

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 4 April 2017.

PRESENT

Cllr J G Jamieson (Chairman)
Cllr R D Wenham (Vice-Chairman)

Executive Members:	Cllrs	I Dalgarno Cllr S Dixon Cllr Mrs C Hegley	Cllrs	B J Spurr J N Young
Deputy Executive Members:	Cllrs	Mrs S Clark Mrs A L Dodwell E Ghent Ms C Maudlin	Cllrs	Mrs T Stock G Tubb B Wells
Apologies for Absence:	Cllrs	A D Brown K M Collins		Deputy Executive Member for Community Services Deputy Executive Member for Corporate Resources
Members in Attendance:	Cllrs	R D Berry P A Duckett F Firth C C Gomm Mrs S A Goodchild Ms A M W Graham	Cllrs	P Hollick K C Matthews D McVicar M A G Versallion A Zerny
Officers in Attendance		Mr Q Baker Mr R Carr Ms S Chapman Mrs S Frost Mrs S Harrison Mrs S Hobbs Mr T Hoyle Mrs C Jagusz Mrs J Keyte Ms K McFarlane Mrs J Ogley Mr C Warboys		AD Legal Services (Monitoring Officer) Chief Executive Development Plan Process Manager Interim Head of Place Delivery Director of Children's Services Senior Committee Services Officer MANOP Head of Service Committee Services Administrator Head of Community Safety Business Investment Group Manager Director of Social Care, Health and Housing Director of Resources

E/16/116. **Minutes**

RESOLVED

that the minutes of the meeting held on 7 February 2017 be confirmed as a correct record and signed by the Chairman.

E/16/117. **Members' Interests**

None were declared.

E/16/118. **Chairman's Announcements**

HM The Queen and HRH The Duke of Edinburgh would be the Council's guests of honour to officially open Priory View, Dunstable on 11 April 2017.

Items 13 'Children's Transformation Programme' and 18 'The Day Offer for Older People and Adults with Disabilities' would be considered after item 8 'Council Responsiveness'.

Item 20 'Flitwick Station Site and Car Park' would be considered after item 24 'Quarter 3 Performance Monitoring'.

E/16/119. **Petitions**

No petitions were received.

E/16/120. **Public Participation**

No members of the public had registered to speak.

E/16/121. **Forward Plan of Key Decisions**

REESOLVED

that the Forward Plan of Key Decisions for the period 1 May 2017 to 30 April 2018 be noted.

E/16/122. **Council Responsiveness (Recommendations from the Overview and Scrutiny Enquiry)**

The Executive considered a report from the Chairman of the Corporate Resources Overview and Scrutiny Committee that provided the outcome of the scrutiny enquiry into Council Responsiveness. The review had considered the customer experience when contacting the Council and the extent to which residents could influence the Council's decision-making.

Reason for decision: To enable the Executive to review the recommendations emerging from the enquiry before determining its response.

RESOLVED

- 1. that the report and recommendations of the enquiry, set out at Appendix 1 to the report, be noted; and**
- 2. that a response to the report be submitted to the Executive for consideration within two months indicating what action, if any, it proposed to take and if it decided to take no action, the reasons for that decision.**

E/16/123. Children's Services Transformation Programme

The Executive considered a report from the Executive Member for Social Care and Housing on the Children's Transformation Programme, including key timelines for implementation. The Programme would deliver the integration of the Council's early help and social care teams from June 2017. This would contribute to the Council's ambitions, including raising school standards, improving outcomes for vulnerable groups and meeting the challenges of the Medium Term Financial Plan.

In response to questions, the Executive Member for Social Care and Housing explained that there would be closer working between agencies, social workers, the youth offending team and schools to enable vulnerable families to have better support and one care plan. Securing partner commitment to this approach was vital. The Children's Services Overview and Scrutiny Committee and the Executive would be updated on the programme at appropriate intervals. Members who were also School Governors had an important role to play in helping to raise school standards and supporting vulnerable families.

Reason for decision: To secure support for the transformation programme to deliver a whole system, whole Council approach to improving outcomes for children and families.

