

CENTRAL BEDFORDSHIRE SHADOW COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE SHADOW EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Chicksands, Shefford on Tuesday, 5 August 2008.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)
Cllr P Penman (Vice-Chairman)

Cllrs N B Costin
Mrs R J Drinkwater
M R Jones

Cllrs K C Matthews
P Rawcliffe
P Snelling

Apologies for Absence: Cllrs M R Chapman
R V King
D Ross
R Stay

Officers in Attendance:	Mr G Alderson	– Director of Environmental & Planning Services, MBDC
	Mrs A Brereton	– Deputy Chief Executive, SBDC
	Mrs M Clampitt	– Committee Administrator, MBDC
	Mr J Dean	– Strategic Director, SBDC
	Mr M Hustwitt	– Communications Manager, MBDC
	Mrs K John	– Democratic Services Manager, MBDC
	Mr P Lewis	– Director of Human and Financial Services, BCC
	Mr R Mills	– Scrutiny and Committees Manager, SBDC
	Mr D Moores	– Corporate Policy Manager, MBDC
	Mrs B Morris	– Interim Monitoring Officer, CBC and Director of Corporate & Democratic Services, MBDC
	Miss C Plummer	– Communications Officer, SBDC
	Mr S Redmore	– Deputy Chief Executive, MBDC
	Mr J Ruddick	– Interim Deputy Chief Executive, Central Beds, Chief Executive, SBDC
	Mrs J Salisbury	– Interim Chief Executive Central Beds, Chief Executive, MBDC
	Mr P Stabb	– Interim Strategic Director, SBDC
	Mr D Sutherland	– Interim Chief Finance Officer, CBC and Chief Finance Officer, MBDC
	Mr R Waterfield	– Director of Community Services, MBDC
	Mr M Williams	– Head of Organisational Development, SBDC
	Mr R Wood	– Interim Head of Strategic ICT, SBDC

SE/08/15 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Shadow Executive held on 10 June 2008 be confirmed and signed as a correct record.

SE/08/16 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

SE/08/17 **VISION, VALUES AND PRIORITIES FOR CENTRAL BEDFORDSHIRE**

The Shadow Executive considered the report of the Interim Chief Executive outlining the proposed vision, value and priorities for Central Bedfordshire following a series of visioning workshops facilitated by the IDeA. Summaries of the outcomes of the workshops held on 6 and 11 June 2008 were attached to the report at Appendices A and B respectively. In addition a document was tabled at the meeting which had been presented at staff road shows and contained a more concise vision statement, revised values and the proposed priorities.

Members were reminded of the interim vision agreed at the meeting on 10 June 2008 and noted the proposed vision following the outcome of the workshops. However, Members wanted to ensure that the vision statement adequately reflected the challenges faced by the new Council for the residents of Central Bedfordshire. The revised vision statement set out in the paper tabled at the meeting was "To improve the quality of life of all in Central Bedfordshire and enhance the unique character of our communities and our environment". The revised statement was supported by the Shadow Executive.

Prior to considering the revised values and priorities as tabled at the meeting, a Member put forward for consideration an alternative set of proposed values. However it was suggested that the values adopted needed to express how the Council in its behaviour would strive to achieve its vision and that the alternative values presented did not necessarily do this. On that basis the Shadow Executive did not support the alternative values proposed and turned to consider the revised values and priorities tabled at the meeting.

The revised values tabled in the additional paper at the meeting were as follows:-

- Close to our communities ... by being Communicative, Approachable & Aware (of the needs of all)
- Caring & Responsive & Refreshing
- Innovative ... achieving more for less
- Efficient
- Trustworthy
- Valued ... as service deliverers & team players both locally & nationally
- Able to embrace change.

Members agreed that the revised values as tabled more appropriately reflected the desired core values of Central Bedfordshire. However a proposal to amend the second value by the deletion of the word “refreshing” was, upon being put to the vote, carried.

During discussion upon the proposed priorities, Members concurred that probably 12 priorities was too many and that ideally there should be fewer priorities. In that context it was noted that certain of the priorities were in fact sub sets of other priorities. It was therefore suggested that, in developing the strategic plan, officers should work on the basis of a fewer number of overarching priorities with the other priorities forming a subset below the key priority to which they related. On that basis the priorities as submitted were supported, subject to amendment of “Learning and opportunities for young people” to include the word “children”.

Reason for decision: To confirm the long term vision and priorities for Central Bedfordshire in order to guide work on business planning and budget setting.

