

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Offices, High Street North, Dunstable on Tuesday, 12 May 2009.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr P Penman (Vice-Chairman)

Cllrs M R Chapman
Mrs R J Drinkwater
M R Jones
K C Matthews

Cllrs P Rawcliffe
P Snelling
R Stay
J Street

Apologies for Absence: Cllrs D Ross

Members in Attendance: Cllrs R A Baker, BEM
P A Blaine
Ms A M W Graham
Mrs J G Lawrence
D J Lawrence

Cllrs T Nicols
A A J Rogers
G Summerfield
Mrs C Turner
B Wells

Officers in Attendance:

Mr G Alderson	– Director of Sustainable Communities
Mr J Atkinson	– Head of Legal Services
Mrs C Carruthers	– Assistant Director Property & ICT
Mr R Ellis	– Director of Business Transformation, CBC
Mr B Finlayson	– BEaR Project Manager
Richard Fox	– Interim Head of Development and Planning
Ms S Frost	– Senior Planning Officer
Mrs E Grant	– Deputy Chief Executive/ Director of Children, Families and Learning
Mr C Heaphy	– Director of Corporate Resources
Mr T Keaveney	– Assistant Director Housing Services
Ms P Khimasia	– Senior Planning Officer
Ms D Lester	– Senior Democratic Services Officer
Mr R Mills	– Committee Services Manager
Mrs B Morris	– Assistant Director Legal & Democratic Services and Monitoring Officer
Mrs L Wade	– Assistant Director Economic Growth and Regeneration
Mr R Waterfield	– Assistant Director Leisure and Culture, Libraries, Adult and Community Learning

E/08/128 **MINUTES**

RESOLVED:

The Minutes of the meeting of the Executive held on 14 April 2009 were confirmed and signed by the Chairman as a correct record.

E/08/129 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

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

None.

E/08/130 **DISCLOSURE OF ANY EXEMPT INFORMATION**

It was noted that supporting documentation at Appendix C to the report of the Portfolio Holder for Safer and Stronger Communities referred to in Agenda Item No. 18 contained information which was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972. Accordingly the Executive agreed that should there be a need to consider this document it could not be dealt with in the public part of the meeting and therefore the press and public would need to be excluded from the meeting during its consideration.

E/08/131 **PETITIONS**

The Chairman announced that no petitions had been referred to this meeting.

E/08/132 **PUBLIC PARTICIPATION**

The Chairman announced that there were two requests from members of the public to speak in accordance with the Scheme of Public Participation to be dealt with at the start of the relevant agenda item:

Item 11 - RSS14: East of England Regional Spatial Strategy Single Issue Review Consultation - Planning for Gypsy & Traveller Accommodation: Proposed Changes (April 2009) – Mr & Mrs Clarke from Stotfold

Item 18 – BEaR Project Land Purchase Option Agreement – Councillor Holden, Ampthill Town Council on behalf of the Joint Councils Group.

E/08/133 **VARIATION OF BUSINESS**

The Chairman agreed to take agenda item 11 - RSS14: East of England Regional Spatial Strategy Single Issue Review Consultation - Planning for Gypsy & Traveller Accommodation: Proposed Changes (April 2009) and agenda item 18 – BEaR Project Land Purchase Option Agreement as the first items of business due to the number of people in attendance.

E/08/134 **RSS14: EAST OF ENGLAND REGIONAL SPATIAL STRATEGY SINGLE ISSUE REVIEW CONSULTATION - PLANNING FOR GYPSY & TRAVELLER ACCOMMODATION: PROPOSED CHANGES (APRIL 2009)**

Prior to consideration of the report and in accordance with the Scheme of Public Participation the Executive received a statement and comments from Mr & Mrs Clarke from Stotfold relating to consideration of gypsy and traveller accommodation in Central Bedfordshire.

Responding to the points raised in Mr & Mrs Clarke's statement the Portfolio Holder for Sustainable Development stated that as a matter of course Committee meetings should be open to the public, except where there is a need to consider personal information or confidential commercial matters. Whilst it would be for the new Council following the elections in June 2009 to decide on how this matter will be handled, the criteria on the suitability of traveller and gypsy sites would be publicised and site visits would be held.

