

## CENTRAL BEDFORDSHIRE SHADOW COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE SHADOW EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 20 January 2009.

### 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  
P Snelling  
R Stay  
J Street

Apology for Absence: Cllr D Ross

Officers in Attendance:

Mr G Alderson	– Director of Sustainable Communities, CBC
Ms J Blair	– PA to Cllrs Stay and Record, BCC
Mr M Bowmer	– Head of Financial Services (including Procurement), CBC
Mrs S Childerhouse	– Work Environment Manager, MBDC
Mrs M Clampitt	– Committee Administrator, MBDC
Mr R Ellis	– Director of Business Transformation, CBC
Mr C Heaphy	– Director of Corporate Resources, CBC
Mr B Mew	– Interim Financial Services Manager, MBDC
Mr R Mills	– Scrutiny and Committees Manager, SBDC
Mrs B Morris	– Head of Legal & Democratic Services and Monitoring Officer, CBC
Mrs J Ogley	– Director of Social Care, Health & Safety, CBC
Miss C Plummer	– Communications Officer, SBDC
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 D Sutherland	– Chief Finance Officer, MBDC

SE/08/70 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman:-

1. informed the Executive that Cllr J Street would remain on the Shadow Executive until the elections in June; and
2. welcomed Julie Ogle, the Director of Social Care, Health and Housing who had recently taken up her post.

SE/08/71 **MINUTES**

**RESOLVED**

***that the Minutes of the meeting of the Shadow Executive held on 16 December 2008 be confirmed and signed by the Chairman as a correct record.***

SE/08/72 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

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

None.

SE/08/73 **DISCLOSURE OF ANY EXEMPT INFORMATION**

None.

SE/08/74 **ENFORCEMENT POLICY AND REGULATORS' COMPLIANCE CODE**

The Shadow Executive considered the report of the Director of Sustainable Communities, which set out the policy and code which officers must regard when undertaking enforcement action on behalf of Central Bedfordshire.

The Portfolio Holder (Safer and Stronger Communities) informed Members that the policy brought together the three existing authorities' enforcement policies into one new overarching policy to take effect from 1 April 2009. There were no significant differences from the three existing policies. More detailed policies for areas such as Licensing, Food Safety and Trading Standards would sit under this main framework.

The Portfolio Holder (Safer and Stronger Communities) drew attention to the Department for Business Enterprise and Regulatory Reform (BERR) Regulators' Compliance Code, which had become law in April 2008.

Reason for decision: There are at present three separate enforcement policies covering Mid Bedfordshire District Council, South Bedfordshire District Council and Bedfordshire County Council. In order to ensure a consistent approach in Central Bedfordshire by all officers undertaking enforcement action a new enforcement policy needs to be in place by 1 April 2009. This will also ensure that individuals and businesses are aware of the Council's policy in relation to enforcement action from the 1 April 2009.

From the 6 April 2008 all local authorities are required to adopt the Compliance Code for Regulators.

### **RESOLVED**

- 1. that the Enforcement Policy for Central Bedfordshire as set out at Appendix 1 to the report of the Director of Sustainable Communities, be adopted.**
- 2. that the Regulators' Compliance Code as set out at Appendix 2 to the report of the Director of Sustainable Communities, be adopted.**
- 3. that the Director of Sustainable Communities, in consultation with the Portfolio Holder (Safer and Stronger Communities) be delegated the power to make minor amendments to the enforcement policies.**

SE/08/75

### **MEMBERS' ALLOWANCES SCHEME 2009/10**

The Shadow Executive considered the report of the Director of Corporate Resources, which detailed the financial implications of the recommendations of the Independent Remuneration Panel (IRP) with regard to a Scheme of Members' Allowances for Central Bedfordshire Council for the year commencing 1 April 2009. Approval of a Members' Allowances Scheme is a matter for full Council on 26 February 2009.

Members noted that the IRP had not had the benefit of seeing evidence of Members' workload in a unitary authority, which would be the most apt comparison to make.

The Portfolio Holder (Corporate Resources) reported that he had received comments from Members both on potential growth items and on the basic allowance.

Suggested growth items included allowances for the Vice - Chairman of Overview and Scrutiny, Development Management and Audit Committees and for Assistant Portfolio Holders. These allowances could be added to the budget for a small increase of £15,000.

The Portfolio Holder (Corporate Resources) had undertaken further research into the calculation of the basic allowance and had noted that South Gloucestershire Council used an average of 20 hours per week for its basic allowance. The LGA had recently said that the average unitary councillor spent 22 hours a week on Council business, as against the IRP's calculation of 15 hours a week. To increase the basic allowance to reflect a 22 hours average week would add £451,000 to the budget, which was deemed to be excessive. A compromise of 17 hours a week would produce a basic allowance of £11,220, using the IRP's equation, and increase the budget by £144,000.

Members understood that the IRP had not had sufficient information on what Members' future workload was likely to be, and that the IRP had advised that a review be carried out in autumn 2009, once the new Council had bedded in.

