

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Devina Lester
direct line 01234 228857
date 15 June 2009

NOTICE OF MEETING

EXECUTIVE

Date & Time

Tuesday, 23 June 2009 at 9.30 a.m.

Venue

Council Chamber, Priory House, Monks Walk, Shefford

Jaki Salisbury
Interim Chief Executive

To: The Chairman and Members of the EXECUTIVE: - To be announced at the Council AGM on 18 June 2009

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for absence.

2. **MINUTES**

To approve as a correct record, the Minutes of the meeting of the Executive held on 12 May 2009 (attached at pages 2.1 – 2.16).

3. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item

4. **DISCLOSURE OF ANY EXEMPT INFORMATION**

To consider proposals, if any, to deal with any item likely to involve disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Local Government Act 1972 prior to the exclusion of the press and public.

5. **PETITIONS**

To receive the following petition in accordance with the Scheme of Public Participation set out in Annex 2 in Part 4 of the Constitution:

(i) **Proposed Plots for Gypsy and Traveller Sites in Houghton Regis**

A petition has been received from Councillor David Jones on behalf of residents in Houghton Regis objecting to the disproportionate allocation of gypsy and traveller sites to Houghton Regis and requesting the drawing up of alternative proposals.

6. **PUBLIC PARTICIPATION**

To deal with general questions and statements from members of the public in accordance with the scheme of public participation set out in Appendix A to the Public Participation Scheme.

REPORTS

Item	Subject	Page Nos.
7	LUTON AND SOUTH BEDFORDSHIRE LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY - PREFERRED OPTIONS To consider the Preferred Options for the Luton and South Bedfordshire Local Development Framework Core Strategy and respond to the consultation accordingly.	7.1 – 7.17
8	CONSULTATION ON THE FUTURE OF SPECIAL SCHOOLS IN THE EAST OF CENTRAL BEDFORDSHIRE The report outlines the options for the future of special schooling in the east of Central Bedfordshire in the light of the recommendations of the SEN Review, and asks the Executive to consider initiating a consultation on these options.	8.1 – 8.41
9	FLITWICK DISPERSAL ORDER The report proposes that the Executive give consent to Bedfordshire Police for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.	9.1 – 9.10
10	INFORMATION GOVERNANCE AND SECURITY POLICY This report seeks approval for the Information Governance and Security Policy which is the final policy document in the Council's suite of information management policies to be presented to the Executive. This Policy incorporates the Statement of Application of Information Management Policies to elected Members at Annex A to the Policy.	10.1 – 10.23
11	PUBLIC PROTECTION STATUTORY SERVICE PLANS 2009-2010 The report proposes the approval of 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.	11.1 – 11.77

12 **BUSINESS TRANSFORMATION PROGRAMME - PROGRESS** 12.1 – 12.6

To report on the Business Improvement Plan progress, (formerly know as the Consolidation Plan) requested at the Executive of the 12th May 2009.

13 **DEVELOPING ULTRA LOW CARBON VEHICLES IN CENTRAL BEDFORDSHIRE** 13.1 – 13.9

The report responds to the Executive for information and approaches to develop electric vehicles in Central Bedfordshire and suggests how the Sustainable Communities Act could facilitate the growth and delivery of this technology at local level.

14 **DECISIONS TAKEN BY DIRECTORS ON GROUNDS OF URGENCY** 14.1 – 14.3

To receive a report giving details of decisions taken by directors on grounds of urgency.

15 **FORWARD PLAN** 15.1 – 15.13

To receive the Forward Plan for the period 1 July 2009 to 31 June 2009 to be published on 15 June 2009 .

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.)

Agenda Item: 7

Meeting: Executive

Date: 23 June 2009

Subject: Luton and South Bedfordshire Local Development Framework : Core Strategy – Preferred Options

Report of: Portfolio Holder for Sustainable Development

Summary: To consider the Preferred Options for the Luton and South Bedfordshire Local Development Framework Core Strategy and respond to the consultation accordingly.

Advising Officer: Gary Alderson, Director of Sustainable Communities

Contact Officer: Richard Fox,

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

**Reason for urgency/
exemption from call-in** The Luton and South Bedfordshire Joint Technical Unit's deadline for responses expires on 12 June. An extension to this deadline has been granted to enable the Executive to consider the Preferred Options. This decision is therefore urgent and exempt from call-in as any delay caused by the call-in process could result in the Council's views not being taken into account and prejudice the Council's interest.

RECOMMENDATIONS:

- 1. that the Executive support the Luton and South Bedfordshire Core Strategy Preferred Options.**

Reason for Recommendations: The Preferred Options will provide for the growth requirements of the Luton and South Bedfordshire Area in the most sustainable way.

Background

1. The former Bedfordshire County Council, Luton Borough Council and former South Bedfordshire Council agreed to work together on formulating the planning and transportation policies required to deliver the Government's sustainable communities agenda for the Luton and South Bedfordshire growth area. It was necessary to establish two joint committees to fulfil these functions; a Section 29 Committee under the Planning and Compulsory

Purchase Act 2004 to develop the 'planning' aspects and a Section 101(5) committee under the Local Government Act 1972 to perform the Executive function of the preparation of the Local Transport Plan.

2. The Section 29 Joint Committee was formally established by statutory instrument in June 2007, although it had been in existence and operating since November 2005. The Committee was charged with the production of the joint Local Development Framework (LDF) for the two administrative areas.
3. Local Government Review in Bedfordshire required amendments to be made to the statutory provisions and constitutional arrangements to enable the continuation of joint working focussed on the designated growth area. These arrangements were agreed by the Central Bedfordshire Shadow Executive on 16 December 2008.
4. The Joint Technical Unit, comprising planning officers from Luton and Central Bedfordshire has been working on the LDF for Luton and the area formerly covered by South Bedfordshire Council. Forward planning for the remainder of Central Bedfordshire is carried out by the LDF team at Chicksands. Whilst the Luton and South Bedfordshire Core Strategy is being prepared by Central Bedfordshire planning officers, both Luton Borough Council and Central Bedfordshire Councils are statutory consultees on the document and the consultation exercise could be flawed without seeking the views of the host authorities. This is the purpose of this report.

Luton and South Bedfordshire Core Strategy

5. The Core Strategy is one of the Local Development Documents (LDDs) that are part of the LDF. The Core Strategy is a strategic level document providing the spatial vision and principles to be built upon in later, in more detailed, parts of the LDF. These will expand on the principles of the spatial vision and principles of the Core Strategy and will include detailed policy guidance to enable specific decisions on planning applications to be made.
6. In 2007 a consultation exercise was undertaken on the Core Strategy Issues and Options Paper which set out various strategic spatial options to secure the implementation of the growth allocated to this area. The Preferred Options document represents the next stage in the process and sets out preferred policy approaches for delivering this growth through a spatial vision and set of spatial principles, taking into account different technical evidence streams, public consultation responses and sustainability appraisal findings. The document aims to set out broad policy approaches and outline the processes undertaken to reach them. It is not meant to include the precise policy wording that the final Core Strategy will contain, this is anticipated in late 2009.

The Preferred Options

7. The Luton and South Bedfordshire Core Strategy Preferred Options Summary Document is appended. It sets out the spatial development strategy for the area and associated policy. The Government's growth agenda requires that significant new development is delivered in this area. The key objectives of the Preferred Options include 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. The three preferred urban extensions are north of Houghton Regis, delivering around 7,000 homes, north of Luton providing 4,000 homes and east of Leighton Buzzard delivering approximately 2,500 homes. The Joint Committee also propose that 5,500 homes should be provided to the east of Luton in North Hertfordshire. The full document can be viewed at www.shapeyourfuture.org.uk.

Consultation Response

8. The location of new development across the southern part of Central Bedfordshire District and Luton Borough will have a major impact on sustainability. By integrating the provision of new development including, homes, employment and social/community infrastructure uses with high quality public transport, particularly in the form of the Luton and Dunstable Guided Busway, this will help to shape both new development and future travel patterns in a highly sustainable way. Taking an integrated approach to the provision of new development and its associated sustainable transport linkages is probably the most powerful way in which the planning system can contribute to environmental sustainability as well as sustainable communities generally.
9. The Milton Keynes South Midlands Sub Regional Strategy (MKSMSRS) and the East of England Plan Regional Spatial Strategy (RSS) allocate significant growth to this area; the former also identifies areas of search for potential Green Belt review in order to accommodate sustainable strategic urban extensions. Generally speaking the areas of search for such urban extensions lie to the north-west, and north of Dunstable, north of Houghton Regis and Luton, east of Luton (in North Hertfordshire District) and around Leighton Buzzard and Linslade.
10. These areas of search have been investigated further in the preparation of the Core Strategy and two preferred strategic urban extensions on the northern fringe of the main conurbation have emerged. Additionally, one smaller scale strategic urban extension is preferred to the east of Leighton Buzzard. A further preferred direction of growth has been identified. This lies to east of the main conurbation and mostly lies in North Hertfordshire District. The North Hertfordshire District Local Development Framework will progress the planning of this growth with the Joint Committee inputting where and when appropriate. The MKSMSRS and the RSS also set out a sub-regional approach to the

delivery of urban regeneration, transport and the safeguarding of rural areas from inappropriate development.

11. This Core Strategy develops the regional and sub-regional approach at the next level by setting out a spatial approach to the delivery of sustainable growth across southern Bedfordshire up to 2031 in a timely way that meets the needs of all in the area now and in the future. The Growth area is defined as comprising the main conurbation of Luton, Dunstable and Houghton Regis, and the market town of Leighton Buzzard and Linslade, together with any preferred urban extensions of these settlements. It is also likely that some appropriately scaled growth will go to main rural settlements.
12. The first choice location for growth related development is within existing urban areas thereby making full use of previously developed land and buildings. This approach will ensure these areas remain vibrant in decades to come. Priority will be given to the main conurbation before Leighton Buzzard and Linslade owing to its higher levels of existing and potential sustainability and to maximise the opportunities for new development to support and enable its regeneration.
13. However in the light of the amount of growth Luton and southern Bedfordshire needs to accommodate up to 2031 not all of it can be accommodated within existing urban areas. The evidence demonstrates that concentrating development that cannot be accommodated within existing urban areas in urban extensions is the most sustainable strategic spatial strategy approach to pursue. This approach enables the new development to benefit from all that the existing urban areas have to offer, including public transport, whilst at the same time being of direct regenerative benefit to those same existing urban areas. Growth of the main conurbation in the east of the Growth Area in this way offers the opportunity for the most sustainable urban extensions generally thereby enhancing the overall pattern of sustainability for the growth area as a whole.
14. The evidence demonstrates the need to consolidate and develop Luton as the sub-regional centre serving southern Bedfordshire and adjoining areas. The spatial strategy is accordingly orientated towards this objective. It is also important to safeguard the future of Dunstable, Leighton Buzzard and Houghton Regis town centres. The evidence illustrates the significant role these subsidiary centres play in serving their local communities which also need to be nurtured. To this end the Core Strategy seeks to allocate appropriate levels of commercial and other development in these centres to ensure their continued vibrancy.
15. It is important to ensure that the rural settlements of the Growth Area continue to meet the local needs of the communities they serve. The Core Strategy seeks to ensure this happens by identifying such settlements where appropriately scaled development potential may exist.

16. In order to safeguard the countryside, the evidence shows it is appropriate for the Core Strategy to limit development outside those principal settlements referred to above. The reason for this are three fold:

To ensure the most sustainable pattern of development is delivered;

To help support and secure the regeneration of existing areas; and

To protect the countryside.

- 17 Associated with this is the need to ensure that the recast Green Belt, with its new boundaries following the provision of land for urban extensions, has a defined role.

Conclusion

18. It is considered that the Preferred Options deliver the required growth levels for the area in the most sustainable way and should be supported for these reasons.