The Portfolio Holder for Sustainable Development then presented his report relating to the Council's response to the Secretary of State's Proposed Changes to the single issue review of RSS14 relating to Gypsy and Traveller accommodation across the East of England. The deadline for the document's consultation was 22 May 2009.

The Executive's attention was drawn to a typographical error in the report. The number of pitches should read 8 not 10 as stated at Paragraph 11 on page 11/5.

The Portfolio Holder advised the Executive that the report before it had been considered by the Local Development Framework Task Force on 23 April 2009 and the notes of this meeting had been circulated to all Members with the Chairman's Briefing Notes. Also circulated with the Chairman's Briefing Notes were the draft minute from a meeting of the member Steering Group for the Joint LDF for Luton and the former South Bedfordshire area held on 24 April 2009 and a paper setting out comments and concerns from Councillor Tom Nicols.

Councillor Nicols spoke about his concerns, as set out in the paper circulated with the Chairman's Briefing Notes. He also made reference to Gypsies and Travellers being referred to as a 'deprived community' and as such the Government should be making additional funding available to the Council so that their needs can be addressed.

As a result of comments about pitch size the Interim Head of Development and Planning explained that there was no Government guidance on this issue. Informal guidance suggests that a pitch be large enough to accommodate two caravans and parking for visitors.

The Executive then considered the recommendations set out in the submitted report. The Portfolio Holder for Sustainable Development advised the Executive that he was proposing to make a number of amendments to the recommendations which, following a lengthy debate, were supported.

The formula used for increasing the number of additional pitches in Bedfordshire by 2011 from 85 to 105, as set out in the report and in the tabled letter from Go-East, in response to the authority seeking clarification on the formula, was felt to be flawed. In light of the most up to date information the Executive considered that the level of need was not justified. Objection was then raised to pitches be treated as minima as Members considered it would lead to uncertainty for gypsies and travellers, as well as the settled community. Whilst not accepting the increase in pitch numbers, a split of pitches between the former Mid Bedfordshire area and the former South Bedfordshire area was accepted until such time as the two separate Local Development Frameworks were combined.

The Executive supported the flexibility within the RSS to determine longer term need for pitches through a review of Gypsy and Traveller Accommodation Requirements

Members raised objection about there being a need to separate transit requirements for Central Bedfordshire and Luton. It was also felt that new policy H4A, which sets out the requirement to accommodate Travelling Showpeople pitches, should be based on meeting recognised historical need in the area.

The Executive supported the flexibility within the RSS to determine longer term need for pitches through a review of Gypsy and Traveller Accommodation Assessments.

Objection was also raised to the proposals that Local Development Documents should consider the need for rural exception sites and alteration of the Green Belt Boundaries. The Executive agreed that the needs of Gypsies and Travellers was not solely a rural issue and that both urban and rural areas have the same obligations to address their needs.

The Executive concluded by expressing its concern at the methodology the Department for Communities and Local Government had used to determine the requirements for Gypsy and Traveller accommodation.

Reason for decision: To gain the Executive's formal endorsement of the Council's response to the Proposed Changes and for Executive to agree the way forward on the delivery of Gypsy and Traveller pitches in Central Bedfordshire.

RESOLVED:

1. **That in its response to the Proposed Changes to the Single Issue Review, the Executive:**
 - (a) **Objects to the additional requirement for Gypsy and Traveller pitches in the former South Bedfordshire and former Mid Bedfordshire areas on the basis that, in the light of the most up to date information, the level of need has not been justified.**
 - (b) **Strongly objects to the Secretary of State's proposals that the figures be regarded as minima, on the basis that to do so would lead to uncertainty for both gypsies and travellers and the settled community alike.**
 - (c) **Whilst not accepting the increase in pitch numbers as noted in (a) above, accepts a split of pitches between the former Mid Bedfordshire area and the former South Bedfordshire area, as recommended in the Panel Report, until such time as the two separate Local Development Frameworks are combined.**
 - (d) **Rejects the proposed change to combine the delivery of pitches as a Central Bedfordshire total and continues to support the delivery of pitches in the two separate Development Plan Documents for the former Mid Bedfordshire and former South Bedfordshire areas, in line with existing Council policy and transition regulations.**
 - (e) **Supports the flexibility within the RSS to determine longer term need for pitches through a review of Gypsy and Traveller Accommodation Assessments.**
 - (f) **Objects to the need for separate transit requirements for Central Bedfordshire and Luton.**
 - (g) **Notes the addition of new policy H4A but considers that local authorities should accommodate Travelling Showpeople pitches to meet recognised historic, local need.**
 - (h) **Opposes the proposals that Local Development Documents should consider the need for rural exception sites and alteration of Green Belt boundaries.**