In response to Member questions, the Portfolio Holder (Corporate Resources) confirmed that pro rata calculations had been made for the two month period between vesting day and the elections in June 2009.

Members expressed the view that allowances should reflect the breadth and type of candidates wanted for the new Council, with greater support for younger councillors, and concern at the additional casework which would be imposed on ward councillors after the election in June. They suggested that the IRP should take these factors into consideration in their review.

It was noted that the special responsibility allowance for the Chairman of the Luton and South Bedfordshire Joint Committee and its relevance to other potential growth areas such as Marston Vale would need to be revisited to ensure the allowance reflected the level of work. It was confirmed that no further allowance would be payable if the Joint Committee Chairman was also receiving a Portfolio Holder's allowance.

Members questioned the role of the Audit Committee, which the Portfolio Holder (Corporate Resources) would be expanding under the new Constitution.

It was agreed that a special responsibility allowance should be paid to each Minority Group Leader, at a flat rate of £2,525, being 7.5% of the Leader's allowance.

Members next considered the eligibility of Members to join the Local Government Superannuation Scheme. It was agreed that this opportunity was long overdue. In addition, Members agreed that contributions should be based on the combination of their basic and special responsibility allowances.

Reason for decision: To enable relevant financial provision to be included in the draft budget estimates for 2009/10 for Central Bedfordshire.

**RECOMMENDED**

**that the Shadow Council:**

- (a) notes that the Shadow Executive, having taken careful consideration of the recommendations of the Independent Remuneration Panel and additional information provided since the review, would support a revised scheme of members' allowances for the year commencing 1 April 2009, including a basic allowance of £11,220 and additional special responsibility allowances for specified Vice-Chairmen and for Assistant Portfolio Holders, as set out in the amended summary circulated at the meeting by the Portfolio Holder for Corporate Resources, and subject also to a flat rate Special Responsibility Allowance of £2,525 (i.e. 7.5% of the Leader's allowance) for each Minority Group Leader, at an estimated total cost of £1,200,000.**
- (b) notes that the Shadow Executive endorses the conclusion of the Independent Remuneration Panel that all Central Bedfordshire Councillors should be given access to the Local Government Pension Scheme, based on the sum of members' basic and Special Responsibilities Allowances, at an estimated cost of £75,000.**
- (c) approves a scheme of members' allowances for the year commencing 1 April 2009 as proposed by the Shadow Executive at (a) and (b) above.**

SE/08/76

**CREATING CENTRAL BEDFORDSHIRE: PROPERTY & ACCOMMODATION ISSUES**

The Shadow Executive considered the report of the Director of Corporate Resources which outlined the work undertaken so far in developing an Initial Accommodation Plan and Medium Term Property Strategy for CBC. It outlined the working assumptions and the intended timetable and actions required to implement the Initial Accommodation Plan and Medium Term Strategy.

It also outlined the situation related to the disaggregation of the County Council's property assets and the actions that have been taken to meet the Secretary of State's requirements.

The Portfolio Holder (Corporate Resources) and the Director of Corporate Resources advised the Shadow Executive that the vast majority of staff would be remaining in their current locations on vesting day, as it was vital that all services and systems were in place on day one. Disruption to staff was to be kept to a minimum whilst ensuring that there were clear locations for Central Bedfordshire and Bedford Borough staff within County Hall.

It was noted that Melbourne House would be occupied entirely by Central Bedfordshire staff.

Members expressed concerns that some staff who were intended to share accommodation in County Hall might feel isolated from "Central Bedfordshire", and that a shared reception desk should be avoided if at all possible. Officers gave assurances that these issues were being carefully examined.

Reason for decision: So that Shadow Executive can monitor progress on property and accommodation matters undertaken as part of the creation of Central Bedfordshire, and endorse the approach to the agreement of an Initial Accommodation Plan for Central Bedfordshire Council.

### **RECOMMENDATIONS**

- 1. *that, having considered the progress made to date, the planned actions in relation to the implementation of the Initial Accommodation Plan and Medium Term Property Strategy for Central Bedfordshire Council be endorsed.***
- 2. *that, having considered the property and accommodation issues, the actions relative to the disaggregation of the County Council's property assets pursuant to finalising a list of agreed disaggregated property assets in line with requirements laid down by the Secretary of State be endorsed.***

SE/08/77

### **RESERVES POLICY 2009/10**

The Shadow Executive considered the report of the Director of Corporate Resources, which asked for an appropriate policy for the level of general fund reserve for 2009-10 be agreed.

The Portfolio Holder (Corporate Resources) informed the Committee that the level of reserves had been calculated using the information available.

In response to questions regarding the level proposed in paragraph 17, the Portfolio Holder and Director of Corporate Resources confirmed that the figure was realistic and had been risk assessed. The level would be reviewed each year with a target of £6m to £7m reserves once transitional costs had been repaid. It had been noted that until the three legacy authorities had closed down their accounts an accurate review would not be possible. It was agreed that this be done as soon as possible after account closure.

