

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, 25 November 2008.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr P Penman (Vice-Chairman)

Cllrs M R Chapman
N B Costin
Mrs R J Drinkwater
M R Jones
K C Matthews

Cllrs P Rawcliffe
D Ross
P Snelling
R Stay
J Street

Officers in Attendance:	Mr S Ayers	– Public Transport Manager, BCC
	Ms J Blair	– PA to Cllrs Stay and Record, BCC
	Mr R Bullen	– Head of Partnerships and Communications, BCC
	Mrs M Clampitt	– Committee Administrator, MBDC
	Mr R Ellis	– Transition Director, BCC
	Mrs E Grant	– Director of Children, Families and Learning, CBC
	Mr C Heaphy	– Director of Corporate Resources, CBC
	Mr B Jackson	– Head of Highways, CBC
	Mr S James	– Interim Human Resources Lead
	Mrs K John	– Democratic Services Manager, MBDC
	Mr P Lewis	– Director of Human and Financial Services, BCC
	Mrs B Morris	– Head of Legal & Democratic Services, CBC
	Mr S Redmore	– Deputy Chief Executive, MBDC
	Mr J Ruddick	– Chief Executive, SBDC/Interim Deputy Chief Executive, CBC
	Mrs J Salisbury	– Chief Executive MBDC/Interim Chief Executive CBC
	Mr R Wood	– Head of ICT, SBDC

SE/08/48

URGENT ITEM OF BUSINESS

The Chairman reported that she had agreed to admit consideration of an urgent item of business at this meeting in accordance with Rule No.16 of the Access to Information Procedure Rules.

This item related to disaggregation of Bedfordshire County Council's property assets and in view of the need to make an urgent request to DCLG to consider the final disaggregation of those assets, would not admit of delay to the next scheduled meeting of the Shadow Executive.

SE/08/49 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Shadow Executive held on 28 October 2008 be confirmed and signed by the Chairman as a correct record.

SE/08/50 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

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

None.

SE/08/51 **DISCLOSURE OF ANY EXEMPT INFORMATION**

It was noted that supporting documentation to the report of the Director of Sustainable Communities referred to in Item SD1 contained information which was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972.

RESOLVED

that the press and public be excluded from the meeting for the following item of business under Section 100A (4) of the Local Government Act 1972 on the grounds that consideration thereof is likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A of the Act.

SE/08/52 **CONCESSIONARY BUS FARES SCHEME 2009/10**

The Portfolio Holder (Sustainable Development) presented the report of the Director of Sustainable Communities seeking the agreement of the Shadow Executive to arrangements for operating the Central Bedfordshire Concessionary Bus Fares Scheme for the Elderly and People with Disabilities in 2009/10.

The Shadow Executive were informed that the proposed Central Bedfordshire scheme would contain two non-statutory elements – free travel before 9.30 a.m. on Mondays to Fridays and free travel for companions of people with reduced mobility who cannot travel unaided. The same scheme currently operated for both Mid Beds and South Beds. It was recommended to meet the 1 December 2008 publication date, the Central Bedfordshire scheme should continue providing the non-statutory elements of the existing scheme and that the existing reciprocal arrangements with neighbouring Travel Concession Authorities should remain for a further year. In keeping with this approach, it was recommended that MCL Consultancy, which specialised in concessionary fare issues, be retained for a further year to manage the Central Bedfordshire Scheme.

RESOLVED

to re-admit the public.

Reason for decision: To ensure that a legally compliant concessionary fare scheme continues to operate in 2009/10 and that all legal requirements are met.

RESOLVED

- 1. that the Central Bedfordshire Concessionary Bus Fare Scheme for 2009/10 shall be, as far as practicable, the same as the Bedfordshire 2008/9 scheme.***
- 2. that the non-statutory elements of the Bedfordshire 2008/9 scheme (free travel before 9.30 a.m. and for companions of eligible concessionary travellers) be retained in 2009/10.***
- 3. that MCL Consultancy be engaged for a further year to manage the Central Bedfordshire Concessionary Bus Fare Scheme and that accordingly an exemption from the Procurement Rules in accordance with Rule No. 4.4.2, be approved.***
- 4. that, in view of the legal requirement to publish the Concession Scheme by 1 December 2008, the decisions at 1 and 2 above be recorded as urgent and therefore exempt from call-in under Rule No.15 of the Scrutiny Procedure Rules.***

SE/08/53

IMPLEMENTATION PLAN MONITORING REPORT

The Shadow Executive considered the report of the Officer Programme Board which reported the overall progress following the adoption of the Implementation Plan by the Shadow Executive on 10 June 2008.