2. That this Executive expresses (a) its concern at the methodology the Department for Communities and Local Government has used to determine the requirements for Gypsy and Traveller accommodation; and (b) its view that all local authorities, both urban and rural, have the same obligation to address the needs of Gypsies and Travellers.

NOTE: This decision is urgent and exempt from call-in as Go-East had indicated they were unable to extend the consultation period and could not guarantee that comments received after 22 May could be taken into account. Any delay caused by the call-in process could result in the Council's views on the Gypsy and Traveller pitch numbers for Central Bedfordshire not being taken into account and could therefore seriously prejudice the Council's or public's interest.

E/08/135

BEaR PROJECT LAND PURCHASE OPTION AGREEMENT

Prior to consideration of the report and in accordance with the Scheme of Public Participation the Executive received a statement and comments from Councillor Holden, Ampthill Town Council on behalf of the Joint Council's Group relating to the Executive's consideration of the BeaR Project at this meeting.

The Executive then considered the report by the Portfolio Holder for Safer and Stronger Communities proposing the signing of the option agreement to secure the preferred site for a waste treatment plant at Rookery South Pit near Stewartby. In doing so and upon all conditions of the option being met, the capital investment to exercise the option would be committed.

The Portfolio Holder explained that the option agreement was a legally binding agreement between the authority and the landowner. It commits the landowner to sell the land to the authority on a freehold basis once the conditions of the option, as detailed in the report, had been delivered. It would also commit the authority to purchase the land once the conditions have been met. It was noted that the actual capital payment for the freehold purchase of the land would not take place for a number of years. This would only occur when the option agreement was exercised. The only expenditure that would be committed at this stage was £1.

The Executive noted that a key deliverable of the project was to provide a site to bidders to ensure that companies who do not own sites in the area are still able to bid on the project. Whilst bidders do not have to use the site, planning permission for any other site would have to be secured.

Councillor Summerfield, speaking as the local member for Ampthill and Millbrook, spoke about residents' concerns regarding the implications of a possible incinerator. He explained that residents were concerned about the height of the exhaust fumes chimneys and whether the gases from the chimneys would go over the Greensand Ridge. There was also concern about the impact of additional traffic in the area and the impact that this would have

on residents. In light of these concerns Councillor Summerfield asked the Executive to defer making a decision until the matters had been addressed.

The Portfolio Holder for Safer and Stronger Communities, whilst acknowledging Councillor Summerfield's concerns and those raised by Councillor Holden on behalf of the Joint Council's Group, explained that deferring making a decision would not change the need to move forward with the signing of the options agreement. It was imperative that a decision to proceed was not delayed given that the Government had announced that landfill tax is to continue to be imposed past 2011. If current waste management methods continued the Council could face a bill of up to £220M.

The Director of Sustainable Communities reminded members that the project was site and technology neutral. A planning application could only be submitted once the project had been through the procurement process and the technology had been chosen. A planning application would be submitted in due course which would pick up on all site issues including consultation with residents. He stressed that whatever method was chosen stringent waste emission directives would have to be met. It was noted that whilst the aim of the project was to provide a facility for Bedfordshire and Luton waste, a bidder may put forward a variant bid to bring in waste from other areas.

The Director of Sustainable Communities, responding to comments from Members, explained that the whole procurement process was about getting value for money. Giving all potential bidders a level playing field by offering them a site would ensure maximum market interest and thus be in the best interests of the community. Ultimately the Authority would be in the best possible position by owning the site both in the short term and in the longer term.

