

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 23 June 2009.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr R Stay (Vice-Chairman)

Cllrs D Bowater
Mrs R J Drinkwater
A Fahn
Mrs C Hegley
M R Jones

Cllrs S F Male
K C Matthews
D McVicar
T Nicols
Mrs C Turner

Members in Attendance: Cllrs P N Aldis
P A Blaine
M Gibson
Ms A M W Graham
D Jones

Cllrs Mrs J G Lawrence
A A J Rogers
P Snelling
P Williams

Officers in Attendance:

Mr G Alderson	– Director of Sustainable Communities
Mrs C Carruthers	– Assistant Director Property & ICT
Mr R Ellis	– Director of Business Transformation, CBC
Mrs E Grant	– Deputy Chief Executive/ Director of Children, Families and Learning
Mr C Heaphy	– Director of Corporate Resources
Mrs J Keyte	– Community Safety Manager
Ms D Lester	– Senior Democratic Services Officer
Mrs S Moore	– Head of Public Protection (South)
Mrs B Morris	– Assistant Director Legal & Democratic Services and Monitoring Officer
Mrs J Ogley	– Director of Social Care, Health & Housing
Mr M Pratt	– Assistant Director Specialist Services
Mrs J Salisbury	– Interim Chief Executive
Mrs L Wade	– Assistant Director Economic Growth and Regeneration

E/09/1

MINUTES

RESOLVED:

That the Minutes of the meeting of the Executive held on 12 May 2009 were confirmed and signed by the Chairman as a correct record.

E/09/2 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

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

None.

E/09/3 **DISCLOSURE OF ANY EXEMPT INFORMATION**

There was no disclosure of exempt information.

E/09/4 **PETITIONS**

- (i) **Houghton Regis Liberal Democrats Petition, on behalf of residents, objecting to the allocation of Gypsy and Traveller sites in Houghton Regis and requesting the drawing up of alternative proposals – Petition handed in by Cllr D Jones on behalf of residents from Houghton Regis.**

Cllr Jones handed in a petition signed by 1259 people plus 91 people who had signed the petition online, objecting to the Executive of South Bedfordshire District Council on 13 January 2009 approving a report identifying six possible sites for Gypsy and Traveller pitches within its area. Of the sites identified, no less than three were located within the Parish of Houghton Regis. The petition objected to the disproportionate allocation of sites to Houghton Regis compared to the rest of the District area; the lack of any consultation; and the apparent disregard of the problems of the present settled community. The petition also contained a further 180 names from residents of the Wheatfield Road area of Luton, protesting specifically against the possible location of a site at Sandringham Drive which would be hard up against their rear fences.

Response from Cllr T Nicols, Portfolio Holder for Sustainable Development

The Portfolio Holder for Sustainable Development explained that in 2008 the former South Bedfordshire District Council commissioned consultants to help identify possible additional Gypsy and Traveller sites and travelling showmen yards in the area.

This followed publication in 2008 of a study which concluded that additional gypsy and traveller pitches were required across Bedfordshire and Luton. The needs study identified a requirement for up to 40 new gypsy and traveller pitches in southern Bedfordshire between 2006 and 2011 in order to clear the backlog of need and cater for household growth. Additional pitches being required to cater for housing needs post

2011. Additional work undertaken to inform the East of England Plan had subsequently increased this requirement to 50 additional pitches for southern Bedfordshire, this guidance had cross party support and was itself proposed by the Liberal Democrat Party. The results of which were then enacted as a formal housing obligation by the Secretary of State. The sites study identified the six possible sites for gypsy & traveller sites and two possible sites for travelling showmen and expansion and authorisation of the existing gypsy and traveller sites across the southern Bedfordshire area. The sites were selected; by independent specialist, according to Government criteria.

Cllr Nicols explained that no final decisions had been made of the location of any gypsy and traveller site that was identified in the study.

All sites which might be considered for future Gypsy and Traveller use would be subject to formal public consultation with the local community as part of the LDF consultation processes on the Gypsy and Traveller Development Plan Document. Formal consultation on this document was expected to begin towards the end of this year and would be widely publicised.

This consultation process would include a number of public meetings at which the Portfolio Holder for Sustainable Development would be present and available to answer public questions.