RESOLVED

1. ***that the proposed value “caring, responsive and refreshing” be amended by the deletion of the word “refreshing”;***
2. ***that the priority “Learning and opportunities for young people” be revised to read “Learning and opportunities for children and young people”;***
3. ***that the desirability of reducing the existing 12 priorities down to a fewer number of key overarching priorities (with the other priorities forming a subset below the key priority to which they relate), be acknowledged and that officers be requested to work on this principle in developing the Strategic Plan;***

- 4. *that subject to 1 - 3 above, the vision, values and priorities for Central Bedfordshire, as set out in the supplementary paper tabled at the meeting be agreed and form the basis for work on business planning and budget preparation for 2009/10.***

SE/08/18

IMPLEMENTATION PLAN MONITORING REPORT

The Shadow Executive considered the report of the Officer Programme Board that sought to establish the key milestones guiding the transition implementation programme and to document the risks to achieving it. The Implementation Plan and Risk Log would both be key control documents during the transition. The Department of Communities and Local Government (DCLG) and Government Office had received copies of both documents, which had been discussed with DCLG officials.

Members' attention was brought to the milestones that were behind schedule and noted that the current position on them was as follows:-

Line 24	Business Plans and an 'umbrella Directorate Plan'	The first draft of 27 business plans had been received. 2 outstanding plans were in hand, having joined the process late.
Line 25	SLAs and contracts for shared services	Hosting arrangements for shared services still to be finalised.
Line 30	Customer Engagement	Clive Jones in discussions with Bedford Borough on how to go forward.
Line 35	ICT systems and infrastructure	ICT milestones to be reassessed. Those shown were not ICT deliverables.
Line 43	People Management Protocols	Should be completed by 7 August 2008.
Line 45	Employment Structures	Disaggregation of BCC employees to be handled in two stages. Phase 1 - where staff spend more than 60% of their time - completed. Phase 2 - remaining 40% of staff to be completed by end of September 2008.

The Shadow Executive noted that the Interim Accommodation Strategy would be reported to the 30 September meeting.

A detailed discussion took place with regard to Bedford Borough Council and their awaited decision regarding the use of SAP software. It was hoped that the decision would be made at the meeting of the Bedford Borough Implementation Executive on 5 August. The Chairman confirmed she had written to the Mayor of Bedford Borough and Bedford Borough had provided additional information to their Members for consideration. The Director of Human and Financial Services, BCC confirmed to the Shadow Executive that he would be attending the meeting of the Bedford Borough Implementation Executive.

Reason for decision: So that the Shadow Executive can monitor progress and comply with the requirement of the Implementation Order regarding the need to maintain an implementation plan.

RESOLVED

that the monitoring report due to be submitted to the meeting of the Shadow Executive on 2 September will quantify the implications of a different approach between the emerging unitary authorities regarding enterprise resource planning software.

SE/08/19

**APPOINTMENT OF MEMBERS TO STAFFING COMMITTEE AND
CONFIRMATION OF THE PROCESS FOR APPOINTMENT OF HEADS OF
SERVICE**

The joint report of the Interim Chief Executive and Interim Monitoring Officer was submitted which invited the Shadow Executive to establish a Staffing Committee in the light of the provision within the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008 that the appointment and dismissal of Chief Officers should be an executive, rather than council, function. The report also requested confirmation of the process for appointment of Heads of Service.

Members were reminded that, at the inaugural meeting of the Shadow Council held on 10 April 2008, an Appointments and Appeals Committee had been established to deal with appointments of Head of Paid Service and Chief Officers and to hear any appeal by an employee. The Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008 had come into force on 28 June 2008 and now provided that the appointments and dismissals of Chief Officers should be dealt with by the Shadow Executive.

It was therefore proposed that a Staffing Committee be established to undertake this new function and draft terms of reference were set out at Appendix A to the report.

Whilst there was no requirement for the committee to be established on a proportional basis, the report suggested the political balance on the original Appointments and Appeals Committee be retained and that the committee therefore comprise 4 members (3 Conservative, 1 Liberal Democrat). It was noted that the committee could only comprise members of the Shadow Executive and that co-option and substitution of non-executive members was not permitted.

With respect to Heads of Service, it was noted that these posts would be subject to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) provisions and would be ring-fenced to staff in relevant existing posts within the three authorities. The selection process for Heads of Service would not be an opportunity for promotion but would provide for staff to transfer from broadly comparable roles in the constituent authorities to roles in the unitary authority. Any staff not slotted into a post at this stage would be subject to the TUPE provisions and alternative redeployment/redundancy would be considered.

In view of the short timescales and the number of posts involved, the report recommended that the selection of Heads of Service should be delegated to the Interim Chief Executive but that where there were no suitable internal candidates for a post, the appointments process should be undertaken by the Staffing Committee. Regulations provided that appointments below Head of Service level were the responsibility of the Interim Chief Executive.