Reason for decision: To allow the option agreement to be signed and the land secured in a legally binding agreement between the Authority and the land owner. This would enable the Partnership to offer a site to bidder's thereby encouraging competition and preventing bidders with land holdings in the area from having an unfair advantage.

Signing an option agreement would also provide clear evidence to the Project Review Group (PRG) that the land was secure, enabling the project to attract PFI funding.

Although the land deal has been agreed to Heads of Terms status, delegated authority was requested to enable any small changes to be made without the need to report back to the Executive thereby preventing additional delay to the project.

RESOLVED:

- 1. The Executive notes that by signing the option agreement the Authority is committing to purchase the site on a freehold basis subject to:**
 - (a) the successful bidder electing to utilise the site; and**

- (b) **planning permission being granted for the proposal.**
- 2. **That the Directors of Sustainable Communities and Corporate Resources, in consultation with the Portfolio Holders for Safer and Stronger Communities and Corporate Resources, be given delegated authority to:**
 - (a) **finalise negotiations with the landowner in line with the approximate costs detailed within the submitted report and to authorise the signing of the option agreement on behalf of the Council; and**
 - (b) **continue dialogue with the other Partnership members to obtain agreement on the cost share for approval by members later in the procurement process.**

THE EXECUTIVE ADJOURNED AT 11.47AM AND RE-CONVENED AT 12.02PM

E/08/136 GRANT AID

The Executive considered a report from the Portfolio Holder for Safer and Stronger Communities setting out proposed criteria for the awarding of Grant Aid.

The Portfolio Holder referred to correspondence received from John Gelder, Director of the Voluntary and Community Action group about involvement and consultation on the proposed criteria with the voluntary sector. The Executive were advised that the proposed criteria were an interim arrangement, based on the existing schemes of the former district councils, which avoided delaying the issuing of grants for applications already received. It was suggested that the appropriate Overview and Scrutiny Committee should be asked to look at a more permanent grant aid scheme for the forthcoming year. It was noted that the voluntary sector would be fully involved as part of an overall review of payments to the voluntary sector to be carried out later in the year.

Reason for decision: To obtain Executive approval for the proposed criteria for the Central Bedfordshire grant aid schemes.

RESOLVED:

1. **That the proposed criteria for the Central Bedfordshire grant aid schemes as set out in Appendices B1, B2 and B3 of the submitted report be approved as an interim arrangement.**
2. **That the relevant Overview and Scrutiny Committee be requested to consider the mechanisms and criteria for a more permanent grant aid scheme.**

E/08/137

APPOINTMENT OF LOCAL AUTHORITY SCHOOL GOVERNORS

The Executive considered a report from the Portfolio Holder for Children, Families and Learning proposing an extension to the terms of office of existing local authority school governors initially until 31 August 2009. The report also proposed a process for then reviewing the mechanism for the appointment of local authority governors to school governing bodies in Central Bedfordshire following the election in June 2009.

Reason for decision: To begin the process for appointing local authority school governors to schools across Central Bedfordshire in good time for the governors to assume their responsibilities on 1 September 2009.

RESOLVED:

- 1. That the Deputy Chief Executive/Director of Children, Families and Learning in consultation with the Portfolio Holder for Children, Families and Learning and group leaders be given delegated authority to:**
 - (a) extend the terms of office of all local authority governors currently in place across Central Bedfordshire until 31 August 2009; and**
 - (b) agree the process for appointing local authority governors to school governing bodies across Central Bedfordshire, for a new four-year term beginning 1 September 2009.**
- 2. That the Monitoring Officer report to the Council's Annual General Meeting on 18 June 2009 on the 'in principle' allocation of governor places in line with overall political proportionality on the new Council.**

E/08/138

SCHOOL ADMISSIONS FORUM - MEMBERSHIP

The Executive considered a report from the Portfolio Holder for Children, Families and Learning proposing amendments to the membership of the Admissions Forum that was agreed by Shadow Executive on 28 October 2008, following new regulations and a new School Admissions Code which came into force in February 2009.

Reason for decision: So that the terms of reference of the Admissions Forum comply with the revised membership requirements in the new regulations and Code.

RESOLVED:

- 1. That the amended terms of reference for the Admissions Forum as set out in Appendix A of the submitted report be approved,**

including a revised membership and role, in compliance with the new regulations and Admissions Code.