CORPORATE IMPLICATIONS

Council Priorities:

Delivery of the Local Development Framework is a statutory duty of the Council.

Financial:

None

Legal:

The Core Strategy when adopted will be part of the statutory development plan for the area.

Risk Management:

Failure to support the Preferred Options may lead to delay and uncertainty in the preparation of the Core Strategy and make the Council potentially vulnerable to unwelcome planning applications.

Staffing (including Trades Unions):

None

Equalities/Human Rights:

An equality impact assessment has been undertaken as part of the development of the framework in order to ensure that the needs of local communities are fully understood in relation to the provision of new development including, homes, employment and social/community infrastructure and public transport. The engagement process is in accordance with the Statement of Community Involvement and will allow monitoring of responses to be analysed in terms of gender, race and ethnicity, age, sexual orientation, and disability.

Community Safety:

This is a theme considered in the Preferred Options.

Sustainability:

Sustainability is an overarching consideration in the preparation of the Core Strategy

Appendices:

Appendix A – Luton and South Bedfordshire Joint Committee Core Strategy :
Preferred Options Summary Document

Background papers (open to public inspection)

Location of papers: Priory House, Chicksands

Luton and South Bedfordshire Joint Committee
Local Development Framework

Core Strategy: Preferred Options Summary Document

April 2009



...shape your future...

1. INTRODUCTION

In 2007, the Luton and South Bedfordshire Joint Committee sought views on the delivery of development, to help inform future planning. Options sought to respond to some of the challenges this area faces. The Joint Committee want your views on its preferred options.

2. BACKGROUND

The Government's growth agenda requires that significant new development is delivered in Luton and southern Bedfordshire. In total, we need to The Committee is planning for **43,000** new homes between 2001 and 2031, and **35,000** new jobs, together with significant new supporting infrastructure.

The Core Strategy is the first planning document to address this agenda. Earlier public consultation and over twenty technical studies have informed this document.

This leaflet is seeking views on the document to help the Committee plan growth sustainably. The full document: *The Luton and South Bedfordshire Joint Committee Core Strategy: Preferred Options April 2009*, and associated questionnaire are available to view online at www.shapeyourfuture.org.uk. We encourage you to read this and complete the questionnaire.

3. THE SPATIAL STRATEGY: A SUMMARY

A key matter for the document is where should development go. The resulting Spatial Development Principles and associated policy, taken from the full document, is set out below for your consideration.

A) A Framework of Strategic Transport Infrastructure

To deliver sustainable development, it is important to ensure as much as possible is accessible by public transport and other alternatives to the private car as well as responsibly planning for car use.

Therefore, new public transport infrastructure is required including:

- The Luton-Dunstable Busway; and
- Public transport interchange points in town centres, particularly in the 'main conurbation' of Luton, Dunstable and Houghton Regis.

B) Concentrating Development within existing urban areas and the Main Conurbation first

In existing urban areas opportunities exist for new development, particularly residential, thereby minimising development of countryside. Therefore an 'urban area first' principle is preferred.

Development should be focused on the 'main conurbation' because most existing services and facilities are located there, it also offers the greatest potential for efficient public transport use and new employment. Leighton Buzzard and Linslade should benefit from new development at a smaller scale as they represent a smaller urban area with fewer services and facilities.

The Strategy states that 60% of all new residential development should be existing urban areas up to 2021, with 40% thereafter up to 2031. Indeed, up to the year 2012/13, most new residential development will be in those areas.

C) Strategic Urban Extensions

Evidence shows that not all development needed can be delivered within existing urban areas. Therefore, strategic urban extensions are the preferred means of delivering the rest.

Following earlier consultation and analysis of evidence, three preferred urban extensions and one preferred direction of growth have emerged. The three preferred urban extensions are:

- North of Houghton Regis, delivering around 7,000 homes;
- North of Luton, delivering around 4,000 homes; and
- East of Leighton Buzzard, delivering around 2,500 homes.

The preferred direction of growth lies to the east of Luton, this is mainly within North Hertfordshire District and will therefore be planned for through their Core Strategy. The Joint Committee considers that 5,500 new homes ought to be delivered in this area.

D) Delivering Locally Appropriate Rural Development

There is also a requirement to provide 1,000 homes in the rural area to meet local needs through the forthcoming Site Allocations planning document.

4. THE SPATIAL DEVELOPMENT PRINCIPLES AND SPATIAL STRATEGY

The Spatial Development Principles and Spatial Development Strategy policy are set out below. Please give your views by completing the questionnaire that follows. Don't forget to visit the website to read the full document and access the questionnaire at www.shapeyourfuture.org.uk.

Spatial Development Principles

Development up to 2031 will be directed in accordance with the following Spatial Development Principles:

- Maximise the potential of existing urban areas to accommodate new development with priority given to the main conurbation before Leighton Buzzard and Linslade, especially in the period up to 2012;
- Provide for the provision of two strategic urban extensions to the north of the main conurbation comprising Luton, Dunstable and Houghton Regis;
- Provide one further strategic urban extension to the subsidiary urban area comprising Leighton Buzzard and Linslade;
- Seek a further strategic urban extension to the east of Luton, mainly in North Hertfordshire District, to be planned for through the North Hertfordshire Local Development Framework
- Deliver growth in rural settlements identified on the Key Diagram of a scale appropriate to their existing form and character;
- Limit development outside these locations and protect the countryside ;

Preferred Option CS1 - Spatial Development Strategy

The Joint Committee's preferred option is to:

Plan for the continued delivery of housing and employment together with associated supporting infrastructure throughout the plan period to 2031 in order to deliver the regeneration of the southern Bedfordshire Growth Area in accordance with the MKSMSRS and the East of England Plan RSS. The following sub - sections of this preferred option outline how it is proposed that this is to be delivered.

Background - The Building Blocks of the Spatial Strategy

This will be achieved through the allocation of a balanced portfolio of suitably located land comprising an appropriate mix of:

- Land in existing urban areas;
- Strategic urban extensions; and
- Sites in rural settlements excluded from the Green Belt of a scale appropriate to the settlement concerned.

This portfolio will meet the needs of both existing and new communities and contribute to the sustainability of the area. It will include large scale mixed use developments and will be served by major new transport schemes.

New development will be distributed so as to strengthen the established network of settlements. New development in open countryside outside of proposed urban extensions will be strictly controlled in accordance with nationally defined principles controlling development in the green belt.

Distribution of New Development

Initially new development will be primarily focused within existing urban areas, with priority given to the main conurbation in the east of the Growth Area. Development opportunities for high density, high - trip generating uses, including office, retail and leisure developments will be encouraged, primarily in Luton Town Centre.

Smaller development of this type will be supported in Dunstable, Houghton Regis and Leighton Buzzard town centres. They will also be supported around key transport routes and nodal points.

This package will be supported by the allocation of three large scale mixed-use strategic urban extensions, two to the north of the main conurbation and one smaller one to the east of Leighton Buzzard as shown on the key diagram.

Development of the urban extensions will be phased to ensure their incremental release in-parallel with the delivery of supporting infrastructure between 2012/13 and the end of the plan period in 2031.

A fourth strategic urban extension is preferred to the east of Luton which will be allocated through the North Hertfordshire District Core Strategy. This is also shown on the key diagram.

Implementing the Urban Extensions

In planning for the implementation of these urban extensions the emphasis will be on:

- Providing a range of residential development opportunities to serve all sectors of the existing and new communities up to 2031;
- Increasing and diversifying employment opportunities, particularly associated with the new strategic employment sites proposed around M1 Junction 11a and LondonLutonAirport;
- Maximising opportunities to extend the Guided Busway to connect the town centres of the main conurbation and other key destinations such as LondonLutonAirport with the urban extensions;
- Contributing to the regeneration of Houghton Regis, Marsh Farm and other parts of the existing urban areas identified as being in regenerative need; and
- Ensuring the delivery of the appropriate levels of supporting social, community, leisure, cultural and green infrastructure, both to serve the urban extensions and the wider growth area.

The preferred strategic urban extension to the east of the main conurbation will also be planned for in a similar way by North Hertfordshire District Council.

In planning for the implementation of the urban extension to the East of Leighton Buzzard, the emphasis will be on:

- Providing a range of residential development opportunities to meet the majority of the new housing needs of Leighton Buzzard and Linslade to 2031;
- Increasing the employment opportunities and providing additional new community facilities which cannot be provided in the existing urban area of the towns;
- Complementing and safeguarding the character and viability of Leighton Buzzard town centre;
- Providing appropriate public and private transport options to reduce congestion without harming the townscape and landscape, and;
- Providing further high quality open space and green linkages to the countryside.

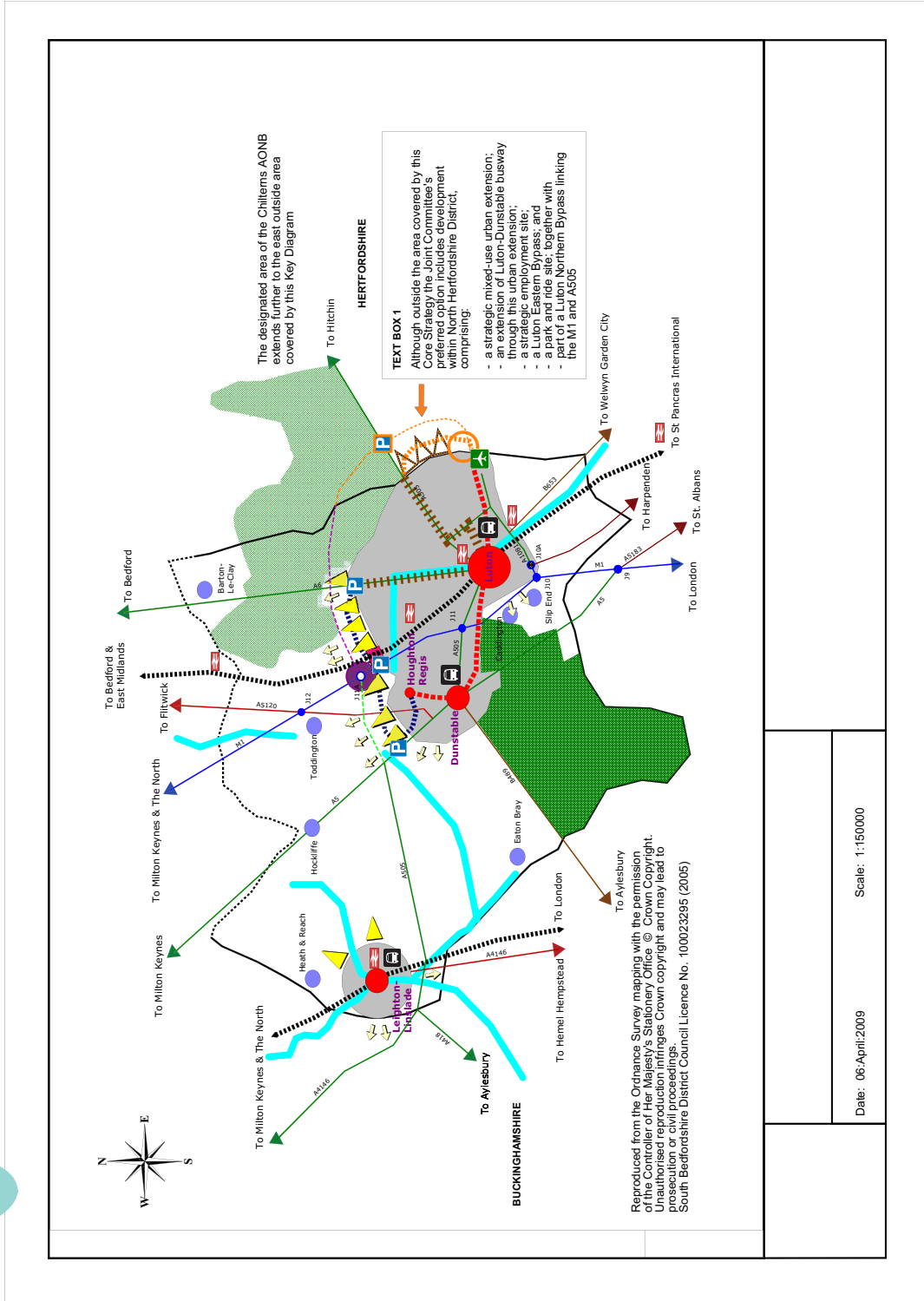
Other Strategic Spatial Matters relating to the Urban Areas

Preference will be given to locations that are accessible by a choice of means of travel, particularly town centres. Area Action Plans will be prepared to enable the town centres of Luton, Dunstable, Houghton Regis and Leighton Buzzard, shown on the accompanying key diagram, to accommodate significant new development.