(ii) **Condition of Footpaths and Roads around the Townfield Road and Vicarage Hill, Flitwick – Petition handed in by Cllr S Male on behalf of residents from the estate.**

Cllr Male handed in a petition signed by 132 residents in Townfield Road and Vicarage Road, Flitwick. The petition called for the Council to take action to rectify the condition of the roads and footpaths around the estate which were considered to be in an unacceptable condition. He explained that the residents considered the footpaths to be in a terrible state contributable not only to numerous utility works but to tree roots which cause the pavements to crack.

Response from Councillor McVicar, Portfolio Holder for Safer and Stronger Communities

Cllr McVicar thanked Cllr Male for handing in the petition. He acknowledged that work to reconstruct both footpaths and carriageways as a result of wear and tear was an issue for many areas throughout the authority. Whilst the petition area was currently timed for implementation beyond the five-year programme of maintenance works the matter had been passed to the Highways Team for investigation as part of developing next years rolling programme of work. In having regard to the rolling programme of works, he undertook to review the particular problems in Townfield Road and Vicarage Hill, Flitwick and would endeavour to bring a report back to either the next or subsequent meeting of the Executive.

E/09/5 **PUBLIC PARTICIPATION**

There were no questions or statements from members of the public in accordance with the Scheme of Public Participation set out in Appendix A to the Public Participation Scheme.

E/09/6 **VARIATION OF BUSINESS**

The Chairman announced that she was going to take Agenda Item 13 – Developing Ultra Low Carbon Vehicles in Central Bedfordshire as the first item of business.

E/09/7 **DEVELOPING ULTRA LOW CARBON VEHICLES IN CENTRAL BEDFORDSHIRE**

Further to Minute No. E/08/144 of the Executive meeting held on 12 May 2009, the Executive considered a report of the Portfolio Holder for Sustainable Development setting out approaches to develop electric vehicles in Central Bedfordshire. The report also set out suggestions as to how the Sustainable Communities Act could facilitate the growth and delivery of this technology at local level.

Introducing the report the Portfolio Holder for Sustainable Development reminded the Executive that the report before it had been generated as a result of a specific request of Cllr Lawrence (Minute No. E/08/144 refers) on whether Central Bedfordshire would put forward any proposals under the Sustainable Communities Act 2007.

The submitted report comprised three parts - local activities; local car production; and actions and options for the Executive to consider under the Sustainable Communities Act.

The Executive recognised that significant amount of innovative and exciting activity was already going on across Central Bedfordshire, including work to promote low carbon vehicle business and research activity, which it fully supported. Members also recognised the importance of Millbrook Proving Ground continuing as a viable activity in the area and the need to increase public support for its retention and expansion.

The Executive noted that in looking at ideas for submission it must promote sustainable communities as defined in the Act and it must be something that the Government could do, and was not already doing. Recognising that ideas must be community led and being conscious of the vast amount of work already going on the Executive agreed that in parallel to considering what the authority could bid for it should have regard to input from the Local Strategic Partnership Carbon Reduction Group.

Reason for decision: The report is at the request to the Director of Sustainable Communities at the Executive meeting held on 12 May 2009.

RESOLVED:

1. ***That the Executive notes and supports work to promote low carbon vehicles business and research activity across Central Bedfordshire as detailed in the submitted report.***
2. ***That a Sustainable Communities Act 2007 bid be prepared for submission to the LGA to support a carbon reduction programme having had regard to input from the Local Strategic Partnership Carbon Reduction Group.***
3. ***That a further report be brought back to the next meeting of the Executive to prioritise short and longer term resource neutral actions that can be undertaken to support the development of ultra low carbon vehicle technologies.***

E/09/8

LUTON AND SOUTH BEDFORDSHIRE LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY - PREFERRED OPTIONS

The Executive considered a report from the Portfolio Holder for Sustainable Development detailing a proposed response to the Luton and South Bedfordshire Joint Technical Unit's consultation on the Preferred Options for the Luton and South Bedfordshire Local Development Framework Core Strategy.

Introducing the report the Portfolio Holder for Sustainable Development clarified that the Preferred Options set out the spatial development strategy for the area and associated policy. The Government's growth agenda required significant new development is delivered in the area. The Preferred Options paper would enable the authority to deliver and manage the Government's required growth levels for the area, ensuring delivery was carried out in the most sustainable way. The key objectives of the Preferred Options included the provision of a framework of strategic transport infrastructure; concentrating development within existing urban areas and the main conurbation first; strategic urban extensions; and, delivering locally appropriate rural development.