- 2. That the Monitoring Officer, in consultation with the Portfolio Holder for Children, Families and Learning and the Deputy Chief Executive/Director of Children, Families and Learning, be given delegated authority to approve any future minor amendments to the Admissions Forum's membership arrangements where these have been recommended by the Forum itself.**

E/08/139

MEMBERS' ICT PROVISION POLICY

The Executive considered a report from the Portfolio Holder for Corporate Resources proposing arrangements for the provision of elected members' ICT within Central Bedfordshire Council post June 2009.

The submitted report set out proposals to provide a fully featured Council provision of ICT for members whilst offering a suitable flat rate allowance for those members who wished to continue with their own ICT provision. It was clarified that for those members who wished to provide their own ICT equipment, a total payment of £800 would be claimable against receipts during a four year period, reflecting the costs of equivalent Council provision; paragraph 14 refers.

Reason for decision: To specify the ICT provision that will be made available to elected members after the June 2009 elections in order to allow officers to migrate all elected members from the arrangements of the predecessor authorities to new arrangements for Central Bedfordshire Council.

RESOLVED:

That the proposed Members' ICT provision as set out in paragraphs 8 to 23 of the submitted report be approved.

E/08/140

MILTON KEYNES AND CENTRAL BEDS MEMORANDUM OF UNDERSTANDING ON JOINT WORKING FOR THE SOUTH EAST EXPANSION AREA

The Executive considered a report from the Portfolio Holder for Sustainable Development outlining the details and purpose of the Memorandum of Understanding on Joint Working with Milton Keynes Council regarding the growth of Milton Keynes in the South East Strategic Development Area (SE SDA).

The Government published the final South East Plan on 6 May 2009 providing for the delivery of 5,600 houses in Central Bedfordshire. The Executive agreed that the Authority should continue to argue that the appropriate figure was 2,000 houses even though this had not been accepted by the Secretary of State.

It was noted that endorsing the joint working arrangements, as set out in appendix A to the submitted report, would enable the Council to make further progress on master planning for the SE SDA and show the Authority's commitment to the principle of joint working as set out in the Central Bedfordshire Core Strategy.

A non-Executive member questioned the joint working arrangements on the Member Reference Group. The Portfolio Holder for Sustainable Development reported that Reference Group at its last meeting had changed its terms of reference and that post June the member representative on the Group would be the Portfolio Holder for Sustainable Development or his/her nominee.

Reason for decision: To seek Executive's formal endorsement of the arrangements for joint working through a Joint Memorandum of Understanding with Milton Keynes Council.

RESOLVED:

That the Joint Memorandum of Understanding as set out in Appendix A to the submitted report be endorsed as the basis for an agreement on joint working arrangements to support, implement and fund the production of a development framework for the whole of the Milton Keynes South East Strategic Development Area.

E/08/141

MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME

The Executive considered a report from the Portfolio Holder for Sustainable Development proposing a Minerals and Waste Local Development Scheme (LDS) for submission to the Secretary of State.

Members were advised that the Minerals and Waste LDS sets out what documents are to be produced, and the timetable for their production, in respect of the provision of mineral extraction and waste management facilities. These documents were important as they would provide the basis for decisions as to whether developments are permitted.

Reason for decision: A revised Minerals and Waste Local Scheme is required by the Transition Regulations. The Scheme will reflect the changes brought about by changes to national policy guidance and Local Government Reorganisation, and to comply with the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008.

RESOLVED:

- 1. That the Central Bedfordshire Minerals and Waste Local Development Scheme as set out in Appendix A to the submitted report 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 consultation with the Portfolio Holder for Sustainable Development, be authorised to make any changes to the Central Bedfordshire Minerals and Waste**

Local Development Scheme both prior to submission, and in response to any comments made by GOEAST and the Secretary of State.

E/08/142

COUNCIL HOUSING RENT INCREASE FOR 2009/10

The Executive considered a report by the Portfolio Holder for Social Care, Health and Housing proposing that the annual rent increase for council housing should be reduced to an average increase of 3.168% in line with the Government's more recently published, and revised, guideline rent increase for 2009/10. It was recommended that this increase be applied from the 29 June 2009, and the full year effect of a 3.168% average increase to be payable over the remaining 37 rent weeks of the year 2009/10.