Development in Rural Settlements

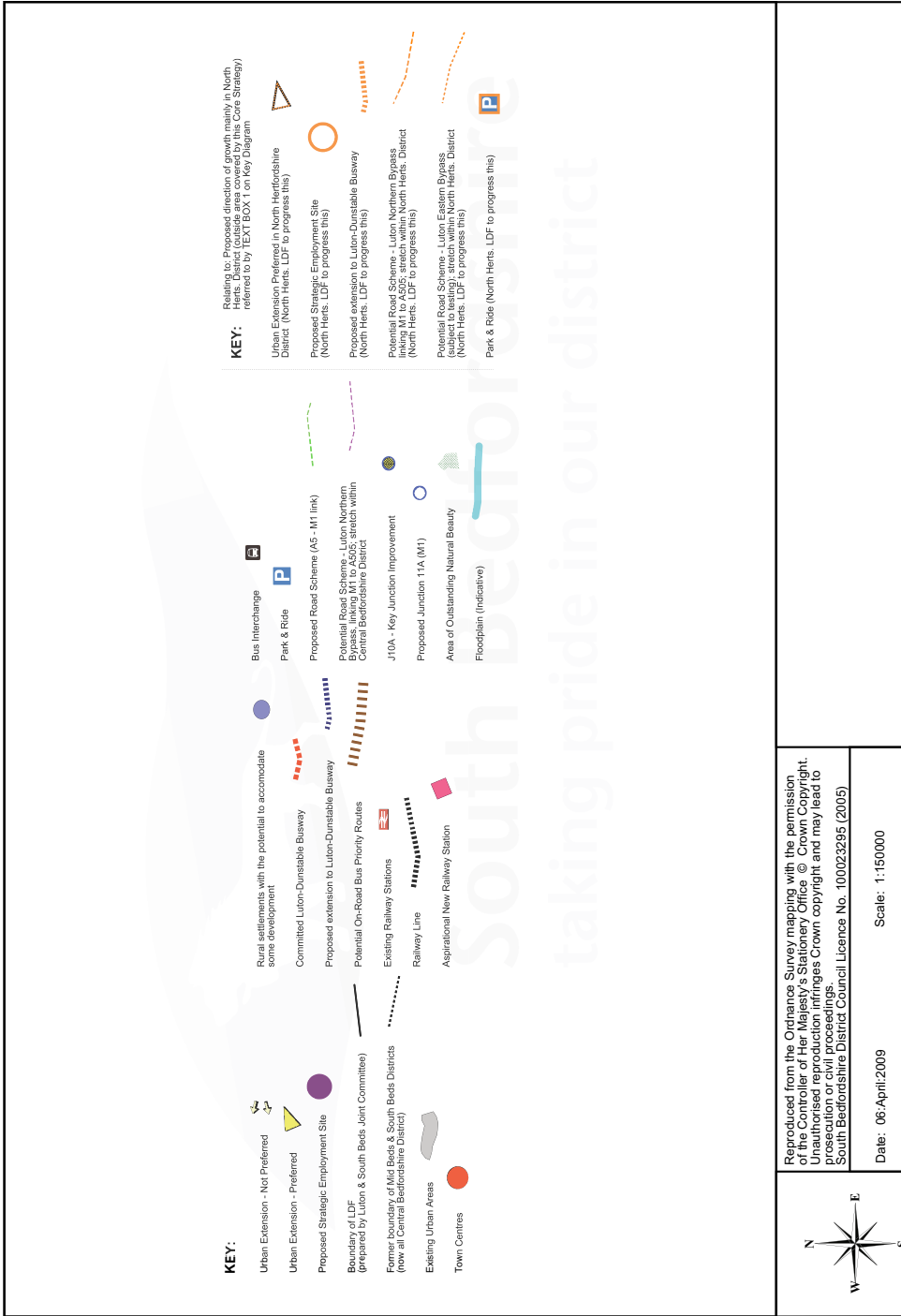
A limited scale of development will be allocated or supported in rural areas. This will be in and/or on the edge of the rural settlements that are currently excluded from the Green Belt. Such development will be sympathetic to the scale and character of the settlement concerned. Small scale reviews of the Green Belt boundary on the edge of these rural settlements may be required to enable such development to proceed. Subsequent development plan documents (DPDs) will specifically identify opportunities for such development on the edge of such rural settlements across the Growth Area.

Luton and South Bedfordshire Joint Committee Core Strategy Preferred Options Summary Document



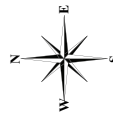
Core Strategy Preferred Options Key Diagram

Luton and South Bedfordshire Joint Committee Core Strategy Preferred Options Summary Document



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Date: 06 April 2009
Scale: 1:150000



Luton and South Bedfordshire Joint Committee Core Strategy Preferred Options Summary Document

Question 1: Do you support the Spatial Development Principles?	
Yes	No
If Yes, why? If No, what changes to the Spatial Development Principles would you like to see?	
<ul style="list-style-type: none"> • • • • • 	
Question 2: Do you support the approach of Preferred Option CS 1 - Spatial Development Strategy?	
Yes	No
If Yes, why? If No, what changes to Preferred Option CS 1 would you like to see?	
<ul style="list-style-type: none"> • • • • • 	

Please refer to Section 4 when answering these questions. If you require more space for your answers please attach additional sheets

Remember, this is just the Core Strategy Preferred Options Summary Document. To comment on the Core Strategy Preferred Options Full Document, please go to www.shapeyourfuture.org.uk

About You

To help us monitor engagement with the consultation process, we would be grateful if you would complete the following questions about your group, organisation or company.

Please tick as appropriate

Gender

Male Female

Sexuality

Lesbian Gay man Bisexual Heterosexual Prefer not to say

Age

Under 25 25-29 30-34 35-39 40-44 45-49

50-54 55-59 60-64 65-69 70 + Prefer not to say

Race and Ethnicity

Choose one section from A to E and then tick the appropriate box to indicate your ethnic background.

A. White

British Irish Gypsy/Traveller Eastern European Other

B. Mixed

White and Black Caribbean White and Black African White and Asian Other

C. Asian or Asian British

Indian Pakistani Bangladeshi Kashmiri Other

D. Black or Black British

Caribbean African Other

E. Chinese or other ethnic group

Chinese Any other (please specify) _____

Disability

Do you consider yourself to have a disability? Yes No

If yes please tick which of the following best describes your disability.

Hearing impaired Physical Learning Visually impaired

Mental Health Other (please specify) _____

Central Bedfordshire Council and Luton Borough Council offer interpretation facilities in a variety of languages. If you, or a member of your family or a friend would like assistance in reading this document in an alternative language or format (i.e. large print, or braille), please do not hesitate to contact us on 01582 547096.

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જો તમને આ દસ્તાવેજનું ભાષાંતર ગુજરાતીમાં જોઈતું હોય તો, કૃપા કરી

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ટેઈપ પર રેકોર્ડ કરેલી અથવા ગુજરાતી ભાષામાં જોઈતી હોય તો, કૃપયા ટેલિફોન કરો: 01582 547096

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Agenda Item: 8

Meeting: Executive

Date: 23 June 2009

Subject: Consultation on the future of Special Schools in the east of Central Bedfordshire

Report of: Portfolio Holder for Children, Young People and Families

Summary: The report outlines the options for the future of special schooling in the east of Central Bedfordshire in the light of the recommendations of the SEN Review, and asks the Executive to consider initiating a consultation on these options.

Advising Officer: Edwina Grant, Director of Children, Families & Learning

Contact Officer: Martin Pratt, Assistant Director Specialist Services

Public/Exempt: Public

Wards Affected: All, as special schools serve populations beyond their immediate community

Function of: Executive

Key Decision Yes

**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

RECOMMENDATIONS:

- 1. 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.**

Reason for Recommendations: 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

Introduction

1. The following paper sets out a proposal for consultation in the Autumn about the first stage of the development of Special Schooling in Central Bedfordshire. Four options are identified but the consultation process will allow for any other option to be submitted for consideration.
2. If the Executive decides to initiate the consultation, then a further report outlining the responses and identifying preferred options will come back to the Executive for consideration.

Background

3. On 29 January 2008, Bedfordshire County Council's Executive considered a report on the future of Special Educational Needs following a formal review (Appendix 1). The report made a number of recommendations to improve provision for SEN across the county.
4. At its meeting on the 6th June 2008, the Central Bedfordshire Transition Task Force – Children, Young People and Families, (Background Paper 1) discussed the outcomes of the SEN review. It noted the recommendation of Bedfordshire County Council that this work should continue and agreed to recommend that the new Council endorse the concept of Area Special Schools described in this paper (Appendix 1).
5. In summary the review proposed the development of Area Special Schools, each with 150-160 places for children and young people aged 3-19 years, making provision for all children with complex learning needs. This type of school would therefore provide for the combination of needs currently met by both schools for children and young people with moderate learning difficulties (MLD) and those with severe and profound and multiple learning difficulties (SLD/PMLD). The report recommended a staged approach to implementation of the strategy. (See Appendix 1 Section 4.1 to 4.18 which sets out the concept of Area Special Schools at the heart of a coordinated multi-agency network of services for vulnerable children and families).
6. The report identified particular concerns in relation to Hitchmead and Sunnyside schools, because numbers in Hitchmead School have reduced significantly while numbers in Sunnyside have risen. In the case of Hitchmead this is principally because mainstream schools have become better able to meet the needs of pupils with moderate learning difficulties (MLD) and prepare them for future success in an adult environment.
7. Hitchmead school, which provides for children with moderate learning difficulties aged 7 – 16, currently has 51 pupils on roll, 22 of whom are in Years 10 and 11. Numbers on roll anticipated for September 09 stand at 38, with two possible new admissions. (Updated numbers will be available at the meeting). These numbers make it increasingly difficult to organise classes and deliver the full curriculum.
8. Sunnyside School for children aged 3 – 19 with Severe and Profound and Multiple Learning Difficulties (SLD and PMLD) currently has more children on roll than the building is able to accommodate, with requests for placement increasing. It currently has classes based at Langford Lower School, Holmemead Middle School, Stratton Upper School and Hitchmead School.

Pupil Numbers

9. According to the January 09 figures there were 149 pupils in total in the two schools (Jan 09 PLASC). Numbers have reduced over the past five years in the MLD Schools due to greater expertise in mainstream schools, and it is anticipated that this trend will continue. There are increased pupil numbers in the SLD schools generally due to the increasing number of children with more complex needs and the development of provision for children locally who might have previously gone to out of County schools.
10. Hitchmead:

PUPIL NOS	Jan 04	Jan 05	Jan 06	Jan 07	Jan 08	Jan 09
TOTAL	87	88	80	64	54	51

Anticipated numbers for Hitchmead for September 09 are **38** with two possible new admissions and for September 10 are **30** (although this could change with mid year admissions). The numbers for September 09 include 2 Hertfordshire children, 6 Bedford Borough children and 1 Luton child.