Members were advised of the current position relating to the key milestones as follows:-

Line 31 Role of Town and Parish Councillors

The Director of Business Transformation confirmed his understanding that this work was on target although he acknowledged that further development was needed in respect of the Community Network Model.

In response to a question regarding the spend shown in respect of IT, it was confirmed that the budget related purely to core infrastructure and did not include growth in respect of individual systems.

Finally, with respect to paragraph 21, Members were updated in relation to the current position concerning shared services. In particular, the Shadow Executive noted that whilst informal agreement had been reached with Bedford Borough Council in relation to the arrangements for shared services, this had yet to be formally ratified by the Council's Implementation Executive. Consideration was also being given to arrangements for Service Level Agreements and whether such agreements needed to be legally binding. This work would not therefore be completed by the end of November.

Line 35 ICT systems and infrastructure

The Director of Corporate Resources and the Head of ICT confirmed that following the report from Deloitte, ICT were preparing a clear programme of works which would be available within days of this meeting. The new programme would ensure that the focus was on Day 1 delivery.

Line 45 Employee Structures

The Interim Chief Executive provided an update on how the process with regard to staffing structures was moving forward. It was confirmed the employees were receiving letters confirming their disaggregation to either Central Bedfordshire or Bedford Borough Councils. The appeals process was also outlined. Following the final challenge day; staff would be mapped to structures and it was anticipated that letters would be with staff by end of December.

Line 48 Agreement on redundancy and severance provision

A report would be considered at the 16 December 2008 Shadow Executive meeting.

A Member asked a question regarding Budget Monitoring (paragraph 22) and the overspends to date, in particular in relation to Change Management. The Portfolio Holder (Corporate Resources) reminded Members that the estimates had been put together many months previously and commented on the reasons for the overspend in this area.

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

RESOLVED

that the Implementation Plan Monitoring report be noted and that Officers be requested to provide a further progress report to the next meeting of the Shadow Executive.

SE/08/54

DISAGGREGATION OF BEDFORDSHIRE COUNTY COUNCIL PROPERTY ASSETS

The Portfolio Holder (Corporate Resources) presented the report of the Director of Corporate Resources, which provided an update on the negotiations with Bedford Borough Council in respect of disaggregation of the property assets of Bedfordshire County Council.

The Shadow Executive noted that agreement had been reached on the disaggregation of the majority of the property assets of Bedfordshire County Council. In most instances the geographical location of the assets had determined the disaggregation.

If the two Councils did not reach agreement for any parts of the Portfolio by 31 December 2008, DCLG would appoint one or both Councils as a "caretaker authority" to manage those parts of the Portfolio on trust for the other to provide more time for agreement to be reached. If the two Councils still failed to reach agreement within the additional allocated time, provision was made within the legislation for an independent arbitrator to be appointed by DCLG to disaggregate the property assets as they considered appropriate.

The report advised Members that it had not been possible to reach agreement in respect of the disaggregation of two property assets, namely County farms and County Hall. Members were advised of the Borough Council's current position and given that it was unlikely that agreement would be reached on the basis of a geographical division of the disputed assets before 31 December 2008, the report therefore recommended that DCLG should be requested as soon as possible to advise on the disaggregation of those assets.

During discussion upon this item, reference was made to the need for the Council to robustly defend the position currently adopted in relation to the disaggregation of the disputed assets.

RESOLVED

- 1. that the proposed disaggregation of property assets, where agreed with Bedford Borough Council, is adopted and that where such agreement has not been reached, a formal approach be made to the DCLG to progress and conclude the full and final disaggregation of the County Council's property assets.**
- 2. that the Director of Corporate Resources proceed with the transfer of assets from Bedfordshire County Council, as agreed to date, by 1 April 2009.**
- 3. that, in view of the need to make a formal approach to DCLG to request the conclusion of the final disaggregation of the Bedfordshire County Council property assets without delay, the decision at 1 above be recorded as urgent and therefore exempt from call-in under Rule No. 15 of the Scrutiny Procedure Rules.**

SE/08/55

CREATING CENTRAL BEDFORDSHIRE: APPOINTMENT OF ELECTORAL APPOINTEE

The Shadow Executive considered the report of the Interim Deputy Chief Executive, which in accordance with the Local Government (Structural Changes)(Transitional Arrangements)(No.2) Regulations 2008, informed that there was a statutory requirement for the Shadow Council to appoint an Electoral Appointee by 30 November 2008. On 1 April 2009, the electoral appointee would be deemed appointed the Electoral Registration Officer of the new Authority.