Reason for decision: To agree an appropriate policy for the level of general fund reserves during 2009/10.

**RECOMMENDED**

***that the Shadow Council:-***

- (a) approves the reserves policy for 2009/10 as set out in the report of the Director of Corporate Resources;***
- (b) approves the setting of the minimum General Fund Reserve level for 2009/10 at £4.68m for Central Bedfordshire as indicated in paragraph 17 of Appendix 1 to the report of the Director of Corporate Resources; and***
- (c) determines that the Authority will review the reserves policy following the closure of the accounts of the three legacy authorities.***

SE/08/78

**CAPITAL PROGRAMME 2009/10 - 2012/13**

The Shadow Executive considered the report of the Director of Corporate Resources which set out a draft capital programme for Central Bedfordshire.

The Portfolio Holder (Corporate Resources) clarified that in Appendices "A" to "G" the word "priorities" should be replaced with "categories". The programme would be considered by Shadow Scrutiny, the Corporate Resources Transitional Task Force and the Shadow Executive at their budget meeting (17 February 2009).

The Director of Corporate Resources confirmed Portfolio Holders had reviewed the various capital schemes with the relevant Directors, but that no political priorities had been considered when combining the three capital programmes.

Two Members expressed concern either for the categorisation of an item (i.e. Oak Bank Schools, Flitwick Leisure) or the exclusion altogether of an item (i.e. Shefford Town Enhancement Scheme – second part). It was agreed that the Portfolio Holder would pass on any items of concern from Members. In response to a question regarding affordable housing it was agreed the relevant Director would be asked to review the budgets.

It was agreed that recommendation (b) would be revised by removal of the word "Priorities".

Reason for decision: To progress the process of approving the Capital Programme.

***that the Shadow Executive:-***

- (a) notes the draft Capital Programme proposals for 2009/10 – 2010/11 for Central Bedfordshire attached at Appendices A – G of the report of the Director of Corporate Resources;***

- (b) approves in principle those schemes categorised as 1 to 5 as the basis of the Capital Programme to be recommended to the Shadow Council;**
- (c) notes the indicative Capital Programme proposals for 2011/12 – 2012/13 for Central Bedfordshire attached at Appendix H of the report of the Director of Corporate Resources;**
- (d) notes the draft Housing Revenue Account Capital Programme for Central Bedfordshire attached at Appendix K to the report of the Director of Corporate Resources; and**
- (e) notes that any comments of the Shadow Scrutiny Committee will be included in a further report on the Capital Programme to be considered at the next meeting, for recommendation to the Shadow Council.**

SE/08/79

## **CREATING CENTRAL BEDFORDSHIRE - PROGRESS REPORT**

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

The Deputy Chief Executive, MBDC, provided Members with an update on progress to date and also advised that the spreadsheet attached to the agenda would be recasting the format to mirror the detailed plan supplied by Deloitte. It would better reflect the dependencies and milestones.

The DCLG would be carrying out the stocktake at Central Bedfordshire Council (CBC) on 3 February 2009 and at Bedford Borough Council (BBC) on 2 February 2009. These would be officer meetings.

Updates included the following:-

- Para 6 - Contact Centre – procurement of the ICT for this service was due in the latter part of March – this was now a high risk issue due to the lack of testing time.
- Line 16 - Asset disaggregation - a robust approach was being taken. Details had been attached to the Chairman's Briefing note of 16 January 2009.
- Line 25 - SLAs work was now on pace but behind the original target date. Additional resources provided by Terry Gittins and Rob Gregan plus additional administration resource should see the process completed by target at the end of January. A written update would be given to the 17 February 2009 meeting.



ICT - Two key issues regarding SLAs were (a) clarification of what Bedford Borough would be delivering generally, and (b) the Tribal (education services) and Swift (social services) systems in particular.

The Director of Corporate Resources informed the Shadow Executive that the DCLG were not responding to a request for arbitration on the County Farms issue. Officers intended to write to Bedford Borough Council stating that the farms in Central Bedfordshire and Bedford Borough respectively, belong to that authority exclusively. The DCLG would be asked again for assistance during the 3 February 2009 visit.

Members expressed concern regarding ICT security issues in County Hall after vesting day including a disaster recovery plan.

Members expressed grave concern over the lack of progress with Town & Parish Council engagement. Work had been carried out with the Community Network Model in late 2008 but nothing had happened since. The Director of Business Transformation and the Portfolio Holder (Business Transformation) informed the Shadow Executive that this was too important a process to rush. The community must be engaged and there should be a review of other authorities' approaches. Members were concerned that there should be proper communication with the community by the new Council.

It was noted that a report to the March meeting would address this situation.

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

SE/08/80

**FORWARD PLAN**

The Forward Plan for the period 1 February to 31 May 2009 published on 17 January 2009, be received.

(Note: The meeting commenced at 4.00 p.m. and concluded at 6.25 p.m.)