

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 1 December 2015.

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

Deputy
Executive
Members:

Cllrs A D Brown
Mrs S Clark
I Dalgarno
Mrs A L Dodwell

Cllrs E Ghent
Ms C Maudlin
B Wells

Apologies for
Absence:

Deputy Executive
Members
Cllrs K M Collins
S Dixon

Members in Attendance:

Cllrs Mrs A Barker
M C Blair
D Bowater
F Firth
C C Gomm

Cllrs Mrs S A Goodchild
Ms A M W Graham
B Saunders
D Shelvey
A Zerny

Officers in Attendance

Mr Q Baker

Mrs D Broadbent-
Clarke
Mr R Carr
Mr M Coiffait
Mrs S Harrison
Mrs S Hobbs
Mr J Longhurst

Mr P Mason
Mrs J Ogley

Mrs M Scott
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
Director of Children's Services
Committee Services Officer
Director of Regeneration and
Business
Head of Highways
Director of Social Care, Health and
Housing
Director of Public Health
Chief Finance Officer

E/15/56. **Minutes**

RESOLVED

that the minutes of the meeting held on 6 October 2015 be confirmed as a correct record and signed by the Chairman.

E/15/57. **Members' Interests**

None were declared.

E/15/58. **Chairman's Announcements**

The Chairman had attended a meeting, along with Councillor Young, of the Heart of England Alliance which was focussed on strategic infrastructure, including transport. The Alliance comprised of Oxfordshire, Buckinghamshire and Northamptonshire County Councils, Milton Keynes Borough Council together with the three Bedfordshire unitary councils, with invitations being extended to Cambridgeshire and hopefully Hertfordshire County Councils.

E/15/59. **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 petition:-

Community House for the Residents of Sandhills, Leighton Buzzard

Mrs Lawrence presented a petition containing 562 signatures requesting the extension of the lease of the Community House in Sandhills, Leighton Buzzard. Mrs Lawrence explained that the Community House was the hub of Sandhills and acted as a local drop in centre and provided activities for residents in that area.

The Executive Member for Stronger Communities thanked Mrs Lawrence for presenting the petitions and explained that the Council recognised the contribution that the Community House had made to community development.

A Section 106 Agreement had provided for the Community House to be available for a five year lease. The Community House, including the car park, would be handed back to the developers in April 2016. It was the Council's intention that the new facilities at Astral Park, the Greenfields independent living facility and other local venues would meet the community needs of residents of Sandhills as well as residents living in the new housing areas, east and west of Billington Road. Additional facilities were also available for community use on the new campus for Greenleas School in Kestral Way. Discussions were taking place with the developer to extend the lease for four months until August 2016 to allow the facility at Greenfields independent living facility to be completed.

E/15/60. **Public Participation**

The Chairman invited the public speaker to make his statement in accordance with the Public Participation Scheme.

Greenacre Older People Home, Dunstable

Mr Hamilton spoke in his capacity as the son-in-law of a resident of Greenacre Older People Home and a volunteer who leads a monthly Sunday morning church service at the home. Mr Hamilton sought assurance that the Council was not intending to close all Council run care homes within five years and enquired whether there were any plans to launch a consultation process with residents and families of residents at other care homes. He also commented on the proposal to close Greenacre Older People Home and raised concerns about the consultation process that was currently taking place.

The Executive Member for Social Care and Housing thanked Mr Hamilton and explained that it was the Council's ambition to provide a better quality of life for residents in care homes. This could only be done when the opportunity of places arose at alternative care homes. The Executive Member agreed to meet with Mr Hamilton to respond to his concerns.

E/15/61. **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 December 2015 to 30 November 2016 be noted.

E/15/62. **Determination of Proposals to Amalgamate Arlesey Nursery School and Childcare Centre with Gothic Mede Academy, Arlesey and to Amalgamate The Lawns Nursery School and Children's Centre, Biggleswade with Biggleswade Academy Trust**

The Executive considered a report from the Executive Member for Education and Skills that summarised the outcome of consultations for the proposals to amalgamate the following nursery schools from 31 December 2015:-

- Arlesey Nursery School and Childcare Centre with Gothic Mede Academy; and
- The Lawns Nursery School and Children's Centre Biggleswade with the Biggleswade Academy Trust.