Sunnyside.

PUPIL NOS	Jan 04	Jan 05	Jan 06	Jan 07	Jan 08	Jan 09
TOTAL	70	82	80	86	98	98

Anticipated numbers for Sunnyside for September 09 are **97** with 1 possible new admission. The numbers for September 09 include 18 from Bedford Borough, 2 from Hertfordshire and 1 from Luton.

Conclusion and Next Steps

11. This paper recommends that Members decide to initiate a statutory consultation to take place in the Autumn about the future of special schooling in the east of Central Bedfordshire. A consultation paper on the options as set out below would be prepared and widely circulated, subject to Member approval. The consultation process allows respondents to bring forward any other suggestions for consideration alongside those outlined.
12. It is proposed that the following options are considered and consulted on:
- Option A: The merger of Hitchmead School and Sunnyside School to provide one Area Special School utilising both sites. This will result in the closure of Hitchmead School and the re-designation of the merged school as one Area Special School.
- Option B: The closure of Hitchmead School and the redistribution of children to the other MLD school in Central Bedfordshire or an MLD school in their own Local Authority.

Option C: Status quo.

Option D: The closure of both schools and a re-provision of a new school which would become the subject of a competitive process for provision, unless there was a special dispensation from the Secretary of State.

Option E: Any other proposal that comes forward during the period of consultation.

Advantages and Disadvantages of Options

Current Options	Advantages	Disadvantages
A. Merger	<p>a. there would be more stability and continuity for pupils, parents/carers and staff;</p> <p>b. current pupils would not be required to move.</p> <p>c. the merger of Sunnyside and Hitchmead would create a single staff team from the two existing staff groups.</p> <p>d. at a time when it is difficult to recruit specialist staff to special schools, it would ensure the expertise and experience of the current staff were retained.</p> <p>e. the governors and staff of Sunnyside and Hitchmead would have equal responsibility for ensuring the success of the school.</p> <p>f. staff have already been working together and have identified that many of their pupils have very similar needs.</p> <p>g. Provision would be available from the start date of the merged school for Hitchmead pupils to access provision post 16 (they currently leave at 16).</p>	<p>a) Possible uncertainty of staff, parents and pupils regarding the future for the duration of the consultation period and decision-making process.</p>
B. Closure of Hitchmead and relocation of pupils to other MLD schools	<p>Potential to release current site for alternative use/disposal. (Although as a Foundation/Trust School an application would have to be made to the Secretary of State who would make a decision on its future ownership).</p>	<p>a. there would be no stability for parents and pupils at Hitchmead school.</p> <p>b. this would mean significantly longer journeys for all except two of the pupils at Hitchmead School who are Central Bedfordshire children.</p> <p>c. the closure of Hitchmead in this way would not resolve Sunnyside's accommodation difficulties.</p>

		<p>d. this would not meet the agreed aims of the SEN Review which were to ensure as Local provision as possible for children with Special Educational Needs, or lead to an improvement in provision. Central Bedfordshire is required to use an improvement test in any changes of provision.</p> <p>e. the potential loss of specialist staff, although redeployment to other special and mainstream schools could be agreed.</p>
C. Status Quo	Minimises disruption for current pupils and staff.	<p>a. with low numbers at Hitchmead and a broad age and need profile it is not viable within available resources to deliver an appropriate curriculum that meets needs.</p> <p>b. Sunnyside would continue to have accommodation issues.</p> <p>c. the SEN Review determined that status quo is not an option as it would result in inefficient use of council resources.</p>
D: Provision of a new school	Allows for a fresh start with a new designation.	<p>a. There would be no stability for parents, pupils and staff at either school.</p> <p>b. The required competitive process or a request for exemption from this process would cause additional delays and uncertainty.</p>
E. Any other option		

CORPORATE IMPLICATIONS

Council Priorities:

This recommendation meets Council Priority 2 – Educating, protecting and providing opportunities for children and young people.

Financial:

If the decision were taken to merge Hitchmead with Sunnyside schools, this would release £111,000 of revenue funding to be distributed through the special school formula. The availability of additional accommodation to support Sunnyside pupils would enable more children to have their needs met locally who might otherwise be

placed out of county due to a lack of available places at a saving of up to £300,000 per year per pupil.

If the decision were taken to close the Hitchmead school site this would release a further £69k and would potentially provide the opportunity to dispose of the site. The relocation of pupils to other MLD schools would result in a significant increase to the transport costs (the other MLD school in Central Bedfordshire is in Dunstable).

Legal:

There are legal implications regarding the land as set out below.

When a Foundation, Trust or Voluntary School is being closed and discontinued those persons holding land for the purposes of the school are required to apply to the Secretary of State to decide what should happen to any land used by the school that has been provided, acquired or enhanced at public expense. (Part II Schedule 22 School Standards and Framework Act 1998 As amended by schedule 4 Education Act 2006).

Briefly the Secretary of State's power allows him/her to:

1. Require the land to be transferred to the schools maintaining local authority
2. Allow the governing body, foundation body or trustees to retain the land or
3. Require the land to be transferred to another maintained school

He/she also has the power to require the payment of compensation wherever he/she considers this appropriate.

Risk Management:

There is a risk in taking no action as the Council would be failing in its duty to provide an efficient education for children and young people with special educational needs. Failure to consult on any proposals and leaving the future to chance could result in litigation and damage to the Council's reputation.

Staffing (including Trade Unions):

The options would require specific consultation with all staff and unions, as part of the overall process. Unions have been kept updated with the recommendations of the SEN Review and work of the Steering Group.

Equalities/Human Rights:

During the statutory consultation a full range of opportunities will be given to ensure that all consultees have the opportunity to make a response by a means that is accessible to them and meets their needs.

Community Safety:

Pupils will continue to travel to specialist provision outside their home area.

Sustainability:

If a decision involves any capital development, wherever possible opportunities will be maximised for incorporating energy efficiency and sustainability measures. The environmental impact of all options will be fully appraised.

Appendices: Appendix 1 – SEN Review Paper – Bedfordshire County Council Executive 2008

Background Papers: Appendix 2 - Transition Task Force - Minutes of Meeting 6th June 2008

Location of papers: Priory House, Chicksands

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SPECIAL EDUCATIONAL NEEDS (SEN) REVIEW

SPECIAL EDUCATIONAL NEEDS (SEN) REVIEW

1. INTRODUCTION

1.1 Since the report to Executive in April 2007, we have completed the agreed recommendations. This report outlines additional proposals for development and implementation over the short, medium and longer term.

1.2 The key issues identified in the April report that we needed to address were as follows:

- (i) Bedfordshire lacked a clear strategy for development in the area of SEN and inclusion (and was criticised for this in its 2002 Ofsted inspection)
- (ii) The percentage of the overall school-aged population who are placed in special schools (1.5%) is higher than the national and regional average, and than the Authority's statistical neighbours .
- (iii) Since local government reorganisation, the number of children attending Bedfordshire special schools from other neighbouring Authorities (particularly Luton) has fallen significantly, leading to some excess capacity in the system
- (iv) The existing pattern of special provision has developed on a piecemeal basis, resulting in gaps in some areas of need, and excessive travel for some young people who are placed in special schools / unit provision attached to mainstream schools at some distance away from their local neighbourhood / community
- (v) Bedfordshire overall spends a higher than average amount of its delegated budgets on special schools. This partly reflects the higher percentage of the population in this sector. However, there are also inconsistencies in the way that individual schools are funded, and in the associated transport costs
- (vi) The number of out of Authority placements made in the independent / non-maintained special school sector (though small) requires significant levels of funding that could be used better to enhance and develop more local options for children with complex and challenging needs
- (vii) The overall percentage of the school-aged population with statements is higher than the national and regional average, and than most of the Authority's statistical neighbours, though there has recently been some reduction
- (viii) Although the Authority retains a small number of central support services, these need to be better focused and coordinated (and in some case better funded) in order to make a greater impact at child / family and teacher / school level and on broader strategic outcomes

1.3 Principles agreed at April Executive

- Localness – strengthening local options / filling gaps
- Fitness for purpose – ensuring provision matches current and future needs
- Personalisation – linking provision to individual needs not 'fixed' categories
- Inclusive system – closer links between mainstream and special school sector

- Building capacity – through training and development of skills
 - Better not less – change motivated by improving outcomes for children and families
 - Cost-efficiency – reducing unnecessary expenditure and re-investing to meet identified and unmet needs
- 1.4 Members agreed in principle at the April Executive meeting to develop a range of provision, including Area Special Schools. It was also agreed that the current number of special school places should be retained, but should be re-designated. It is recognised that current pupils within specialist schools or provisions will need to have their placements protected as we develop these proposals. Further consultation was recommended, while further work on modelling future provision was undertaken.
- 1.5 We have consulted with parents/carers, schools, and other agencies about the future for SEN provision in Bedfordshire, and their feedback has been incorporated into this paper. Generally, all those consulted have agreed with the principles and the recommendations that are contained in the April report to members. The consultation demonstrated the importance of maintaining the confidence of all parents that the needs of their children will be appropriately met in any setting.
- 1.6 A number of immediate recommendations were identified in the Executive report in April '07 and actions identified below have been taken to address this.
- We have carried out a feasibility study on the suitability of special school sites, to establish which sites could be developed to become fit for purpose as Area Special Schools for children and young people with complex needs, and which could not.
 - We have mapped the additional specialist provision required against known and potential future need.
 - We have taken into account the recent House of Commons Select Committee report on SEN and the Ofsted report of July 2006 outlining successful practice and recommendations to Local Authorities and schools. The Government's response to the report has reiterated a commitment to ensure that a range of provision is available locally to meet individual children's special educational needs.
 - We have taken into account the guidance from the DfES (now Department for Children, Schools and Families: DCSF) on the planning and development of special educational needs. This made it clear that when proposals are developed for reorganising or altering SEN provision, Local Authorities (LAs) will need to show how they will improve on current arrangements. There is a SEN Improvement test identifying a number of factors that LAs and decision makers should consider which we have taken into account. It encourages LAs to develop a range of provision to meet the range of children's SEN, recognising that this may include provision in special schools or mainstream schools, in specialist resourced provision within a school or in a specialist unit attached to, or co-located with a school, in mainstream early years and child care settings, or through federation, collaboration and partnership. The key feature in all forms of SEN provision is the access to appropriate specialist support and advice however that is provided.
 - We have reviewed staffing levels and the organisation of the Assessment & Monitoring Team and Psychology & Specialist Support Service. We are using

secondments as a way of supporting increased capacity in both teams, and therefore also developing expertise that can be taken back to schools. Specifically we have:

- created a post in commissioning for an Assessment and Monitoring Officer for Out-of-County Specialist placements.
 - added an additional SEN Officer role to the Assessment and Monitoring Team and plans are in place to increase their management capacity.
 - restructured the Educational Psychology and Specialist Support Services (PSSS) to include the Early Years Support Team, Sensory team, Music Therapy, Advisory Teachers for Learning and ASD and Educational Psychologists (EPs) together in one Service.
 - successfully recruited staff to this service. This includes educational psychologists, advisory teachers for learning and for ASD, and sensory specialist teachers. The recruitment of EPs is very positive as there is a shortage of EPs nationally due to the changes in training requirements. There is also a need to be able to appoint EPs in training in the future, who are undertaking their doctoral qualification, to ensure the future supply of EPs in Bedfordshire.
 - reorganised our behaviour support services (SEBSS and PRU) together into one team with a single point of referral.
- We are consulting on a Behaviour Strategy which incorporates all of the services in Children's Services and provision in mainstream and special schools for pupils with Behavioural, Emotional and Social Difficulties (BESD). The strategy will provide clarity to schools and families as to what is available and how to access it. It will also ensure there is a continuum of provision to meet the range of needs of pupils who have BESD needs.
 - We have clearly laid out in the school's budget report this year the level of funding for mainstreams schools to support children with SEN. This allows the Local Authority to support and challenge schools, if resources are not being effectively managed or targeted to support pupils.
 - We have undertaken a piece of work as part of the deprivation review to look at how money is allocated to schools for those most vulnerable pupils as well as those with additional educational needs. The schools forum has recommended the formula for the delegation of this funding. A proposal for the next 3 years budget period, of how additional money targeted for SEN and deprivation can be distributed to schools has been agreed. This will increase support for the more vulnerable children by more than an additional £3 million.