RESOLVED

- 1. that the information contained within the report be noted; and**
- 2. that Members champion the Children's Transformation Programme.**

E/16/124. The Day Offer for Older People and Adults with Disabilities

The Executive considered a report from the Executive Member for Social Care and Housing that set out the outcomes of the consultation on the future day offer for vulnerable adults and older people.

The Council had received 102 responses with the majority of the respondents supporting the key principles and components proposed as part of the future day offer. Following the consultation, the proposed day offer would place additional emphasis on suitable provision for people with dementia and providing opportunities for people of working age to learn life skills, including to help them access employment. Engagement would continue with customers and family carers.

In response to questions, the Executive Member for Social Care and Housing explained that where possible volunteers in villages and towns would be able to help, but this would depend on the level of care a person required. There was a real opportunity to build on what was already taking place in the community to improve the lives of older people, vulnerable adults and their carers.

Reason for decision: To enable the Council to take forward and progress an improved day offer for older people and vulnerable adults.

RESOLVED

- 1. that the outcome of the public consultation on the day offer, as set out in paragraphs 4 to 20 and Appendix 1 to the report, be noted;**
- 2. that the revised day offer, set out in Appendix 2 to the report, be adopted as the Council's approach to the delivery of day services in the future; and**
- 3. that the timescale and approach to the delivery of the new day offer, as set out in paragraphs 21 to 25 of the report, be approved.**

E/16/125. School Parking (Recommendations from the Overview and Scrutiny Enquiry)

The Executive considered a report from the Chairman of the Sustainable Communities Overview and Scrutiny Committee that set out the outcome of the scrutiny enquiry into school parking. The review had sought to identify solutions to car parking and vehicular access at schools to ensure the free movement of traffic around schools, particularly in the light of the implications of school expansion.

In response to a question, the Deputy Executive Member for Community Services explained that a letter available to the town and parish councils, requesting the drivers not to park on grass verges. The Executive Member for Community Services advised that the Parking Strategy was currently out for consultation and was due to be considered by the Executive on 1 August 2017. An additional four Civil Enforcement Officers had been employed to support the enforcement of parking restrictions.

The Council would continue to lobby for authorities to be able to use CCTV cars to enforce on-street parking.

Reason for decision: To enable the Executive to review the recommendations emerging from the enquiry before determining its response at a future meeting.

RESOLVED

- 1. that the report and recommendations of the enquiry, set out at Appendix 1 to the report, be noted; and**
- 2. that a response to the report be submitted to the Executive for consideration, within two months indicating what action, if any, it proposes to take and if it decides to take no action, the reasons for that decision.**

E/16/126. 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. 21 Neighbourhood Areas had been designated so far and at least six parishes were well advanced with plans. Arlesey, Fairfield and Wrestlingworth had submitted their Plans formally to the Council to take through the examination and referendum process.

Reason for decision: Once a Plan had been supported by a majority of those voting following a referendum, the Council had no other option than to 'make' the Plan under section 28A (A)(4) of the Planning and Compulsory Purchase Act 2004. The Council was not subject to this duty if (and only if) the making of the plan would breach, or otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

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 carry out a referendum; and**
- 5. to 'Make' the Plan or Order.**

E/16/127. **CCTV Review**

The Executive considered a report from the Executive Member for Community Services that set out proposals for the future of the Council's public space CCTV system. The Council currently had 129 cameras operating and monitored from the control room in Watling House, Dunstable, with a further 19 cameras at Leighton Buzzard's multi-story car park and 12 cameras monitored by Hertfordshire CCTV Partnership. The infrastructure was at full capacity and key elements were nearing the end of their useful life and needed replacing.

In response to a question, the Executive Member for Community Safety confirmed that CCTV was being considered for enforcing the use of bus lanes and HGV weight restrictions.

The Executive Member for Health moved an amendment to the recommendation, which was duly seconded, to include the wording 'or other appropriate location' after the words 'Priory House'.

Reason for decision: To enable the Council to invest in a modern multi-functional CCTV control room to identify disorder and criminality, as well as provide evidence to support prosecution. The scheme would also support the Council's response to safeguarding, general public safety and emergency incidents in the locations where it operated.