The amalgamation proposals would be implemented from 1 January 2016, subject to approval from the Department for Education for the proposals by Gothic Mede Academy and Biggleswade Academy Trust, to expand and change their age ranges.

Reason for decision: To ensure the Council continued to meet its statutory obligation to secure sufficient childcare and early years provision and also to meet the legal requirements placed on the Council by the Education and Inspections Act 2006.

RESOLVED

- 1. that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013, as outlined in the legal implications section of the report, have been complied with in bringing forward the proposals;**
- 2. that the responses received to the consultations undertaken for each proposal, as set out within the report be noted;**
- 3. that four representations were received in respect of the proposal to close Arlesey Nursery School, Arlesey and the statutory notice as set out in Appendix A, issued on the 14 October 2014 under section 15(1), of the Education and Inspections Act 2006, be confirmed;**
- 4. that no representations were received in respect of the proposal to close The Lawns Nursery School, Biggleswade and the statutory notice as set out in Appendix B, issued on the 14 October 2014, under section 15(1), of the Education and Inspections Act 2006, be confirmed;**
- 5. the statutory proposals be approved to:**
 - (a) close Arlesey Nursery School and Childcare Centre with an implementation date of 31 December 2015 to enable an amalgamation of the provision with Gothic Mede Academy with effect from 1 January 2016, subject to approval by the Department for Education; and**
 - (b) close The Lawns Nursery School and Children's Centre, Biggleswade with an implementation date of 31 December 2015 to enable an amalgamation of the provision with Biggleswade Academy Trust with effect from 1 January 2016, subject to approval by the Department for Education**
- 6. that the allocation of Dedicated Schools Grant (DSG) be approved to the same value as any surplus that exists at the point of closure of The Lawns Nursery School and Arlesey Nursery School, to the successor Academies; and**
- 7. that the transfer of the existing land and buildings used by each Maintained Nursery to the respective Academies, under Academy leases, to continue to be used as Nursery provision, be approved.**

E/15/63. **Modification of the Implementation Date of the Determined Statutory Proposal to Close Brewers Hill Community Middle School from August 2017**

The Executive considered a report from the Executive Member for Education and Skills that updated on current and forecast pupil numbers at Brewers Hill Middle School, following the Department for Education's approval in June 2015 of the application of Beecroft Academy to change its age range and become a primary school from September 2015.

The report proposed the modification of the determined implementation date for the closure of Brewers Hill Community Middle School from August 2017 to August 2016.

In response to a question, the Executive Member for Education and Skills explained that the Council would be responsible for redundancy and early retirement costs of those staff still employed at the point of the closure.

Reason for decision: There was a reduction in pupil numbers in Brewers Hill Middle School and there would be a significant impact on the future provision of a broad and balanced curriculum to remaining children if the original timeframe were to be retained.

RESOLVED

1. **that the procedures established by the Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, as outlined in the legal implications section of the report, have been complied with in bringing forward this proposal to modify the implementation date of the closure of Brewers Hill Middle School; and**
2. **that the proposed modification to the determined date of implementation of the closure of Brewers Hill Community Middle School from August 2017 to August 2016 be approved.**

E/15/64. **Council Tax Support Scheme**

The Executive considered a report from the Executive Member for Corporate Resources that set out the review of the Council's Local Council Tax Support Scheme and addressed the requirement to recommend to Council the approach for 2016/17. It was proposed that the current scheme be readopted for 2016/17 with no changes.

In response to a question, the Executive Member for Corporate Resources explained that there was a risk with the Support Scheme as it was dependant on the number of employment opportunities available in Central Bedfordshire.

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 2016, the Council would have to award the Local Council Tax Support in accordance with the Government's default scheme which would result in the cost of the scheme exceeding that of the local Council Tax Support Scheme.

RECOMMENDED to Council

that the extension of the current scheme for a further year (2016/17), with no changes, be approved.

E/15/65.

