

CENTRAL BEDFORDSHIRE SHADOW COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE SHADOW EXECUTIVE** held in Committee Room 2, The District Offices, High Street North, Dunstable on Tuesday, 16 December 2008.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr P Penman (Vice-Chairman)

Cllrs N B Costin
M R Jones
K C Matthews
P Rawcliffe

Cllrs D Ross
P Snelling
R Stay
J Street

Apologies for Absence: Cllrs M R Chapman
Mrs R J Drinkwater

Officers in Attendance:

Mr G Alderson	– Director of Sustainable Communities, CBC
Mr J Armstrong	– Knowledge and Communications Manager, SBDC
Ms S Chapman	– Team Leader Development Plan Team, MBDC
Mr R Ellis	– Director of Business Transformation, CBC
Mr C Heaphy	– Director of Corporate Resources, CBC
Mrs S Hobbs	– Committee Administrator, SBDC
Mr S James	– Interim Human Resources Lead, CBC
Mrs K John	– Democratic Services Manager, MBDC
Mrs C Jones	– Human Resources Manager, MBDC
Mr I McArdle	– Central Bedfordshire ICT Project Manager, CBC
Mr R Mills	– Scrutiny and Committees Manager, SBDC
Mrs B Morris	– Head of Legal & Democratic Services, CBC
Miss C Plummer	– Communications Officer, CBC
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, CBC

SE/08/58 **MINUTES**

RESOLVED

that the Minutes of the meeting of the shadow Executive held on 25 November 2008 be confirmed and signed by the Chairman as a correct record.

SE/08/59 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

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

None.

SE/08/60 **DISCLOSURE OF ANY EXEMPT INFORMATION**

None.

SE/08/61 **VARIATION OF BUSINESS**

The Chairman agreed to take agenda item CR6 'Central Bedfordshire Unitary Council's Severance/Early Retirement' at the beginning of the Agenda due to the number of people in attendance.

SE/08/62 **CENTRAL BEDFORDSHIRE UNITARY COUNCIL'S SEVERANCE / EARLY RETIREMENT POLICY**

Members received a report which set out the requirement for Central Bedfordshire to determine a policy with regard to redundancy and early retirement payments and the background to such a decision. The report identified the potential options that could be considered and proposed a specific recommendation for such a policy to be effective from 1 April 2009 and beyond.

Mid and South Bedfordshire District Councils and Bedford Borough Council had policies that enhanced the statutory redundancy payment based on age and service up to the maximum of 104 weeks subject to the merits of the business case in achieving the respective Councils' objectives. Bedfordshire County Council's current provision was normally to pay up to 30 weeks, but a maximum of up to 45 weeks was available.

The Corporate Resources Transitional Task Force had discussed this issue on 11 December 2008 with Members having mixed views.

A motion was proposed and seconded that the use of the available discretion under the redundancy compensation scheme to award up to 45 weeks in 2009/10 be amended to be up to 66 weeks. It was felt that the 45 weeks would be unjust for employees of the two district councils and that Bedfordshire County Council should not be used as a benchmark.

Members debated the options of having 45, 66 or 104 weeks compensation. It was felt that the proposed 45 weeks reflected the current economic climate and that there was a duty on Members to take the interests of council tax payers into account in reaching their decisions. If 66 weeks were agreed then £1m would not be available for other services. Members were advised of the number of redundancies that had happened across the three legacy authorities since 2005. The legacy authorities' own policies would be in force until 31 March 2009. The Chairman stated that a balanced decision needed to be taken that reflected the appreciation of employees and the council taxpayers' money.

Members were advised that the mapping of employees from the two district councils and the county council would be undertaken during December 2008/January 2009.

It was noted that there would be a separate report to a future Shadow Executive meeting regarding teaching and non-teaching employees as school based employees had a separate scheme, and schools being responsible for approving their own redundancies.

A letter from the Regional Organiser of Unison had been tabled at the meeting objecting to the proposals and the lack of meaningful consultation with Unison. Unison had also urged that Central Bedfordshire abide by the People Management Protocol that management and Trade Unions had signed up to. This Protocol was not a legal document, but had set a framework for the best way forward. A view was expressed that perhaps a more extensive consultation should have taken place with the Trade Unions in respect of this matter.