Members were advised that prior to offering an appointment as Chief Officer or Head of Service or giving a notice of dismissal, the person or body responsible for the appointment or dismissal must be satisfied that either the Shadow Executive had no objection to the appointment or dismissal or that any such objection was not material or well founded. The report indicated that the procedures set out in Rules 3 and 4 of the Officer Employment Procedure Rules would need to be followed in this respect, albeit that the rules needed to be amended to reflect the establishment of a staffing committee and delegation of appointments at Head of Service level as now proposed. The Interim Monitoring Officer, after consultation with the Chairman and Leader of the Council, had the authority to make any necessary changes to the Constitution under Article 15.

In view of the timescales and urgency involved in proceeding with the appointments, the report indicated that the decisions of the Shadow Executive were urgent and should be exempt from the call-in procedures under paragraph 15 (d) of the Overview and Scrutiny Procedure Rules.

Reason for decision: To enable, in the light of the requirements of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008, a new Committee of the Shadow Executive to be established to deal with the recruitment, appointment and dismissal of the Head of Paid Service and recruitment and appointment of Chief Officers (Directors) and, where there are no suitable candidates for the posts, Deputy Chief Officers (Heads of Service). To confirm the process for the appointment of Heads of Service.

RESOLVED

1. ***that a Staffing Committee of the Shadow Executive, comprising 4 members, 3 Conservative and 1 Liberal Democrat, be established.***
2. ***that Cllrs Mrs P E Turner MBE, P Penman, P Snelling and R Stay be appointed to serve upon the Staffing Committee.***
3. ***that the terms of reference of the Staffing Committee, as set out at Appendix A to the report of the Interim Chief Executive and Interim Monitoring Officer, be approved.***
4. (a) ***that, save as provided in (b) below, the Interim Chief Executive be authorised to make appointments to posts at Head of Service level in accordance with the provisions of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008 and the Local Authorities (Standing Orders) (England) Regulations 2001.***

(b) ***that where there are no suitable internal candidates for Heads of Service posts, the posts be advertised externally and appointments made by the Staffing Committee.***

SE/08/20

ESTABLISHMENT OF CENTRAL BEDFORDSHIRE SCHOOLS FORUM

The Shadow Executive considered the report of the Interim Director of Children, Families and Learning, which detailed the regulatory requirement to establish a Schools Forum for Central Bedfordshire and recommended a proposed constitution and membership, details of which were set out at Appendix "A" to the report.

The Local Education Authority was statutorily required to establish a Schools Forum to advise on matters relating to the schools budget including the school funding formula and specified contracts for supplies and services which would be paid for by the schools budget. LEAS could also opt to consult the Forum on other issues as it saw fit. The Forum for Central Bedfordshire needed to be in place to enable consultation on the 2009/10 budget and on any disaggregation issues that may arise.

The Strategic Director informed the Shadow Executive that the Terms of Reference and the Constitution should be amended to provide for:-

- the nominated member of the Shadow Executive to serve upon the School Forum in an observer capacity until the elections of Central Bedfordshire Councillors in May or June 2009;
- the Schools Forum to be able to co-opt additional Members to serve upon the Forum if it considered appropriate.

It was suggested that the Constitution and Terms of Reference of the Forum should be referred to the Constitution and Governance Working Group for consideration.

Reason for decision: To enable the Council to fulfil its statutory obligation to consult schools in its area on matters relating to the schools budget for 2009/10.

RESOLVED

1. (a) ***that the proposed constitution and terms of reference of the Central Bedfordshire Schools Forum, as set out in Appendix A to the report of the Interim Director for Children, Families and Learning now submitted, be amended:-***
 - (i) ***to provide that the nominated member of the Shadow Executive shall serve upon the Schools Forum in an observer capacity until the elections of Central Bedfordshire Councillors in May and June 2009; and***
 - (ii) ***to enable Schools Forum to co-opt additional Members to serve upon the Forum if it considers appropriate.***
- (b) ***that, subject to the amendments in (a) above, the constitution and terms of reference of the Central Bedfordshire Schools forum be approved and referred to the Constitution and Governance Working Group for consideration and incorporation in the overall Constitution for Central Bedfordshire.***
2. ***that members of the existing Bedfordshire Schools Forum who represent schools in the Central Bedfordshire area be invited to stand for the Central Bedfordshire Schools Forum and that appropriate non-school bodies to be represented on the Forum be invited to make nominations.***
3. ***that the Shadow Executive nominates Cllr Norman Costin to serve as an observer (non-voting member) of the Central Bedfordshire Schools Forum.***
4. ***that the Interim Chief Executive be authorised to take all necessary steps to make appointments to the Forum.***

(Note: The meeting commenced at 4.00 p.m. and concluded at 5.30 p.m.)