RESOLVED

that the Council invests in a new multi-functional CCTV control room at Priory House, or other appropriate location, procures new HD cameras utilising wireless technology to improve image quality and reduce signal transmission costs, whilst also offering other complimentary services to generate whole Council efficiencies and increase income.

E/16/128. **Superfast Broadband Extension Project**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought approval to award contracts for £3.48m of externally secured funding and additional funding as secured, to extend superfast broadband infrastructure across Central Bedfordshire as part of the Council's goal to maximise superfast broadband coverage by 2020.

Reason for decision: Extending superfast broadband coverage was a priority for the Council.

RESOLVED

- 1. that the award of contracts for £3.48m of externally funded resources, with scope to extend this by up to an additional £3m, if additional external funding was secured to extend superfast broadband coverage as part of the Central Superfast Partnership covering Central Bedfordshire, Bedford, Luton and Milton Keynes, be approved;**

2. **that the Council continued with the existing priorities set out through the previous BDUK procurement, through the procurement process:**
 - **maximising overall superfast broadband coverage;**
 - **subject to maximising superfast coverage, seek a balance between residential and business premise coverage; and**
 - **subject to maximising superfast coverage, achieve a reasonable geographic spread across Central Bedfordshire.**
3. **to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Corporate Resources, to select contractors to deliver superfast broadband infrastructure based on the Council's priorities and the successful completion of the procurement process and BDUK state aid approval. Furthermore that the Director of Regeneration and Business, in consultation with the Executive Member for Corporate Resources, may vary the contract/delivery programme as required during the lifetime of the contract, including reinvesting savings and efficiencies and additional external funding secured through the project; and**
4. **that the Council's continued participation with the existing Central Superfast Broadband Partnership arrangements, be approved, updating the collaboration agreement as required. Furthermore, that the Executive Member for Corporate Resources, in consultation with the Director of Regeneration and Business, approves any proposed changes to the membership and terms of reference to the partnership.**

E/16/129. Commissioning of New School Places in Barton-Le-Clay and Marston Moretaine for September 2018

The Executive considered a report from the Executive Member for Education and Skills that provided the outcome of the consultation undertaken by the Governors of Arnold Academy Trust, Barton-Le-Clay and the proposal published for Church End Lower School (Forest End campus), Marston Moretaine to expand each school by 1 form of entry (30 places in each school year group) by September 2018.

The Executive Member for Education and Skills confirmed that Central Bedfordshire Council had been awarded £10.2m basic needs grant for 2019/20.

Reason for decision: To ensure that the Council continued to meet its statutory obligations to secure sufficient school places for children in the surrounding areas of Barton-Le-Clay and Marston Moretaine.

RESOLVED

1. that the responses received to the consultation by the Governors of Arnold Academy Trust, Barton Le Clay and the Council's official proposal published for Church End Lower School, Marston Moretaine, each to expand by 1 form of entry (30 places in each school year group) by September 2018, be noted; and
2. that the commencement of capital expenditure as set out in the report, be approved, subject to the Department of Education's approval of the Arnold Academy Trust proposal and the granting of planning permissions under Part 3 of the Town and Country Planning Act 1990.

E/16/130. **Commissioning of New School Places in the Ward of Cranfield and Marston Moretaine for September 2018**

The Executive considered a report from the Executive Member for Education and Skills that sought support for the proposed consultation by Holywell Middle School (academy), Cranfield to expand by 1 form of entry (30 places in each middle school year group) by September 2018.

Reason for decision: To ensure that the Council continued to meet its statutory obligations to secure sufficient school places for children in the surrounding areas of Cranfield and Marston Moretaine.

RESOLVED

1. that the proposed commencement of consultation by Holywell Middle School (academy), Cranfield, be supported to expand by 1 form of entry (30 places in each year group) by September 2018. This is phase 2 of the expansion of the school, taking the school from a 5 form entry school to a 6 form entry school; and
2. that if supported, the results of the consultation and determination of the proposal be considered by the Executive in August 2017.

E/16/131. **Prescribed Alteration to Robert Peel, St Swithuns VC and John Donne CofE Lower Schools**

The Executive considered a report from the Executive Member for Education and Skills that sought approval for the prescribed alterations for Robert Peel Foundation Lower School, St Swithuns VC Lower School and John Donne C of E Lower School, following determination of the change of age.