1.7 The following report brings together work that has been completed around the following areas:

- Early Years provision
- Speech and language provision
- Analysis of special school sites
- SEN funding in mainstream schools

- Funding of special schools
- Mapping and analysis of specialist provisions
- Behavioural, Emotional and Social Difficulties (BESD) provision
- BESD support services

1.8 We are committed to delivering on these principles and would confirm that this strategy will follow the key principle for SEN provision in Bedfordshire, which will be better provision, not less for children and young people. It is based on the principle of early intervention and prevention, building a continuum of provision for those with lower level needs to those with the most severe and complex needs. We will endeavour to meet the needs of ALL children and young people in Bedfordshire with additional needs. In order to achieve this, we need to ensure that:

- Resourcing is in proportion to need
- There is access to equivalent provision wherever the child lives

1.9 Building a strong base to the pyramid of provision aids prevention, is cost effective and leads to more effective intervention. However, this requires adequate resourcing to ensure children and young people's needs are not escalated up the pyramid of provision unnecessarily. We will need to clarify how provision for children and young people is distributed along the continuum, building on effective practice at the lower level, matching levels of provision appropriately and predictably to levels of need.

1.10 We have considered the financial implications of all of the above proposals.

2. CONTINUUM OF NEED – CURRENT PICTURE

2.1 Based on this year's figures (2007), the table below illustrates:

- the number of children at each stage/type of provision;
- total spend on that provision
- the breakdown of average spend per pupil

2.2 It highlights the need to refocus resources and ensure that adequate resources are provided at every level, and not at some levels at the expense of others.

2.3 The figures presented below are based on the schools' January 07 Plasc (School Census) return and do not accurately reflect needs. Nationally, there is an average of 5.53% of pupils at Action Plus¹, but in Bedfordshire only 3.9% of pupils are at Action Plus. The population profile in Bedfordshire indicates that this is an under-identification of need. The reasons for this under-identification are not clear, but draft guidance was issued to schools in 2006 regarding the identification and appropriate provision for pupils at Action and Action Plus. This is being revised following feedback from schools and parents, and includes guidance for Early Years.

2.4 Transport costs are significant as many children and young people are travelling significant distances to access specialist provision.

¹ The terms 'action' and 'action plus' come from the Special Educational Needs Code of Practice 2001, and refer to those children and young people with special educational needs who require the school to take action that is additional to, or different from, the normal range of differentiated activities in the school/classroom.

Table 1 Figures as of July 2007 based on January PLASC return

Distribution of Pupils with SEN	No. pupils	% of school population	Cost of SEN provision excluding transport costs	Av. cost /pupil £
Out-of-County Independent & Non-Maintained Special Schools	46	< 0.1	3,089,946	67,173
Maintained special school	837	1.3	12,662,004	15,128
Specialist provisions in mainstream schools	90	0.1	2,051,989	22,800
Statement of SEN in mainstream schools	1,117	1.7	5,846,995	5,235
SEN Action Plus	2,540	3.9	Share of Notional 5% of DSG + 1020824	1,755
SEN Action	6,796	10.6	Share of Notional 5% of DSG	351

2.5 The data used to underpin the review was based on the Executives decision that the number of special school places, though greater than in comparator counties, would be maintained at current levels. There would be a re-designation of these places based on current and future demands.

2.6 We analysed where children currently lived so we could identify need based on localities.

Table 2

District	Pupil numbers
Out of County	68
Bedford Borough	313
Mid Bedfordshire	204
South Bedfordshire	252
Total	837

2.7 The table above shows where special school pupils live by postcode, based on the January 2007 return.

2.8 This figure has reduced due to a number of children leaving school in July 2007 many of these being Luton children. The chart below shows children currently in special schools broken down by area. Children can travel considerable distances to get appropriate provision so it does not truly reflect area need.

Table 3

District	Pupil numbers
Non Bedfordshire pupils in Bedfordshire schools	44
Bedford Borough	337
Mid Bedfordshire	157
South Bedfordshire	255
Total pupils (excluding non Beds)	793 (749)

- 2.9 This table shows children as of 8th November 2007 who are placed in special schools in each area of the county; it excludes 46 pupils at Oak Bank School.
- 2.10 We also know that it is likely that the population of the special schools, excluding Behavioural, Emotional and Social Difficulties(BESD) may drop in the next three year period especially in the Moderate Learning Difficulties(MLD) population (see table 4).

Table 4

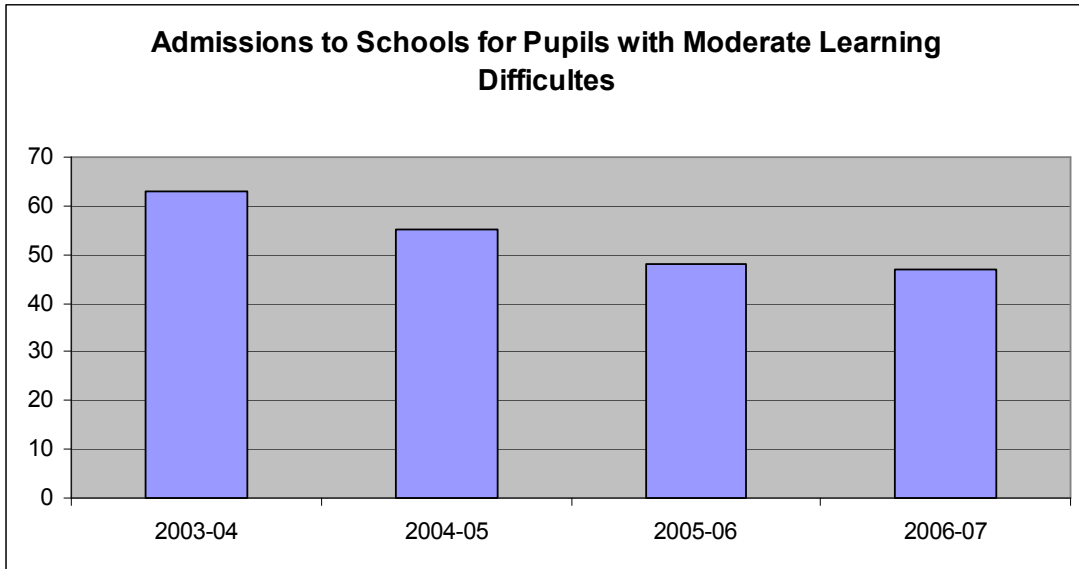
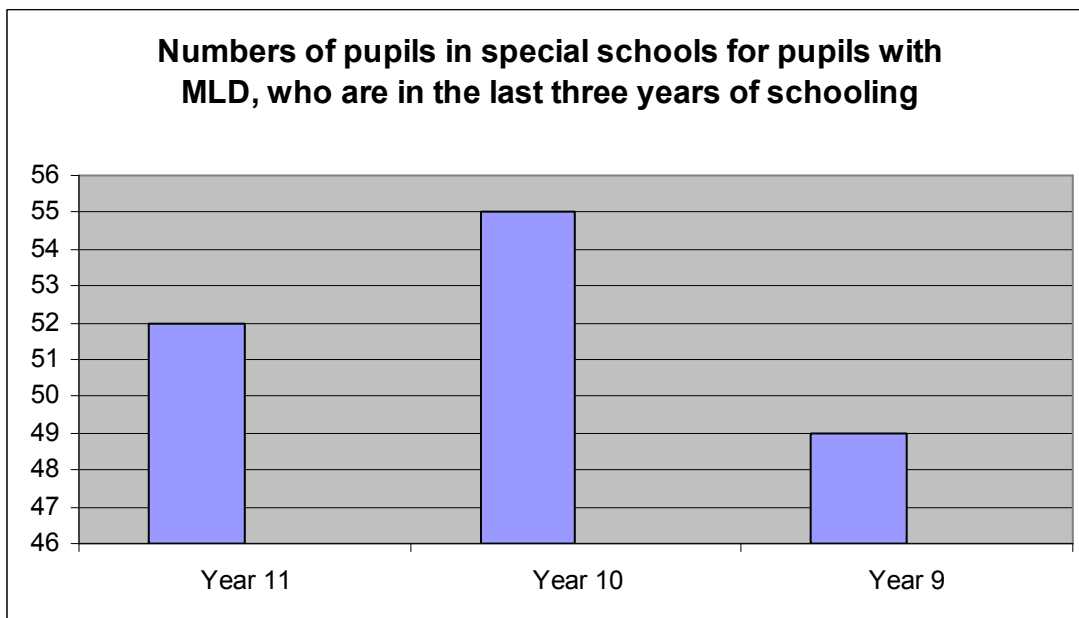


Table 5



- 2.11 The table below shows the number of children in each of our special schools, and the places funded and surplus places.

Table 6**Special School Numbers - 8 November 2007**

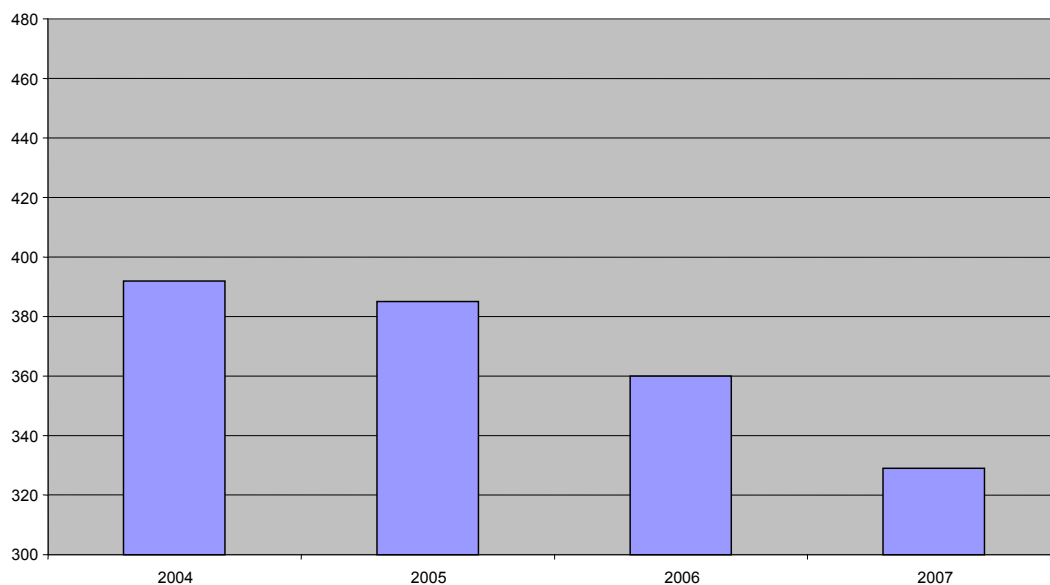
	District	Numbers	Funded places	Surplus Places	inc OLA pupils
Hitchmead MLD	Mid	58	79	-21	
Sunnyside SLD/PMLD	Mid	99	86.5	12.5	
Total		157			
Grange MLD	North	138	160	-22	2
Ridgeway PD	North	56	68.5	-12.5	7
St John's SLD/PMLD	North	143	126.5	16.5	5
Total		337			
Glenwood MLD	South	66	81	-15	4
Hillcrest SLD/PMLD	South	84	94	-10	21
Weatherfield MLD	South	105	142	-37	5
Total		255			
Oak Bank BESD		46	49	-3	
Total		795	886.5	-91.5	44

SLD = Severe Learning Difficulties
PMLD = Profound and Multiple Learning Difficulties
MLD = Moderate Learning Difficulties
PD = Physical Difficulties

- 2.12 This table below shows the decreasing numbers of children with MLD placed in our special schools over the last three years. However, while these numbers have been falling the needs of those pupils being admitted have become more complex. The predicted number of children leaving the top of the schools over the next three years especially in the south and mid of the county, without corresponding numbers of children joining at the bottom of the school, calls into question the continued viability of these schools into the future. Children with MLD are often very successfully included within mainstream provision especially with increased personalisation of curriculum within schools.