A vote was taken and the above motion was lost.

Reason for decision: Central Bedfordshire is required to determine a policy for severance/early retirement which would be effective from 1 April 2009.

RESOLVED

- 1. that, in line with current practice amongst predecessor authorities, Central Bedfordshire should not operate the discretion available under Regulation 52 of the Local Government Pension Scheme ("added years").**
- 2. that the Shadow Executive adopt a strategy that makes use of the available discretion under the redundancy compensation scheme to award up to 45 weeks in 2009/10.**

3. ***that the Interim Chief Executive, in consultation with the Portfolio Holder for Corporate Resources, be authorised to implement the severance/early retirement policy with effect from 1 April 2009 in accordance with resolution 2 above.***
4. ***that the policy in respect of severance and early retirement be included in the suite of employment policies for the new Council.***

SE/08/63

THE CENTRAL BEDFORDSHIRE LOCAL DEVELOPMENT SCHEME

Members were presented with the revised Local Development Scheme (LDS). The Local Development Framework (LDF) was intended to provide planning authorities with an opportunity to take a fresh look at their areas, develop strategic approaches to spatial planning that deliver sustainable development and reflect the aspirations of local communities. The LDF would be part of the statutory planning framework for the Unitary Authority after 1 April 2009 and would be one of the key mechanisms to help achieve sustainable development over the next 10-20 years. The LDS had to be submitted to GO-East to assess whether it was 'fit for purpose'.

Reason for decision: In order to meet the requirements of the Town and Country Planning and Compulsory Purchase Act 2004 and the Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008.

RESOLVED

1. ***that the Central Bedfordshire Local Development Scheme be approved for formal submission to the Secretary of State, and following approval, be brought into effect.***
2. ***that the Director of Sustainable Communities in conjunction with the Portfolio Holder (Sustainable Development), be authorised to make any minor changes to the Central Bedfordshire Local Development Scheme both prior to submission, and in response to any comments made by GO-East and the Secretary of State.***
3. ***that the Shadow Executive notes that, in view of the need to submit the new LDS to the Secretary of State no later than 31 December 2008, the decision at 1 above is urgent and therefore exempt from call-in under Rule No.15 of the Scrutiny Procedure Rules.***

SE/08/64

LOCAL AUTHORITY MODERNISATION PROJECT (LAMP) PROJECT FOR CENTRAL BEDFORDSHIRE COUNCIL

Members received a report that set out the business case for the delivery of a unified computer system, underpinned by the Local Land and Property Gazetteer (LLPG) in support of the Development Control, Building Control, Land Charges and Environmental service areas for Central Bedfordshire. This new system would encompass two key components; Acolaid and the Geographical Information System.

Members were advised that the financial implications should have read that this project would have a one-off cost of £1,060,000 with on-going savings of at least £243,000 per annum giving a payback of just over four years as set out on page 10 of 13 of the business case. Officers stated that the original cost estimate had been £250,000, due to this increase there would be additional pressure on the transitional budget. There would also be an annual maintenance cost of £100,000.

Reason for decision: To enable Central Bedfordshire Council, residents and businesses to benefit from a unified computer system delivering harmonised Development Control, Building Control, Land Charges and Environmental services underpinned by a Council wide Geographical Information System and Local Land and Property Gazetteer.

RESOLVED

that the Shadow Executive accepts the proposal set out in the business case to use the LAMP Project at a one-off cost of £1,060,000 to deliver a unified computer system for Development Control, Building Control, Land Charges and Environmental Service areas for Central Bedfordshire Council, incorporating a Council wide Geographical Information System and Local Land and Property Gazetteer.

SE/08/65

AWARD OF TENDER FOR CISCO EQUIPMENT AND SOFTWARE

Members received a report that sought authority to award a tender for the provision of Cisco equipment and software in support of the creation of the new ICT infrastructure for Central Bedfordshire Council. 17 suppliers had been invited to quote via the Office of Government Commerce Catalyst Invitation to Quote system and five suppliers had responded to the tender. The suppliers responses were evaluated in two parts with supplier one having the highest score.