In a response to a question, the Executive Member for Education and Skills explained that the changes in Sandy would be explained to parents.

Reason for decision: To ensure that the Council continued to meet its statutory obligation to ensure that there were adequate school places and also to meet all the legal requirements placed on the Council by the Education and Inspections Act 2006.

RESOLVED

that the proposed prescribed alterations for Robert Peel Foundation Lower School, Sandy, St Swithuns VC Lower School, Sandy and John Donne C of E Lower School, Blunham, as set out in Appendices A-C, be approved.

E/16/132. **Determination of a Statutory Notice for a Change of Age Range at Shillington Lower School from 4-9 to 2-9 years of age**

The Executive considered a report from the Executive Member for Education and Skills that sought approval to a change in age range at Shillington Lower School from 4-9 to 2-9 years of age, to integrate a pre-school provision. Following the publication of the statutory notice, 45 responses had been received with 43 of the responders supporting the proposal.

Reason for decision: To ensure that Shillington had its own pre-school provision as there was no other provision in the village, other than local childminders who had little capacity to take on extra children.

RESOLVED

that a change in age range for Shillington Lower School from 4-9 to 2-9, with effect from 1 September 2017, as set out in the statutory notice attached at Appendix A to the report, be approved.

E/16/133. **A421 Dualling M1/J13 - Milton Keynes, Magna Park - Compulsory Purchase Order 2017**

The Executive considered a report from the Executive Member for Community Services that sought authorisation to make the Central Bedfordshire Council (A421 widening and improvement) Compulsory Purchase Order 2017 to support the acquisition of land to the south of the existing highway to facilitate dualling.

Reason for decision: To enable the successful acquisition of land required for this project to support the full Transport Business Case to release the remaining £21m of Department of Transport funding contributions via the Local Growth Fund.

RESOLVED

- 1. to authorise the Director of Community Services and the Assistant Director Legal Services (Monitoring Officer) to make a Compulsory Purchase Order to be known as “The Central Bedfordshire Council (A421 widening and improvement) Compulsory Purchase Order 2017” under Sections 239, 240, 246 and 249 of the Highways Act 1980 in respect of the land and property indicated on a map marked with the name of the Compulsory Purchase Order, which is appended to the report as Appendix A; and**
- 2. to authorise the Assistant Director Legal Services (Monitoring Officer) to make arrangements:**
 - (a) to take all necessary steps in connection therewith including: the making and serving of the Order, the signing publication and serving of all notices, the submission of the Order to the Secretary of State for Transport (and if any objections were received) the making of arrangements for a Public Inquiry including the appointment of Counsel; and**
 - (b) to either serve a Notice to Treat under the Compulsory Purchase Act 1965 or make a General Vesting Declaration under The Compulsory Purchase (Vesting Declarations) Act 1981 so as to acquire all necessary interests in the land and property included in the confirmed Compulsory Purchase Order.**

E/16/134. Revenue Budget Monitoring Provisional Forecast Outturn December 2016 (Quarter 3)

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the provisional forecast outturn financial position for 2016/17 as at December 2016. The revenue forecast outturn position was an overspend of £1.2M.

It was noted that in previous years the provisional financial outturn had been reported to the Executive meeting in June to formally agree the accounts, subject to audit. This year the Council was working towards a shorter timescale for the approval of the Statement of Accounts, aiming to complete the draft set by end of May. The following year this timescale would become compulsory and it was important for both the Council and its external auditors to try to achieve this in 2017 in order to validate the process. It was still anticipated that the Statement would be reported to the Executive in June.

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

RESOLVED

1. that the revenue forecast outturn position which was currently to overspend budget by £1.2M be noted;
2. that officers continue to look for compensatory savings in order to deliver a balanced budget;
3. to authorise the Chief Executive and the Director of Resources (s.151 Officer), in consultation with the Leader and the Deputy Leader and Executive Member for Corporate Resources, to approve the 2016/17 revenue, capital and HRA provisional financial outturn positions, subject to audit; and
4. the delegation in 3 above is subject to the final outturn position not being more than 1% over/under net budget.