Table 7

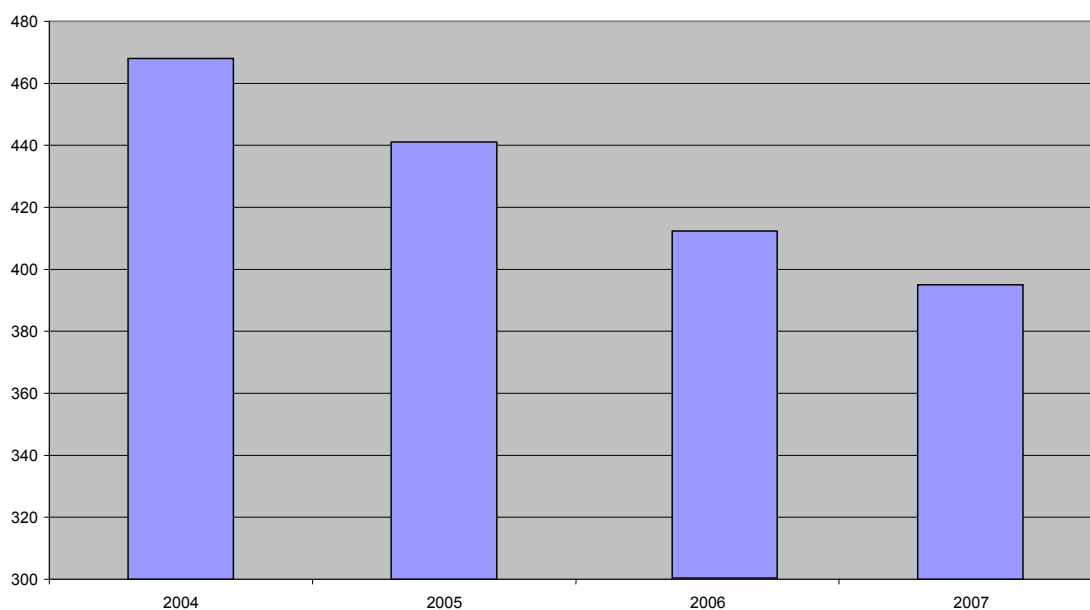
Numbers on roll in Special Schools for Pupils with MLD



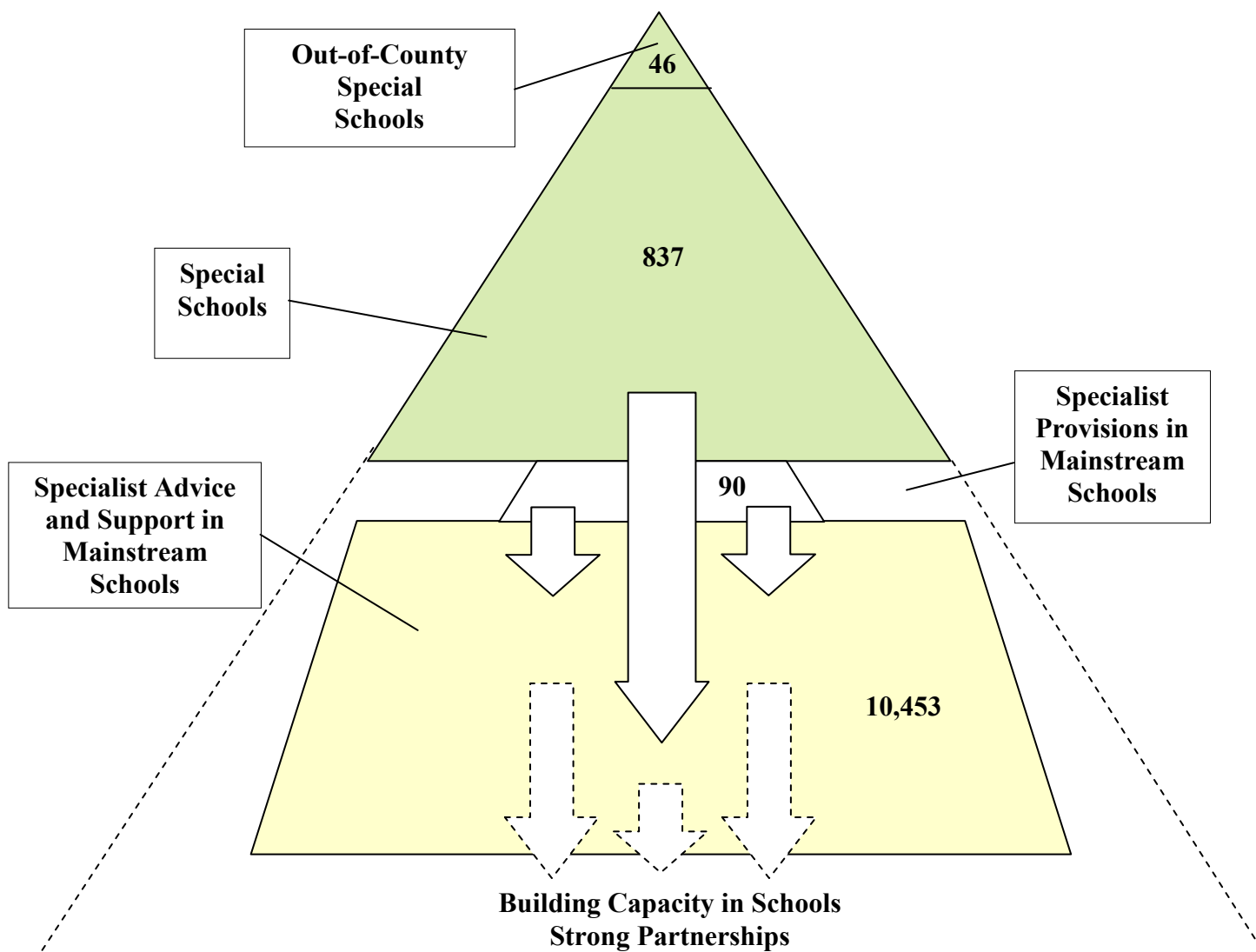
2.13 The numbers of children with SLD has also dropped within our special schools, although the drop in these numbers is mainly due to the decrease in the children placed by other Local Authorities, in particular Luton. Admissions have increased significantly in two of our SLD / PMLD schools, but there is not sufficient accommodation available. As within the MLD sector the children within the SLD schools needs have also become more complex.

Table 8

Numbers on roll in Special Schools for Pupils with SLD



RANGE OF PROVISION



3. OUT OF COUNTY SPECIAL SCHOOLS

- 3.1. Currently, some children and young people are placed in out of county provision because they require a residential element to their provision. We have already started to provide residential provision in county for some, thus reducing the need for out of county provision. Others are placed out of county because parents have lost confidence in the county provision. This highlights the need to maintain parental confidence at all stages, and to ensure that in county provision is flexible to meet the range of needs.
- 3.2. There will always be a need for out of county placements for a small number of children and young people with very specialist or low incidence needs whose parents want it, for example profoundly deaf children who require a total signing environment. It is not cost effective to develop this type of specialist provision locally.

4. AREA SPECIAL SCHOOLS

4.1 A national report from the Special Schools Working Group considered the future role of special schools. The membership of the Group was largely made up of special school head teachers and voluntary organisation representatives. The Group saw special schools as having an important and continuing role within the range of provision maintained by Local Authorities. It agreed that special schools had a role in:

- (i) providing high quality education for the growing population of children with severe and complex needs
- (ii) supporting mainstream schools to become more inclusive by developing and improving their capacity, through advice, support and training

and that LAs needed to:-

- (iii) ensure provision was coordinated and further developed to ensure that children can have their needs met closer to where they live
- (iv) see special schools as an integral part of local service delivery, closely linked to Local Authorities Children's Services developments

and recommended that:

- (v) opportunities should be sought to reduce the barriers between the mainstream and special school sectors, through a range of measures, including future co-location of sites.

4.2 Area Special Schools are an important part of our strategy for Special Educational Needs in Bedfordshire, and serve a crucial role within the continuum of provision for our children and young people with the most significant needs. They also have a developing contribution to multi-agency co-ordination and support for mainstream schools and early years providers. This is a real opportunity to establish special schools at the heart of a co-ordinated multi-agency network of services for vulnerable children and families.

4.3 Officers, special school headteachers, governors and the lead member have visited other parts of the country (such as Cambridge and Darlington) where this model is already well-established, and see it as having considerable advantages over the current system in Bedfordshire. The vision for special schools sees them as Area resources, preferably based in close proximity to mainstream schools and the range of local support services, delivering more holistic and flexible provision for young people with special educational needs and their families. This would allow more individualised responses to young people with complex needs that might cut across the range of traditional category boundaries.

4.4 We believe Area Special Schools will offer the benefits brought about by concentrating and co-ordinating expertise and resources within a single organisation. Such benefits include:-

- High staff/pupil ratio;
- Small classes;
- Strong team-work ethic;

- Developed knowledge and understanding of complex learning disabilities;
- Wide range of specialist teaching approaches, strategies and methods;
- Well trained and experienced support staff;
- On-site access to a multi-agency team;
- Curriculum designed and delivered to ensure that pupil priority areas of learning remain paramount;
- Adapted environments, specialised equipment and resources.

4.5 Area Special Schools will also play an essential role within the LA continuum of provision and support because:-

- The degree of individualised planning required to meet the needs of some learners is feasible only within the special school context;
- Pupils are grouped with others of a similar age and ability;
- Teacher motivation is strong because they have elected to work with pupils presenting complex needs;
- Knowledge and skill associated with SEN is sustained, shared and developed within the professional community of the special school;
- Vulnerable pupils are safer within the supportive surrounds of the special school;
- Such schools are proven to be very cost-effective.
- Almost all pupils with Complex Learning Needs will have their needs met locally from early years to post-16;
- Schools with such a dynamic role will prove professionally attractive to teachers at all levels;
- Personalised learning (DfES 2004) will be refined further within a broad and balanced curriculum framework, including the National Curriculum, relevant to pupil need;
- Pupils with challenging behaviour will more effectively have their needs met locally due to concentration and collaboration of multi-agency expertise, resource and effort;
- They are well placed to provide 'extended' services to support pupils with SEN and their families beyond the confines of the conventional school day.

4.6 Close proximity would enable mainstream and special schools to share their resources and facilities and work more effectively in partnership. Special schools and services based on these sites would deliver support to mainstream schools (and to children and families) in the area. Special schools have much to offer in this regard, in terms of curriculum development and access, individual and personalised planning, positive behaviour management, augmented communication systems, ICT, as well as more specific inputs on access and support for pupils with ASD / physical disabilities etc.

4.7 In Bedfordshire, we believe that we can achieve a more equitable and appropriate provision for our children and young people with the most complex needs by the development of Area Special Schools. These Area Special Schools would serve their local area. Children and families value local provision as it allows children to stay in touch with their local community, and the community in touch with them. We

wish to give parents and carers confidence that local Area Special Schools can meet the needs of the majority of children and young people with the most complex difficulties, with support from the social care aspect of Children's Services where appropriate, so that even our most challenging young people can be provided for close to their own community.