The Portfolio Holder for Social Care, Health and Housing explained that this was an unprecedented situation. as a result of the Government's decision on 6 March 2009 to invite authorities to bid for additional subsidy. The proviso was that authorities had to revisit the level of rents set and reduce them by that amount. Whilst the reduction in the rate of increase was welcomed the decision had resulted in significant additional work to recalculate rents and benefit entitlements etc. However, the prompt action taken, as detailed in the submitted report, would alleviate hardship for some tenants, but be neutral in its effect to the Housing Revenue Account (HRA) and would not alter the medium term viability of the HRA.

In noting that letters providing 4 weeks notification of the rent increase would be sent out in due course Members asked that the letter make clear that responsibility for the change in rent increase lay with the Government not Central Bedfordshire Council.

The Executive was advised that the Government's Final Determination was due for publication in early May and there was a statutory requirement for 4 weeks notification to tenants' of the rent increase. The decision of the Executive was therefore exempt from call-in as it would seriously prejudice the Council's and also the public interest. Tenants would pay marginally more rent each week for the remaining rent weeks of the year, for each week that the annual rent increase is not implemented. Cases of individual hardship could result and performance on rent collection could be adversely affected.

Reason for decision: So that the annual rent increase for council housing can be implemented, the proposed increase for 2009/10 because on the 6th March 2009, the Government announced that it was reducing the guideline rent

increase from an average of 6.2% to an average of 3.1% on a national basis. There is a statutory requirement for 4 weeks notice to be given.

RESOLVED:

1. **The Executive approves an amended rate of increase for Council rents to the rate of increase that was originally approved by Council on 26 February 2009, as follows:**
 - (a) **that the rate of increase is in principle reduced from an average of 6.2 per cent. to an average of 3.168 per cent. in accordance with the Government's Rent Convergence Policy and published Draft Housing Revenue Account (HRA) Determination;**
 - (b) **that the increase is in principle applied from 29 June 2009, and the full year effect of a 3.168% per cent. average increase is payable over the remaining 37 rent weeks of the year 2009/10.**
 - (c) **that the Directors of Social Care, Health and Housing and Corporate Resources, in consultation with the Portfolio Holders for Social Care Health and Housing and Corporate Resources be given delegated authority to determine and approve the precise level of rent increase and the exact date from which the increase shall apply, once the Government has published its final HRA Determination, provided that the budget position overall remains unaltered and the approach is consistent with the position and intent set out in the submitted report.**

2. **That the Executive notes that the effect of the reduced rate of increase in council rents is neutral to the Council's Housing Revenue Account, which continues to be viable for a period of not less than 15 years, as set out in the Budget reports to the Shadow Executive and Council in February 2009.**

NOTE: This decision is exempt from call-in as the Government's Final Determination is due for publication in early May and there is a statutory requirement for 4 weeks notification to tenants of the rent increase. Call-in would seriously prejudice the Council's and also the public interest. Tenants would pay marginally more rent each week for the remaining rent weeks of the year, for each week that the annual rent increase is not implemented. Cases of individual hardship could result and performance on rent collection could be adversely affected.

The Executive considered a report from the Portfolio Holder for Business Transformation setting out progress on the post vesting day transformation arrangements as agreed at the last meeting of the Executive on 14 April 2009.

Introducing her report the Portfolio Holder for Business Transformation reported that she was proposing to change the name of the Consolidation Plan to 'Business Improvement Plan' as this better reflected activities being undertaken towards transformation of the Authority.

The Executive in considering the report noted that the latest financial position showing the actual, committed and planned expenditure against the revised transitional budget (as reported to the meeting of Shadow Executive on 20 January) was not available and would now be presented to the next meeting of the Executive on 23 June 2009.