Reason for decision: The preferred options will provide for the growth requirements of the Luton and South Bedfordshire area in the most sustainable way.

RESOLVED:

That the Executive supports the Luton and South Bedfordshire Core Strategy Preferred Options.

[Note: this decision is exempt from call-in as the Luton and South Bedfordshire Joint Technical Unit deadline for responses expired on 12 June. An extension to this deadline had been granted to enable the Executive to consider the preferred options. The decision was therefore urgent and exempt from call-in as any delay caused by the call-in process could result in the Councils views not being taken into account and prejudice the Councils interest.]

E/09/9

CONSULTATION ON THE FUTURE OF SPECIAL SCHOOLS IN THE EAST OF CENTRAL BEDFORDSHIRE

The Executive considered a report from the Portfolio Holder for Children's Services outlining options for the future for special schooling in the east of Central Bedfordshire in the light of recommendations of the SEN Review. An addendum to the report was also tabled setting out prospective numbers for Hitchmead and Sunnyside Schools for September 2009 as at 22 June 2009.

The Portfolio Holder for Children's Services advised the Executive that agreement was being sought to start a consultation process in the Autumn on the first stage of developing special schooling in the east of Central Bedfordshire. Whilst four options were identified, as detailed in the report, the consultation process allowed respondents to submit suggestions for consideration alongside the identified options.

The Executive noted that the decision to go out to consultation was the result of the recommendations of the SEN Review carried out by Bedfordshire County Council's Executive which were endorsed by the Central Bedfordshire Transition Task Force – Children, Young People and Families on 6 June 2008 endorsed the recommendations of the SEN Review. The Task Force also endorsed the concept of Area Special Schools, described in Appendix 1 of the submitted report.

Responding to comments and questions the Portfolio Holder advised the Executive that this was the first stage of the consultation process, consulting widely with a broad range of interested parties. Statutory consultation on any specific options would follow once a report had been brought back to the Executive outlining the responses and identifying preferred options.

In noting that a consultation process had already been set up to consult ward Members on the proposal, the Executive agreed that this should be broadened to include consultation with neighbouring ward Members. It was noted that the consultation document would be circulated to all Councillors.

Reason for decision: So that the Council discharges its duty to consult in order to secure the future of special school provision in an efficient way that meets the needs of children and young people with complex needs.

RESOLVED:

That the Council carries out a formal consultation on the options for the future of special schooling in the east of Central Bedfordshire during Autumn 2009, in order to inform the Executive's future decision making.

E/09/10 **FLITWICK DISPERSAL ORDER**

The Executive considered a report from the Portfolio Holder for Safer and Stronger Communities seeking consent for Bedfordshire Police to implement a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.

The Portfolio Holder advised that Bedfordshire Police had made an application for a Dispersal Order to cover the Coniston Road area of Flitwick to support a reduction in the number of incidents in the town centre area. The order had been requested for a period of six months.

During consideration of the report, Members sought assurance that the supporting exit strategy for the Dispersal Order which identified diversionary activities that would be taking place in conjunction with the Dispersal Order, would be properly delivered.

Reason for decision: The Dispersal Order for Flitwick gives Bedfordshire Police additional powers to address long standing anti social behaviour issues in the area.

RESOLVED:

That Bedfordshire Police be given consent for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.

E/09/11 **INFORMATION GOVERNANCE AND SECURITY POLICY**

The Executive considered a report from the Portfolio Holder for Business Transformation seeking approval to an Information Governance and Security Policy which formed part of the Council's suite of information management policies which had been circulated with the Chairman's Briefing notes and replaced the report attached to the agenda papers.

The Executive noted the following changes that had been included in the revised report:-

- A new opening sentence had been added to the introduction of the Policy stating that "This Policy sets a new culture of information use in Central Bedfordshire, with the Council operating to a default principle of its information being open, transparent and in the public domain – except where for legislative reasons, access to/use of information is restricted."
- A new opening sentence had been added to Responsibilities - Section 3 of the policy – stating that "The ultimate responsibility for ensuring open and transparent use of the Councils information rests with the Chief Information Officer (the Director of Business Transformation)."
- Annex A containing the Statement of Application of Information Management policies to elected Members set out in the original report

had been deleted. With the first three listed priorities being geared more towards staff, individual policies would be developed for Members for acceptable use; Information and Records Management; and Data Protection Policy.