- 4.8 We propose that the Area Special Schools would provide for children and young people from 2 -19 years. We have also investigated models in other authorities and would propose that consideration is given to extending some of the Area Special Schools to 25 years to meet the needs of those young people who need extended provision into adulthood.
- 4.9 We consider that Area Special Schools would be designated to meet the needs of children and young people with complex learning needs. In order to be ascribed as 'complex learning needs' and therefore require special school placement either fulltime or be on a dual role with a mainstream school, pupils must have high levels of need or must be complex and severe.
- 4.10 In order for a pupil to be considered as Complex Learning Needs, admissions guidance will need to be agreed to reflect this. The guidance should outline the needs of a child or young person to be placed in an Area Special School, however, the presence of such needs would not in themselves be a barrier to mainstream placement if this was deemed desirable and appropriate.
- 4.11 We recognise that the success of a special school in meeting the needs of all of its pupils relies on strong and clear leadership, a tailored curriculum that is relevant to all of its pupils, high quality teaching and learning that takes account of all individual needs, and excellent use of human and physical resources, including the school and community environments.
- 4.12 We and colleague special school head teachers have investigated different models of special school provision nationally, and have found that co-located special schools have been much more successful in providing real opportunities for young people to come together to both learn and socialise. This model has had a proven positive impact on learners, staff and parents in both the mainstream and special school contexts, and is the direction of travel that has been taken by Local Authorities who have been successful in developing their SEN provision. Work that has been done by Bedfordshire Special and Mainstream schools to provide co-location for some groups of pupils has been recognised as excellent and successful practice locally, regionally and nationally. This is the model that is seen as essential by all Bedfordshire Special School Headteachers, and was agreed as a preferred model at the consultation meetings. We would therefore look to developing Area Special Schools in close proximity to mainstream schools.
- 4.13 Having carried out a feasibility study of all of our current special schools sites, it is clear that, other than Hillcrest School, none of the buildings are fit for the purpose of an Area Special School or could be easily and efficiently adapted to provide for the range of children and young people with complex learning needs. It is also recognised that Hillcrest would require significant development to enable it to provide for the numbers and range of needs into the future. All special school buildings have already been adapted as far as is possible, and still do not provide adequate space to meet the needs of the current population. Most classroom sizes do not meet the current regulations. We wish to ensure that all of our special schools are fit for purpose both currently and into the longer term future, and that they are able to provide high quality education and support for all pupils up to 19 who need it.

- 4.14 We are currently in discussions with health colleagues about the delivery of all services for children and young people with complex needs. The development of Area Special Schools and Children’s Centres would provide the opportunity for all of these services to be delivered locally, as well as maximising opportunity for multi agency working and provide a model of extended services.
- 4.15 We propose that all Area Special Schools be set up to provide outreach support for statemented children and young people in local mainstream schools. It is agreed that all outreach should be consistent with Local Authority policy and strategy, and that special schools should not develop services in isolation. A model of outreach and a quality assurance process will be agreed by the special school heads and the Local Authority. It will be further developed through an SLA and funded appropriately, as any outreach work must not be at a cost to children and young people placed in the Area Special School.
- 4.16 As part of the provision in each area of the county, we will ensure that there is residential provision available for those children and young people who need it alongside the development of the schools. This will support the development of 24 hour curriculum.
- 4.17 In order to afford the building of the new Area Special Schools, Mouchel Parkman have undertaken a feasibility study of the current special school sites. We have received both minimum and maximum costings for the sites, set out in the table below. These are dependant on the footprint of the school and what would be available to build upon and release of playing field land subject to the Secretary of State approval. Those figures in brackets are where the land belonging to one of the special schools has been discarded from the calculation. Other sites would also increase in value if we were able to sell the whole site i.e. the site in Biggleswade. If the whole site, including the health provision was able to be released, the site would increase in value.

Table 9

Value of Land – minimum and maximum costing

Area	Minimum amount	Maximum amount
North Bedfordshire	£8M (£5M)	£22M (£12K)
Mid Bedfordshire	£2M (£.5M)	£10.5M (£1.5M)
South Bedfordshire	£10M (£7M)	£12.5M (£ 9.5M)
Total	£20M (£12.5M)	£43M (£23M)

- 4.18 In relation to the number of school sites and the affordability of this there are a number of considerations to be taken into account. In the Bedford area Building Schools for the Future (BSF) will enable capital to be released to build new schools or remodel as appropriate however at this point it is not clear how much will be available. We also understand that half the value of the sale of land has to be paid back to the Government. We would also not realise all the value if we used some current sites to build upon (figures in brackets apply). Other options are being explored such as LIFT project alongside Health to fund up front the other projects across the rest of the county. This would allow some capacity to change revenue to capital to fund projects. However, it is anticipated that the infrastructure costs of the new special schools will probably absorb any possible savings incurred.

5. THE OPTIONS FOR THE DEVELOPMENT OF THE AREA SPECIAL SCHOOLS

5.1 Option 1

- 5.1.1 Build five Area Special Schools, two in the North, one in the middle of the county and two in the South with 150/160 places in each. This is the preferred option by officers and the special school headteachers' group.
- 5.1.2 We have estimated that a new Area Special School for 150 / 160 pupils that can provide all of the resources that are required to meet the needs of all pupils with complex learning needs will cost in the region of £8 million to build and set up.
- 5.1.3 In the North of the county, we propose the establishment of two Area Special Schools for children and young people with complex needs, at an estimated cost of £16 million. We propose to investigate building a new school on the site of Biddenham Upper School, and to build a new school or remodel on the current site of Ridgeway School on the Hastingsbury Upper School site. We would then decommission and sell Grange site and St John's site. We would achieve a maximum value of £12 million from the sale of the Grange site and St. John's, if we were to use the current Ridgeway site. This would leave a shortfall of £4 million to be found. We anticipate that BSF would make a significant contribution to delivering this outcome.
- 5.1.4 In the middle of the county we propose the development of one area special school for children and young people with complex needs, developed through LIFT and funded through the sale of one or both of the sites. However, without the sale of the Hitchmead site, there is insufficient capital generated to afford a new school. A suitable site, preferably offering close proximity to other schools would need to be identified. Possible options would be to rebuild on the Hitchmead site using prudential borrowing through the Schools Forum. Capital can be generated at a rate of £1.1Million for every £100k revenue released. Some savings (approx £300K) on central costs for the decreased number of special schools would be available. Another option is to sell the Hitchmead site and rebuild in the middle of the county, but this may increase travelling time for a number of children currently in the special school sector.
- 5.1.5 Development needs to move quickly in this area. Numbers in MLD schools have reduced as mainstream schools have become better able to meet the needs of these pupils. In order to retain viability in the short and medium term the Local Authority needs to take action by Autumn 2008 to ensure that Hitchmead School does not get so small that it loses good staff and is unable to deliver the curriculum. Hitchmead currently has 58 pupils on roll, 30 of whom are in Years 10 and 11. Sunnyside currently has more children on roll than the building is able to accommodate and this may result in children going out of county unnecessarily.
- 5.1.6 We would support the governors of Hitchmead and Sunnyside in the proposal to federate the two schools until a new Area Special School is built

- 5.1.7 In order to offer the Sunnyside site for development, it will be sensible to also consider a purpose built residential provision alongside this development.
- 5.1.8 In the South of the county we propose consideration of the development of two Area Special Schools for children and young people with complex needs, developed by the LIFT and funded through the sale of school sites. However, there may only be enough capital available to build one school immediately. It is proposed that the building of the second school could await the BSF wave in the South of the county.
- 5.1.9 We would propose to site one school in the Houghton Regis / Dunstable area and the other in the Leighton Buzzard area. The school in Houghton Regis could be a development of the Hillcrest school to incorporate the primary years and re-designate it as an Area Special School. There is a view that this is not a good site for the development of an Area Special School, and so other sites should be considered if this was agreed in principle. We have looked at the Manshead site, but there are concerns about accessibility in terms of it being at the edge of the county border and off the A5 which is a very congested road, and therefore this would impact on travel times. Another option would be to site an Area Special School on the proposed new building development to the North East of Leighton Buzzard, where it is proposed an additional upper school will be built. However, this development is not proposed until about 2020. We are continuing to explore other possible sites.
- 5.1.10 We would need to commence the extension of provision at Hillcrest, if this was the agreed site, to be completed by 2010.
- 5.1.11 For any of the above proposals to move forward, we would need to consult on these proposals at appropriate times.
- 5.1.12 In order to achieve this, we propose that we go through a staged approach, protecting current pupils' placements in special schools. Within this approach we would need to:
- rewrite the admissions guidance to reflect Area Special Schools;
 - agree and consult on staffing structures for the schools;
 - further explore sites for new Area Special Schools, and agree timescales for rebuild;
 - sell sites to partly fund the new build's timescales;
 - ensure the strategy is within BSF(LIFT) planning and development stage
 - prepare consultation documents as change of designation requires a consultation process with stakeholders (The Education (Maintained Special Schools) (England) Regulations 1999
- 5.1.13 In conclusion, the risks associated with this option are there is a possible shortfall in capital of £4 million in the North if this gap was not met by BSF. If the Hitchmead site was used to build upon, there will be a shortfall of £7 million, not allowing for the sale of the complete Sunnyside development through LIFT which may achieve a greater amount. An alternative site or

release of capital through prudential borrowing may mitigate this. The South proposals could be affordable if a second school was funded through BSF. Five Area Special Schools are the preferred option, due to size of school and travelling distances being reduced for children. There could be further savings over time on travelling costs for children and also reduction of children in out of county provision.

5.2 Option 2

5.2.1 Build three Area Special Schools across the county, one 300 place school in the North and two 250 place schools in the middle and the south of the county. A larger school will not double the costs as certain provisions i.e. hydrotherapy pools would not have to be replicated. Estimates received suggest that a 250 place school will cost £12,725 million and a 300 place school £14,600 million. The costs do not reduce radically. The disadvantages of this are that they become very large schools however, the building and management of these sites are essential to mitigate against this. There are gains in terms of economies of scale and flexibility of deployment of staffing. The travelling costs and time for pupils could increase and one of the main principles to encourage local provision will be lost. Parents may also find the large environment off-putting initially. The gains would be that in the north of the county you would achieve sales of the Ridgeway site and therefore generate more capital, but half of this would need to be returned to the government. The same issues would remain for the middle of the county provision in terms of affordability. One school in the south of the county would be affordable.

5.2.2 The same processes and timescales would apply, as well as protecting current pupils' placement in special schools.

5.3 Option 3

5.3.1 The third option is not to make any change to current provision and to leave it as it currently is, without change. This will be a no cost option in the short term, however, a number of our schools will become untenable in the next three years and we may need to close them as we will have large numbers of surplus places (see table 4). Our current provision is not providing good value for money, as we have frozen special school budgets. Over time we will need to extend our current SLD / PMLD provision as these schools become full. We could adapt those schools at risk of closure and re-designate their use. However, all our school's buildings are not meeting current requirements and will need considerable capital investment. A number of our school sites could not be extended as they have already fully extended on their current foot print i.e. St. John's, Sunnyside.

6. SPECIAL SCHOOL FOR BESD

6.1 It is recognised that there is not sufficient specialist provision for BESD (Behavioural, Emotional and Social Difficulties) in the county, however there is not sufficient need for a second BESD school.