Superfast Broadband Extension Programme

The Executive considered a report from the Executive Member for Corporate Resources that updated on the status of the Council's broadband rollout programmes. The report also sought approval to secure additional external funding of at least £3.46m and additional Council expenditure of £200,000 to accelerate delivery and extend the coverage of superfast broadband.

In response to a question, the Executive Member for Corporate Resources explained that he was still meeting with the provider to discuss the availability of superfast broadband in smaller villages such as Dunton and Wrestlingworth.

Reason for decision: To ensure that the benefits of enhanced broadband services were available to local residents and businesses.

RESOLVED

- 1. that the Council's continued investment in rolling out superfast broadband be approved, and that the Council continues to seek and maximise the use of external funding sources to extend broadband coverage in line with the adopted Local Broadband Plan, in aiming to enable all premises to have access to next generation broadband access during 2020 in line with the aims of the adapted Joint Local Broadband Plan. This includes utilising the maximum available additional SEMLEP Local Growth Fund contribution and BDUK match funding (of at least £3.46m); and**
- 2. that an additional £200k of Council capital expenditure up to 2020 to support the rollout and take up broadband services, subject to securing the additional funding from SEMLEP, be approved.**

E/15/66. **Central Bedfordshire Permit Scheme**

The Executive considered a report from the Executive Member for Community Services that sought approval to change the current notice scheme for works on the highway to a permit-based scheme. The new permit scheme would require all works' promoters, including the Council, to apply for a permit before working on the highway. This would enable the Council to effectively manage the works and impose conditions to better control what happens, when and how it is undertaken.

Reason for decision: To enable the Council to achieve its vision and priorities, whilst addressing Government criteria around health and congestion.

RESOLVED

- 1. that the introduction of a Central Bedfordshire Permit Scheme (CBPS) be approved; and**
- 2. to authorise the making of the Traffic Management (Central Bedfordshire Council) Permit Scheme Order 2015.**

E/15/67. **Shared Legal Services**

The Executive considered a report from the Executive Member for Corporate Resources that set out the existing provision of legal services and proposed a move to a shared services model. The report explained the variants of shared services and set out the benefits and potential risks of each option.

The report also considered the practicalities of moving to a shared service model in the context of this Council and made recommendations as to the particular variants most likely to deliver savings and service benefits in the shortest timescales.

In response to questions, the Executive Member for Corporate Resources explained that if Central Bedfordshire Council wanted to take legal action against another council appropriate 'Chinese walls' would be in place within the proposed shared service arrangement. Sharing of services would achieve efficiencies as the Council would be able to use the knowledge of all employees in the partnership rather than paying for specialist external expertise. Central Bedfordshire would become a joint owner within the proposed partnership. Monitoring the performance of the proposed partnership would be carried out by the Corporate Resources Overview and Scrutiny Committee.

Reason for decision: To enable the Council to deliver the financial savings without impacting upon service levels.

RESOLVED

1. that the content of the report and its appendices, including the proposal to deliver £240k savings in the service area in 2016/17 financial year, be noted;
2. that the establishment of a shared services arrangement with another local authority(s) for the provision of legal services for CBC, involving the potential TUPE transfer of CBC staff to a separate legal vehicle subject to the necessary staff consultation process being undertaken, be approved in principle; and
3. to authorise the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources to:-
 - (a) devise and undertake a process for selection of a suitable partner for CBC for the purpose of establishing a shared service;
 - (b) agree the terms on which CBC shall enter into the shared service arrangement with the partner; and
 - (c) sign off any relevant agreements to formalise the arrangement.

RECOMMENDED to Council

to authorise the delegation of CBC legal services functions to a shared services provider in order to facilitate a shared legal service arrangement.

E/15/68.

The Commissioning and Award of Adult Social Care Services and Associated Contracts

The Executive considered a report from the Executive Member for Social Care and Housing that sought agreement to the commissioning and procurement of preventative, non statutory Voluntary and Community Sector and Housing Support services to vulnerable adults, older people and those with disabilities and long term health conditions and delegated authority to award contracts.

Reason for decision: To enable the Council to protect the vulnerable by providing support to vulnerable adults and their carers to help them to continue to live as independently as possible in their own homes and maintain their individual wellbeing.