RESOLVED:

- 1. That a report be made to the next meeting of the Executive on the Business Improvement Plan proposals.**
- 2. That the transition budget monitoring follow the normal financial budget monitoring arrangements of the Authority.**

E/08/144

SUSTAINABLE COMMUNITIES ACT 2007

Under the provisions of Executive procedure Rule 9.4 the Executive considered the specific request of Councillor David Lawrence on whether any proposals would be put forward by Central Bedfordshire Council under the Sustainable Communities Act 2007. To assist the Executive in its deliberations a briefing note had been submitted by the Director of Sustainable Communities on making use of the provisions of the Act.

Councillor Lawrence introducing his request suggested that the Authority might like to consider putting forward a bid under the Act for an electric vehicle programme, making use of the technology available in the area including the expertise of Cranfield University.

The Executive recognised the potential benefits that could be derived for the new Authority from making use of the Act, but was mindful of the tight time frame for submitting proposals to Government, 31 July 2009. It was acknowledged that when the Act came out in October 2008 the Shadow Authority had announced that in the lead up to the creation of the new Authority in April 2009, and because what could be achieved was limited, it was not a priority for taking forward; the outgoing authorities had taken the same stance.

Whilst acknowledging that the time period was tight the Executive agreed that there was merit in looking at opportunities that could be derived for Central Bedfordshire from the Act. Recognising that the criteria required ideas to be community led, officers were tasked with investigating the Act more widely and looking at what could be done, with the aim of generating ideas/proposals from the community.

During the ensuing discussion the Chairman referred to the Venture Day that was being held at Cranfield University on 14 May 2009 and suggested that

Councillor Lawrence may wish to attend the event to see if the University has a project such as the electric vehicle suggestion under way.

RESOLVED:

1. **That Councillor David Lawrence be requested to attend the Venture Day at Cranfield University on 14 May 2009.**
2. **That the Director of Sustainable Communities be requested to :**
 - (a) **report to the next meeting of the Executive on Councillor Lawrence's suggestion regarding an electric vehicle programme including investigating the Act more widely and seeking proposals from the community to bid or otherwise under the Sustainable Communities Act 2007; and**
 - (b) **write to the Local Government Association informing them at this stage of the possibility of a bid.**

E/08/145

LUTON GATEWAY: COMPANY INCORPORATION AND BOARD MEMBERSHIP

The Executive considered the report of the Portfolio Holder for Sustainable Development proposing the next steps in the establishment of Luton Gateway as the local delivery vehicle serving Luton/Dunstable/Houghton Regis and Leighton Buzzard/Linslade growth area.

Members were advised that a Local Delivery Vehicle for the southern growth area had been a long established expectation of local councils in order to add capacity to support the delivery of sustainable growth. Central Bedfordshire was being asked to nominate two board directors and to authorise the signature of the incorporation documents to enable the company to be formally established.

It was noted that prior to implementation Luton Gateway will be required to present an annual delivery plan to a future meeting of the Executive for approval.

Reason for decision: To enable the incorporation of Luton Gateway, as the Local Delivery Vehicle in the southern growth area to proceed with Central Bedfordshire Executive agreement. The incorporation of the LDV was anticipated to occur before 1st April 2009 prior to Central Bedfordshire formation. As this had not occurred it was appropriate for the Central Bedfordshire Executive to resolve roles and contributions to Luton Gateway.

RESOLVED:

1. **That the Executive endorses:**
 - (a) **the progress being made to establish and incorporate Luton Gateway; and**

- (b) the proposal to present a full report and draft annual delivery plan to a future Executive meeting for approval.
2. That the Portfolio Holder for Sustainable Communities and the Leader of the Council or his/her nominee be appointed as directors on the Board of Luton Gateway.
 3. That the Directors of Sustainable Communities and Corporate Resources, in consultation with the Portfolio Holder for Sustainable Development, be given delegated authority to agree the company incorporation documents on behalf of the Council.

E/08/146 **AUDIT MINUTES - 6 APRIL 2009**

RESOLVED:

The Minutes of the meeting of the Audit Committee held on 6 April 2009 were received.

E/08/147 **FORWARD PLAN**

The Forward Plan for the period 1 June 2009 to 31 May 2010 was received.

E/08/148 **CHAIRMAN' S REMARKS**

As this was the last meeting of the Executive before the elections in June the Chairman paid tribute to Councillors and officers for their hard work and support during the setting up of Central Bedfordshire.

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.20 p.m.)