It was noted that when taking the three Member policies referred to above through a future meeting of the Executive, a statement would also be included on implications for Members regarding Freedom of Information, Environmental Information Regulations and Re-use of Public Sector Information. It was further noted that because of the removal of the three Member policies referred to in recommendation C of the original report which sought approval of the Statement of Application of Information Management Policies to elected Members had been removed. A paragraph had been added to the covering report explaining that specific policies would be developed for Members in these three areas.

Reason for decision: Central Bedfordshire Council has a need to meet a number of national standards and legal requirements relating to information and its management. Compliance is ensured and evidenced through an approved suite of information management policies of which the Information Governance and Security Policy that is the subject of this report is one element. The Policy is also a prerequisite of the Government Connect Code of Connectivity (CoCo).

RESOLVED:

- 1. That the Information Governance and Security Policy, attached at Appendix A to the submitted report, be approved.**
- 2. That responsibility for the insertion of changes requested by the Executive be delegated to the Assistant Director Policy, Partnerships & Performance and the Assistant Director Property & ICT in consultation with the Deputy Leader and Portfolio holder for Business Transformation.**

E/09/12

PUBLIC PROTECTION STATUTORY SERVICE PLANS 2009-2010

The Executive considered a report from the Portfolio Holder for Safer and Stronger Communities proposing the approval of the Law Enforcement Service Plan 2009-2010, the Age Restrictive Sales Plan 2009-2010 and the Health and Safety (as a Regulator) Service Plan 2009-2010, together with a tabled addendum to the report detailing a number of typographical changes made to the Health and Safety Service Plan since publication of the agenda.

Reason for decisions: So that the Service continues to meet its obligations with respect to its relevant enforcement responsibilities in 2009-2010 in accordance with statutory guidance.

RESOLVED:

- 1. That the Food Law Enforcement Service Plan 2009-2010, the Age Restricted Sales Plan 2009-2010 and the Health and Safety (as a Regulator) Service Plan 2009-2010 attached as Appendices A, B and C respectively to the submitted report be approved.**
- 2. That the Assistant Director Community Safety and Public Protection, in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the plans prior to publication.**

E/09/13

BUSINESS TRANSFORMATION PROGRAMME - PROGRESS

The Executive considered a report from the Portfolio Holder for Business Transformation reporting on the Business Improvement Plan progress (formerly known as the Consolidation Plan) requested at the Executive meeting on 12 May 2009.

Introducing the report the Portfolio Holder emphasised that a key element in moving the new Council forward was embedding a business transformation culture throughout the authority. Business Transformation Champions had therefore been added to each of the three spending directorates to help embed this culture throughout the authority.

Reason for decision: So that the Executive can understand the scope and development of the Business Transformation Plan and monitor the progress on business improvement activities.

RESOLVED:

- 1. That the key activities in the development of the Business Transformation Plan be noted.**
- 2. That the longer term Business Transformation Strategy, including an update on progress made on the Business Improvement Plan and efficiencies identified, be brought to the Executive in the Autumn.**

E/09/14

DECISIONS TAKEN BY DIRECTORS ON GROUNDS OF URGENCY

The Executive received a report from the Leader of the Council detailing a decision taken by the Director of Business Transformation on grounds of urgency following consultation with the Portfolio Holder for Business Transformation.

Reason for decision: The procedure for reporting decisions (including urgent decisions) taken by Directors following consultation with the appropriate Portfolio Holder is set out in the Councils Constitution (H3 Scheme of Delegation to Directors, paragraph 3.5 and Appendix A). The Code of Practice

for taking such decisions required details of the decisions taken by Directors to be reported to the appropriate Committee.

RESOLVED:

That the report detailing a decision taken by the Director of Business Transformation on grounds of urgency be noted.

E/09/15

FORWARD PLAN

The Forward Plan for the period 1 July 2009 to 31 August 2010 was received.

(Note: The meeting commenced at 9.30 a.m. and concluded at 12.02 p.m.)