RESOLVED

1. that the commissioning and procurement of the Voluntary and Community Sector and Housing Support Services be agreed, in line with the timetable set out in the Executive report; and

2. **to authorise the Director of Social Care, Health and Housing in consultation with the Executive Members for Social Care and Housing and Corporate Resources to award the contracts.**

E/15/69.

September 2015 Quarter 2 Revenue Budget Monitoring

The Executive considered a report from the Executive Member for Corporate Resources that presented the financial position for 2015/16 as at September 2015. The forecast outturn position was £0.6m over budget mainly due to pressures within Social Care, Health and Housing and Children's Services, offset by a forecast underspend in Community Services.

Reason for decision: To facilitate effective financial management and planning.

RESOLVED

1. **that the revenue forecast position which was currently to overspend budget by £0.6m (£1.3m in August, £1.1m over last year) be noted and directorates be requested to continue to take the necessary action to achieve a balanced budget; and**
2. **that the inclusion within the budget of £2.1m of contingency that was currently forecast to be used, be noted. There is no call on this contingency at present.**

E/15/70.

September 2015 Quarter 2 Capital Budget Monitoring

The Executive considered a report from the Executive Member for Corporate Resources that presented the capital financial position for 2015/16 as at September 2015. The gross forecast was below budget by £30.2m with the net forecast being £21.5m below budget.

A virement was proposed from the Household Waste Recycling Centres Redevelopment to the Thorn Turn Waste Park project as the ground condition surveys and planning requirements had necessitated design changes.

Reason for decision: To facilitate effective financial management and planning.

RESOLVED

1. **that the gross forecast which was below budget by £30.2m (£19m at period 6 last year against a lower budget of £116.8m), and the net forecast which was £21.5m below budget be noted; and**
2. **that a virement for £3.360m from HWRC Redevelopment project to the Thorn Turn Waste Park, Depot South and Depot and Salt Barn North Schemes be approved.**

E/15/71. September 2015 Quarter 2 Housing Revenue Account Budget Monitoring

The Executive considered a report from the Executive Member for Social Care and Housing that presented the Housing Revenue Account (HRA) financial position as at September 2015. The revenue forecast position was a projected year end surplus of £6.194m compared to a budgeted surplus of £6.509m, a reduction of £0.315m.

Reason for decision: To facilitate effective financial management and planning.

RESOLVED

- 1. that the revenue forecast position to achieve a balanced budget with a contribution to HRA Reserves of £6.194m, thus strengthening the Council's ability to invest and improve its stock of Council houses be noted;**
- 2. that the Capital forecast position which indicates an outturn underspend of £2.625m relating to the Croft Green Development be noted; and**
- 3. that Right to Buy (RtB) sales will be monitored for the possible impact on predicted surpluses in the medium to longer term.**

E/15/72. 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/15/73. Exercise of Option to Acquire Expansion Land adjacent to St Andrews Lower School, Biggleswade

The Executive considered a report from the Executive Member for Education and Skills that set out the latest pupil forecast and requirement for new lower school places in Biggleswade. The report sought approval to acquire a parcel of land to be used for expansion purposes in conjunction with the new St Andrews Lower School on the Kings Reach development in Biggleswade.

It was noted that the costs within the report excluded stamp duty.

Reason for decision: To ensure that the Council continued to meet its statutory obligations to provide sufficient school places.

RESOLVED

that the service of the Option Notice and subsequent acquisition of the land at a recommended value as set out in the report, be approved, subject to the cost of the stamp duty being included.

E/15/74. Independent Living Schemes

The Executive considered a report from the Executive Member for Social Care and Housing that sought approval to award the Care Contract for the Independent Living Schemes; Priory View, Dunstable and Greenfields, Leighton Buzzard following the procurement process.

Reason for decision: To enable the Council to appoint the successful bidder.

RESOLVED

that the Care Contract for Priory View and Greenfields Independent Living schemes following the recent procurement process be awarded as set out in the report.

E/15/75. Replacement of Farmland

This item was withdrawn.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.15 a.m.)

Chairman

Dated