The Bedfordshire Structural Changes Order (Part 6) stipulated that the Returning Officer for the 2009 election for Central Bedfordshire, should be the proper officer appointed by South Bedfordshire District Council.

It was noted that the Shadow General Purposes Committee had met on 24 November 2008 and approved certain issues on the preparation and administration of the elections for Central Bedfordshire, including a unified scale of fees.

RESOLVED

- 1. that Jon Ruddick (Chief Executive – South Bedfordshire District Council) be appointed as the Electoral Appointee for Central Bedfordshire Council in accordance with Regulation 9 of The Local Government (Structural Changes)(Transitional Arrangements)(No. 2) Regulations 2008 with effect from 28 November 2008.**
- 2. that the appointment, under the Bedfordshire (Structural Changes) Order 2008, of Jon Ruddick (Returning Officer of South Bedfordshire District Council) as the Returning Officer for the Central Bedfordshire Elections to be held on 4 June 2009, be noted.**

- 3. that in view of the legal requirement to appoint the Electoral Appointee before 30 November 2008, the decision at 1 above be recorded as urgent and therefore exempt from call-in under Rule No.15 of the Scrutiny Procedure Rules.***

SE/08/56

ESTABLISHING A CHILDREN'S TRUST FOR CENTRAL BEDFORDSHIRE

The Shadow Executive considered the report of the Director of Children, Families & Learning, which outlined the legislative backdrop to the national requirement to establish Children's Trust arrangements in all Local Authorities with a Children's Services responsibility. It highlighted issues and recommendations to consider and steps towards developing a Children's Trust in Central Bedfordshire.

The Portfolio Holder (Children, Families & Learning) informed the Shadow Executive that all partners were supportive of the proposals but conceded that an initial problem would be the duplication of partner attendance at both unitary trust meetings; which could impact on the capacity of partner agencies. Meetings of both Trusts would ideally be held on the same day and at the same venue to mitigate any inconvenience.

The merging of the sub-groups under thematic grouping would reduce the number of meetings for many members and would provide greater cross working in relation to common agendas. The sub-groups would be as follows:-

Well-being – Be healthy, Stay Safe

Learning – Enjoy and Achieve

Youth – Make a Positive Contribution, Achieve Economic Well-being

The Children's Trust Board would be the Executive of the Trust, meet twice a year with a third meeting for a partnership conference. The Trust Board would consider the recommendations of the Joint Commissioning Board, ensuring the strategic direction.

The Joint Commissioning Board would direct the shared resources of the Trust towards agreed priorities. The JCB would meet quarterly. Membership comprised the leads for commissioning and the key managers from across all partner agencies who were best placed to deliver change and direct resources.

Members sought confirmation that there would be engagement as well as representation by children and young people in the work of the Trust. It was confirmed that as the Trust developed ways of involving children and young people would be investigated.

RESOLVED

- 1. that the establishment of a Children's Trust in Central Bedfordshire following the proposed model outlined in the report of the Director of Children, Families and Learning now submitted, be agreed.***

2. ***that the steps as outlined in the report, primarily the establishment of a Shadow Trust Board and Joint Commissioning Board to guide and enable the establishment of the Trust, be agreed.***
3. ***that the intentions to develop stronger representation for young people on the Trust, be noted.***
4. ***that the development of local Children's and Young People's Partnership Boards to ensure that local issues are addressed within the Trust, be noted.***

SE/08/57

FORWARD PLAN

The Shadow Executive received the Forward Plan of Decisions on Key Issues for the period 1 December 2008 to 31 March 2009 as attached to the agenda for this meeting.

RESOLVED

that the Forward Plan for the period 1 December 2008 to 31 March 2009, be noted.

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