The Corporate Resources Transitional Task Force had considered this item and had queried whether the Contract could include penalties for any delays incurred. Officers confirmed that the Contract did contain time related penalty clauses.

Officers explained the scoring mechanism whereby each solution that was within 50% of the lowest price was awarded a basic price score of 30%, plus a further relative price score of 40% based on its price. The fixed calculation ensured that a base empirical score was attributed prior to the final scoring of the fitness for purpose.

Members were advised that final assessments had been made on 15 December 2008 and the due diligence had identified an increase to the IPT equipment cost of £15,000, with an increase to the Contact Centre of £160,000. The reasons for the increases were explained to the Shadow Executive but principally related to the change in the exchange rate for the dollar and to a condition relating to software selection, if maintenance were to be provided under the contract. Cisco had stated that only Cisco hardware could be purchased to run on a Cisco system.

The view was expressed that, in considering this matter, the Shadow Executive should also have had the opportunity to determine where the Contact Centre should be located. Officers reported on the options for location of the Contact Centre but suggested that the most likely future locations was Melbourne House and that the cost of such a move from County Hall would be minimal. Bedford Borough Council would be expected to contribute to the transitional cost of putting together the Contact Centre.

The IPT would be installed between The District Offices (SBDC) and Priory House (MBDC). A decision to where the IPCC would be installed had not been finalised, although it was likely to be Priory House as this would be where the incoming phone lines would be from on 1 April 2009.

Members were advised that a decision was needed on the award of the Contract so that there would not be any delays on getting the system installed before Vesting Day. They were advised that this decision had to be made by the Shadow Executive as the sum was outside the Interim Chief Executive's delegated powers.

Whilst concern was expressed at the variation to the costs of the tender now reported, the Head of ICT assured Members that the necessary requirements of the Procurement Procedure Rules had been complied with and that he was confident that the project could be delivered at a cost not exceeding £950,000.

Reason for decision: In order to procure the new Cisco hardware and software necessary to implement the ICT infrastructure for Central Bedfordshire Council and in line with the approved ICT Programme PID which states "Whilst ensuring that stability in operations remains throughout and risk is suitably contained, the concept behind ICT for Central Bedfordshire will be to create a new fit for purpose infrastructure".

RESOLVED

- 1. that the report of the Director of Corporate Resources and the tender evaluation scoring, as set out at Appendix "A" be noted.**
- 2. that the Shadow Executive approves the award of the tender to procure Central Bedfordshire Council's Cisco hardware and software requirements to Supplier 1, at a cost not exceeding £950,000.**

- 3. that the Shadow Executive be provided with an update, via a future implementation monitoring report, in respect of the proposed arrangements for the Customer Contact Centre.***

SE/08/66

IMPLEMENTATION PLAN MONITORING REPORT

Members received the seventh progress report since the Implementation Plan had been agreed by the Shadow Executive on 10 June 2008. This report had been considered by the Shadow Scrutiny Committee on 11 December 2008, where they had received an update report. Members requested that this update report be circulated to the Shadow Executive Members.

Members noted that the Shadow Scrutiny Committee and Corporate Resources Transitional Task Force had requested that the original estimates in the transitional budget be reviewed to take account of current circumstances. They were advised that this work was being carried out and would be available for the Shadow Executive meeting on 20 January 2009.

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 to deliver the new unitary authority.

RESOLVED

- 1. that a further progress report be made to the next meeting of the Shadow Executive.***
- 2. that, as requested by the Shadow Scrutiny Committee, the original estimates in the transitional budget be reviewed in order to establish more accurately the budget likely to be required to take account of current circumstances.***
- 3. t a copy of the 'Progress Report' update that was considered by the Shadow Scrutiny Committee on 11 December 2008 be circulated to the Shadow Executive.***

SE/08/67

LUTON AND SOUTH BEDFORDSHIRE JOINT COMMITTEES

Members received a report that confirmed the future joint working arrangements and continuation of the Luton and South Bedfordshire Joint Committee to prepare the Local Development Framework and strategic transport policy for the Luton and South Bedfordshire growth area.

The Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008 provided legal continuity for the work of the Section 29 Joint Committee after reorganisation on 1 April 2009; and for its continued existence, with modified membership, until 1 April 2012 or the adoption of the Local Development Documents that comprise the Local Development Framework for the Growth Area, whichever was the earliest.

