services, in consultation with the Executive Member for Education and Skills, to determine the Council's admission arrangements for the academic year 2017/18 at the outcome of the consultation period.**

E/15/47. **Plan-making Programme for Central Bedfordshire**

The Executive considered a report from the Executive Member for Regeneration that proposed that the Council withdraw the Development Strategy and discontinue legal proceedings. The local planning situation had changed following a report from the Office for National Statistics which had published new population projections. This had led to the Development Strategy and the subsequent Allocations Local Plan being out of date.

The Secretary of State had confirmed that he would not call-in the Houghton Regis North 2 application, leaving the Council free to grant planning permission for this proposal. This meant that together with the East Leighton Linslade and Houghton Regis North 1 developments, the majority of the large scale developments that had been proposed in the Development Strategy would be implemented, helping the Council's five year housing land supply position.

Reason for decision: To ensure that the Council retained control of growth and the provision of associated infrastructure.

RECOMMENDED to Council

that the Development Strategy be withdrawn and the legal proceedings be discontinued.

RESOLVED

1. **that work commence immediately on a new plan-making process; and**
2. **to authorise the Director of Regeneration and Business and the Executive Member for Regeneration to approve the Local Development Scheme and any consequent amendments.**

E/15/48. **Nature Conservation Strategy**

The Executive considered a report from the Executive Member for Regeneration that set out the proposed Nature Conservation Strategy, including the overall aims, objectives and priorities for the conservation of biodiversity in Central Bedfordshire. The Strategy would help to ensure that the Council met its duty to have regard for biodiversity and therefore contributed towards securing a sustainable environment which would benefit both residents and the wider population who live, visit and work in Central Bedfordshire.

Reason for decision: To enable the Nature Conservation Strategy to support planning policy relating to environment and sustainability issues.

RESOLVED

- 1. that the Nature Conservation Strategy to provide the framework on which the Council will take action for the conservation of biodiversity and the natural environment in Central Bedfordshire be adopted; and**
- 2. to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to make minor amendments and updates as required.**

E/15/49. **European Structural Investment Funds (ESIF)**

The Executive considered a report from the Executive Member for Regeneration that provided a comprehensive overview of the funding opportunities available through the European Structural Investment Fund (ESIF). The report also explained the ESIF bids under development by Central Bedfordshire Council.

Reason for decision: To enable the Council to bid for ESIF to support residents and businesses.

RESOLVED

- 1. that the approach to bidding for ESIF funds, maximising opportunities by working with partners in the South East Midlands and beyond, and identifying appropriate match funding to support this, be approved;**
- 2. that Central Bedfordshire Council continue to act as a lead partner for bids under the ESIF programme, specifically a £3.9m European Regional Development Fund (ERDF) bid and an European Social Fund (ESF) bid of approximately £16.8m, including match funding over three year programme periods; and**
- 3. to authorise the Director of Regeneration and Business and the Section 151 Officer to proceed with the development and submission of the ERDF and ESF bids, in consultation with the Executive Members for Regeneration and Education and Skills. If successful, the final approval to enter the Bid Agreements would rest with the Executive.**

E/15/50. **Stratton Business Park Local Development Order and Food Enterprise Zone**

The Executive considered a report from the Executive Member for Regeneration that outlined a proposal to adopt a Local Development Order (LDO) for Stratton Business Park in Biggleswade. The LDO would allow the Council to extend permitted development rights for certain specified forms of development. These would be developments for which planning permission would normally be granted, and came with proposed conditions and restrictions which would normally be imposed through planning permission.

Reason for decision: To encourage economic and employment growth in the Biggleswade area and to support the Council's priority to create jobs and enable business growth.

RESOLVED

that the proposed Local Development Order for Stratton Business Park, Biggleswade to assist economic and employment growth in the area be adopted.

E/15/51. **Agreement to Homes and Communities Agency Grant Funding Conditions**

The Executive considered a report from the Executive Member for Social Care and Housing that set out the funding conditions for the receipt of capital grant in respect of the development of Priory View, Dunstable to meet the requirements of the Homes and Community Agency.

Reason for decision: To comply with the conditions required to receive the remaining £0.85m grant and to avoid repaying the grant already received.

RESOLVED

that the Homes and Communities Agency's conditions in respect of grant towards the costs of the development of Priory View, as set out in Appendix A to the report be accepted.

E/15/52. **Appointment of Proper Officer under Public Health Legislation**

The Executive considered a report from the Executive Member for Community Services that set out proposals for the appointment of all Medical Consultants in Communicable Disease Control and other suitably medically qualified deputising officers in the Public Health East of England area as Proper Officers as required by Public Health legislation.

Reason for decision: To meet a legal requirement to appoint a Proper Officer under Public Health legislation.

RECOMMENDED to Council that the following appointments be approved:-

- 1. all the Medical Consultants in Communicable Disease Control (CCDCs) and other equivalently medically qualified deputising officers** in Public Health East of England (the Public Health England centre responsible for the East of England area) as Proper Officers under the Public Health (Control of Disease) Act 1984 (as amended)*;**
- 2. Central Bedfordshire Council's Director of Public Health, or successor titles, employed by Central Bedfordshire Council with the duty to safeguard public health as a Proper Officer under the Public Health (Control of Disease) Act 1984 (as amended)*;**
- 3. Central Bedfordshire Council's Director of Community Services, being the lead officer for Environmental Health employed by Central Bedfordshire Council with the duty to safeguard public health as a Proper Officer under the 1984 Act (as amended)*; and**
- 4. to allow the Directors identified in 2 and 3 above, to authorise officers to carry out particular functions or exercise particular powers for the purpose of safeguarding public health.**

*** Act amended by the Health and Social Care Act 2008 and regulations made under it and the Public Health Acts of 1936 and 1961.**

**** Defined as a person suitably qualified in the field of health protection and registered with an appropriate body such as the Faculty of Public Health, and the Chartered Institute of Environmental Health and/or the Nursing and Midwifery Council or the General Medical Council.**

E/15/53. 2015/16 Quarter 1 Performance Report

The Executive considered a report from the Executive Member for Corporate Resources that set out the quarter 1 2015/16 performance for Central Bedfordshire 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 continuing good performance in quarter 1 for the indicators being used to help support 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/15/54. **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/15/55. **Exercise of Option to Acquire Expansion Land adjacent to St Andrews Lower School, Biggleswade**

This item was deferred.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.22 a.m.)

Chairman

Dated