E/16/135. December 2016 Quarter 3 Capital Budget Monitoring Forecast Outturn Report

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the capital projected outturn for 2016/17 as at December 2016. The year to date gross spend was £21.2m below budget.

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

RESOLVED

that the gross forecast outturn of £107.8M, excluding the HRA, but including deferred spend from 2015/16 which was currently below the approved budget by £24.8M (£42.5M below last year against a higher budget of £139.2M), be noted. The net forecast is £8.5M below budget (£32.9M below last year).

E/16/136. Period 9 (Quarter 3) – 2016/17 Housing Revenue Account Budget Monitoring

The Executive considered a report from the Executive Member for Social Care and Housing and the Deputy Leader and Executive Member for Corporate Resources that set out the 2016/17 Housing Revenue Account (HRA) projected outturn revenue and capital position as at December 2016.

The revenue forecast position projected a year end surplus of £6.578m compared to a budgeted surplus of £5.363m, an increase of £1.215m. The capital forecast position was a net outturn below budget at £11.837m; this included deferred works of £4.280m from 2015/16 and it was proposed that £2.586m of future investment works were deferred to 2017/18.

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

RESOLVED

1. **that the revenue forecast position to achieve a balanced budget with a contribution to HRA Reserves of £23.314M, thus strengthening the Council's ability to invest and improve its stock of Council Houses, be approved;**
2. **that the capital forecast position indicates a net outturn of £11.837M, against a budget of £15.589M, be approved. It was proposed that £2.586M of future investment works were deferred to 2017/18;**
3. **that General Fund (GF) assets at Havelock Road in Biggleswade and Greenacres in Dunstable be transferred to the HRA, generating the equivalent of a capital receipt of £1.575M to the GF and enabling the HRA to provide accommodation solutions that would avoid temporary accommodation costs; and**
4. **that Right to Buy (RtB) sales be monitored for the possible impact on predicted surpluses in the medium to longer term.**

E/16/137. **Quarter 3 Performance Monitoring**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the quarter 3 2016/17 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 performance against the indicators currently being used to help support the monitoring of progress against the Medium Term Plan priorities be noted; and**
2. **that officers be requested to further investigate and resolve underperforming indicators as appropriate.**

E/16/138. **Flitwick Station Site and Car Park**

The Executive considered a report from the Executive Member for Regeneration that sought agreement to further work on a mixed-use development scheme for the Flitwick station area site.

Reason for decision: To ensure that projected growth of Central Bedfordshire would be supported with vibrant local town centres, preserving their own particular character.

RESOLVED

- 1. that the specific place making objectives identified for Flitwick, the options appraisal undertaken for the Flitwick Station site and the identification of a mixed-use development option as the preferred option at this stage, be noted;**
- 2. that progress to date with interested parties, including securing confirmed interest in anchoring a mixed-use scheme from a major national retailer, be noted. Recognising that this time limited interest might help to unlock investment from potential scheme partners, the Homes and Communities Agency and private sector investors and developers;**
- 3. that officers be requested to continue to develop a mixed-use development option and specifically to:**
 - negotiate provisional heads of terms with the potential retail anchor in order to urgently secure their participation in the scheme;**
 - negotiate provisional heads of terms as required with the Homes and Communities Agency (subject to due diligence) in order to secure time limited investment funding;**
 - undertake a local consultation on the proposal and the mix of uses;**
 - prepare an outline development brief;**
 - undertake an options appraisal of the delivery options available to the Council, and take appropriate market soundings to assess market interest in the options;**
 - further refine the financial appraisal, including specific consideration of the implications for the Council in terms of income generated from the interim car parking on the site;**
 - review, consider and cost any further remedial works required to ensure safe operation of the temporary car park in the period up to construction commencing; and**
 - undertake a lessons learned exercise of other similar mixed-use schemes which have been successfully implemented.**
- 4. to support the development of a business case, £60,000 be released from the balance of the existing 2016/17 capital budget (allocated to this site) of £1.057M to fund this further work; and**

5. to ask officers to provide a further report in Autumn 2017, to enable the Executive's further consideration of the mixed-use development option.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.50 a.m.)

Chairman

Dated