Reason for decision: To ensure that the strategic planning and transportation work of the Joint Committees could continue across the existing administrative areas of Luton and South Bedfordshire District without interruption after 1 April 2009.

RESOLVED

1. ***that the arrangements as set out in paragraph 2 of the report to the Luton and South Bedfordshire Joint Committee on 28 November 2008 for:-***
 - (a) ***the continuation of the existing Section 29 (planning) Joint Committee until 1 April 2012, and;***
 - (b) ***parallel arrangements for the Section 101 (transportation) Joint Committee,***

including their respective Member composition, be approved.
2. ***that the Shadow Executive notes that the arrangements for the Section 29 (planning) Joint Committee and the Section 101 (transportation) Joint Committee have been incorporated into the draft constitution for Central Bedfordshire Council, to take effect from 1 April 2009 (subject to Full Council approval in February 2009), and will similarly be incorporated into the constitution of Luton Borough Council.***
3. ***that the Shadow Executive delegates authority to the Head of Legal and Democratic Services to finalise with Luton Borough Council the detailed terms of reference and/or formal agreement to enable the work of the Joint Committees to continue uninterrupted.***

SE/08/68

FEES AND CHARGES STRATEGY 2009/10

Members received a report which considered the approach to be adopted in setting the schedule of fees and charges in 2009/10 for Central Bedfordshire. In order to ensure that the revenue budget setting process could proceed with maximum resource and minimal delay it was proposed to set out a simplified approach to the setting of fees and charges for 2009/10 that would allow Officers to create a harmonised schedule within certain agreed parameters. The principles set out would apply only to those fees and charges where there was Members' discretion. Statutory charges would be applied as laid down by Government.

The Scrutiny Committee had considered this item on 11 December 2008 and had raised a number of queries regarding the harmonisation of the two districts fees and charges and the weighted average of the existing charges. It was agreed to delegate authority to the Portfolio Holder for Corporate Resources, in consultation with the Director of Corporate Resources, to respond on behalf of the Shadow Executive to the queries raised by the Shadow Scrutiny Committee.

Members were advised that if there were any discrepancies with the fees and charges for 2009/10 they would be reported to the Shadow Scrutiny Committee and the Shadow Executive in February 2009.

Reason for decision: To allow a measured transitional response to the issue of fees and charges to be approved, pending more detailed consideration by Central Bedfordshire for 2010/11.

RESOLVED

- 1. that the Shadow Executive approves the principles set out in paragraph 2 (c) of the report of the Director of Corporate Resources applying to the setting of Fees and Charges in 2009/10.***
- 2. at the Portfolio Holder for Corporate Resources, in consultation with the Director of Corporate Resources, respond to the questions raised by the Shadow Scrutiny Committee on 11 December 2008.***

SE/08/69

CAPITAL INVESTMENT STRATEGY

Members received a report which set out the draft Capital Investment Strategy and formulation of the Capital Programme for Central Bedfordshire. The Capital Investment Strategy was one of the key resource management strategies of the Council, and was intended to support and deliver the Council's corporate objectives and priorities. The Capital Programme, which would propose a programme of works aimed at meeting the Council's strategic objectives, was a major component of the Medium Term Financial Strategy with significant financial implications.

The Corporate Resources Transitional Task Force had discussed this item and had sought clarity on the first and second tier schemes. Members were advised that a report on the Capital Programme was due to be submitted to the Shadow Executive on 20 January 2009.

It was stated that the Capital Programme would be a reasonable and affordable programme, but would not be completely clear until after the three legacy authorities had closed down their accounts.

Reason for decision: To progress the process of approving the Capital Programme and provide a framework for the consideration of capital investment and financing requirements during 2009/10.

RESOLVED

that the Shadow Executive:-

- 1. approves the draft Capital Investment Strategy for Central Bedfordshire attached at Appendix "A" to the report of the Director of Corporate Resources for submission to Full Council as part of the budget process.***
- 2. approves the process for consideration and approval of the Capital Programme and financing outlined in the report.***

(Note: The meeting commenced at 4.00 p.m. and concluded at 6.15 p.m.)