- 6.2 We therefore propose to initially extend Oak Bank School from 52 to 60 places and change their age range from 9 - 16 by April 2008 and 90 by 2010. The increase in places requires:
- Consultation on an increase to the place numbers to 60;
 - Extension to the current Oak Bank site to include a sports hall and additional classrooms
 - A recruitment drive to recruit high quality specialist staff
 - Consultation on a change in designation to increase the age range to 9 – 19, and further increase the place number
 - The development of a vocational centre for 14 – 19 whereby pupils can access education on two sites across the week.
- 6.3 The consultation process for the initial expansion of Oak Bank to 60 places is required by April 08 if pupils with these needs are going to be kept in county provision. The extension to the buildings on the site is required to accommodate the additional numbers. The recruitment drive has been partially successful in recruiting a substantive Deputy Head and an Assistant Head.
- 6.4 A proposal for the site of the vocational centre is the old Rainbow school site, but other sites are also being explored. This will require some additional work to create a range of vocational hubs. It would be envisaged that this provision could also be accessed by pupils in the PRU and other special schools. It would be established as a second site for Oak Bank School and be managed through the current management structure.

7. EARLY YEARS

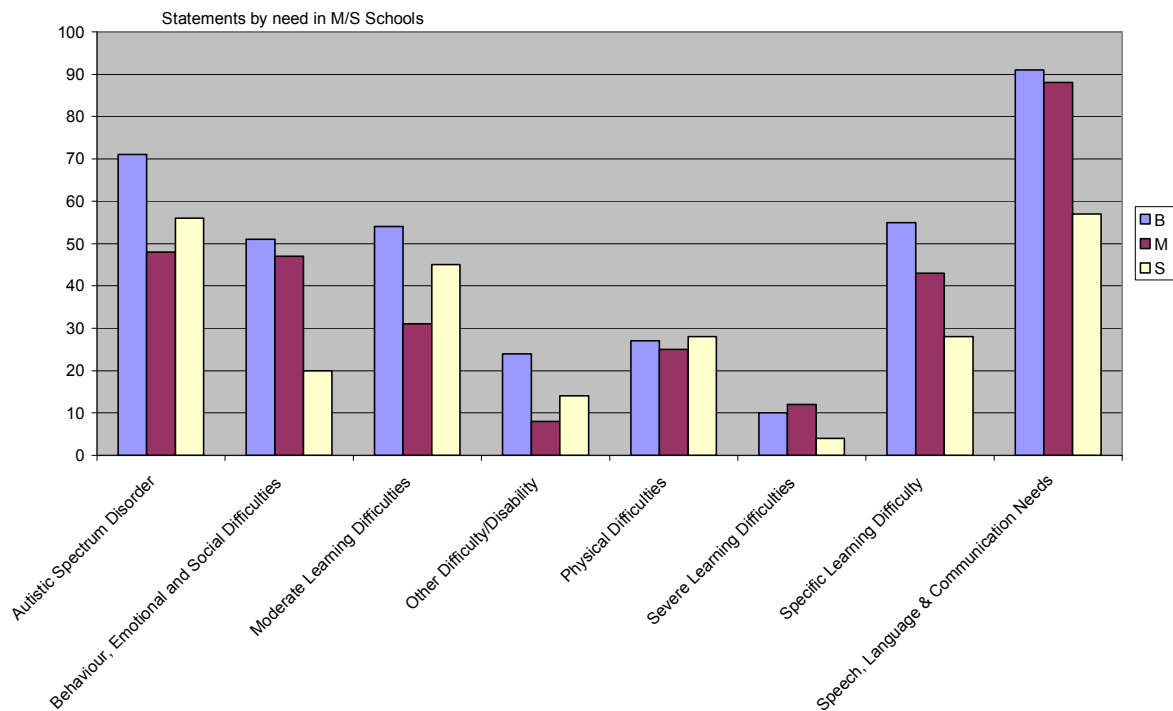
- 7.1 Members agreed funding for three pilot projects in 2005 to set up partnerships between special schools and mainstream nurseries to provide specialist support in for children with severe and complex needs, in mainstream settings. The Resourced Nursery project has demonstrated that the children were successfully educated in a mainstream setting but the planned costs are comparable to the average for a place in special schools for children with severe learning difficulties or physical difficulties. The costs of a resourced nursery place could be higher as during the pilot none of the nurseries ran at full capacity. The reasons for this were issues concerning the proportion of children with SEN in the nursery when the numbers on the main nursery roll were smaller than expected, staffing issues from the special schools and some parents did not want their child to travel a distance to attend a special nursery.
- 7.2 The review of this pilot recommended that it would not be value for money to develop this type of provision for all preschool children with severe needs in the County, and also is not consistent with the principles agreed in April 2007 regarding equity and localness.
- 7.3 The Resourced Nurseries were intended for children who might be expected to have had a statement of SEN by the end of the reception year or those for whom it was thought with specialist intervention at an early stage they may not require a statement of SEN. The project demonstrated that the children were successfully included and educated. While 81% did require a statutory assessment leading to a statement of SEN on entry to school, only 73% were placed in a special school.

- 7.4 We propose using this funding differently to provide both additional teaching assistant support and specialist teacher input that the children with severe needs require in order to access local preschool provision. Some children will need placement in a special school from an early age, to access both the specialist teaching and facilities of a special school. However, many parents of young children with SEN would like them to be able to have access to specialist teaching in their local preschool setting. It is also not desirable to have young children travelling long distances to school, nor should we be carrying out statutory assessments on young children just in order to access appropriate support in preschool.
- 7.5 Children who attend private, voluntary or independent preschool settings already have access to additional funding to provide high levels of additional adult support from the Nursery Education Funding Grant. Given the number of children who attend preschools in this sector, it is proposed to increase this funding stream by £4,500, giving a benchmark budget of £95,500. This support is highly valued by the settings and parents.
- 7.6 It is also proposed that we use the existing budget, which is identified for children with severe and complex needs, to provide additional resources for children under statutory school age who attend maintained Nursery and Lower Schools. This will enable this group of children, who have higher levels of need, to receive support to access their entitlement to five sessions early years education, without the need for a statutory assessment. This would both enable early intervention but also give a more accurate assessment of their long term needs.
- 7.7 In addition to funding for individual support, in order to ensure the children are successfully educated, they need access to high levels of specialist teaching support and the holistic programmes designed by a multi-professional team. It is proposed that the remainder of this budget is used to fund specialist teacher support in the setting the child attends.
- 7.8 The specialist teachers may be from special schools, the Psychology and Specialist Support Service or on secondment from recognised high quality Early Years providers. They would co-ordinate the educational programmes for the children, and model and train staff in the setting to meet the individual needs of the child, and develop the capacity of the setting to meet a broader range of needs. The Psychology and Specialist Support Service are also developing their work to increase their resources to provide intervention for children and support to families according to need.
- 8. SPECIALIST PROVISIONS** (classes attached to mainstream school with specialist staff).
- 8.1 Some children and young people with specific disabilities require enhanced access to specialist teaching and support on a very regular basis. These children would not be appropriately placed in Area Special Schools. Bedfordshire currently has a range of specialist provisions focussed on ASD, Speech and Language, Dyslexia and BESD.
- 8.2 Parents, carers, schools and other professionals agreed through the consultation that we should extend our specialist provisions across the county. There are 'gaps' in these provisions both geographically and in terms of meeting certain types of special need. Historically this provision has grown up in an ad hoc fashion. However, alternative models of provision should be considered to ensure that resources are

used effectively and efficiently to meet the needs of those pupils who require more specialist provision.

- 8.3 We propose to develop partnerships in local areas to provide specialist support to meet the range of needs and disabilities, thus meeting all of the principles agreed at the April Executive as well as responding to the feedback received through the consultation meetings.
- 8.4 Specialist classes are required for those children with complex needs who require specialist teaching and support to enable them to access the mainstream curriculum. With the appropriate early support many of these children are likely to be able to go on to access local mainstream schooling, with continuing specialist support. We propose to set up specialist classes in the areas of the county where there are gaps, and to strengthen the access to specialist support wherever the child is educated.
- 8.5 As illustrated in the table below, there are significant numbers of children in mainstream schools with statements for particular categories of need. In order to better meet the needs of all of these children, wherever they are placed, and develop parental confidence, capacity needs to be increased in the support available to them. Most of these children do not require specialist classes, and schools have developed their knowledge and skills in making provision to meet the needs of these children. However, there is a need for enhanced training to schools and specific support to individual and groups of children to ensure they get what they need. The colours in the table relate to areas of the county (Bedford, mid and south)

Table 10



- 8.6 Funding arrangements and clarity over how all children who require this will access this range of support need to be further developed.

- 8.7 In addition, admissions guidance and management arrangements for specialist provisions need to be reconsidered and made consistent, as currently they vary for different types of provision.
- 8.8 In relation to speech and language provisions we require additional specialist support in middle and upper school for those children who continue to need access to a specialist teacher or teaching assistant. Numbers in our specialist speech and language provisions in lower schools have been reducing as parents have chosen for their children to remain in their local mainstream schools. We propose that alternative models of provision be considered whereby, specialist staff from the specialist provisions and speech and language specialists are able to go to where the children are placed to provide specialist support and advice. Consideration should be given to a middle school provision if children's needs demonstrate that this is required.
- 8.9 Additionally, Children's Services and Health staff should develop a professional development programme to support all schools, and in particular Nursery and Lower Schools, to identify and meet the needs of children with Speech, Language and Communication difficulties in the mainstream context.
- 8.10 The review of County provision for pupils with severe literacy difficulties including those with dyslexia shows that in all schools there are children whose literacy skills are inadequate to fully access the curriculum (5% at Key Stage 2 and 9% at Key Stage 3 at end of 2006).
- 8.11 We are developing a best practice literacy protocol based on the recent Rose Review (2006) and County research. The protocol will advise on best practice for teaching literacy skills to all pupils and to those with specific literacy difficulties.
- 8.12 We have a significant minority of pupils in Middle and Upper schools who require specific teaching to develop their ability to read and write. They also require changes to way the curriculum is delivered so they can realise their potential, while continuing to develop their literacy skills. We will work in partnership with Middle and Upper Schools to develop their provision for pupils with severe literacy difficulties and over time refocus the specialist teachers in the Dyslexia provisions to both support schools in the development of this type of provision and support pupils with similar levels of need within the wider community of schools.

9. PROPOSALS FOR SPECIALIST PROVISION

9.1 Specialist provision for speech and language provision

- 9.1.1 Through consultation and analysis of need we have established that there is a requirement for Middle school specialist speech and language provision for a small number of children from the lower school provisions who require that level of specialist support into middle school phase. We propose that this be provided where appropriate through the use of specialist teacher and teaching assistants from the Local Authority and the current lower school provisions, and that consideration be given to setting up a Middle School base.
- 9.1.2 We propose that we work with Health colleagues to agree a model of delivery for speech and language therapy in mainstream schools, and that

a Middle School be approached to consult on the setting up of such a specialist provision should it be needed in the future.

9.2 Proposal for North ASD provision

9.2.1 As part of the consultation on the closure of Rainbow School we gave a commitment to parents that we would ensure consistency of ASD Specialist Provision into Upper School for those pupils that needed it (using the admissions guidance). We also agreed that we would work with lower schools to provide additional ASD provision.

9.2.2 We propose to develop a flexible Lower School provision from September 08 to September 09. We are exploring Upper School provision with schools in the Bedford area and would propose that the same timescales as the lower school provision are applied. We suggest that part of the Rainbow Budget be identified to fund this provision.

9.3 Proposals for mid Bedfordshire ASD provision

9.3.1 There is currently no specialist provision for ASD in the Sandy / Biggleswade area of the county, and we need to ensure that there is equity across Bedfordshire. We propose that consideration is given over time to the re-designation of some of the Sunnyside satellite classes to become ASD specialist provision. This has been successful at Lincroft Middle School. In the shorter term, a lower school in the Sandy area has already expressed an interest in hosting such a provision. Consultation on proposals for this will need to commence as soon as possible if this provision is to be ready for the children who need it.

9.4 Proposals for south Bedfordshire ASD provision

9.4.1 To-date there has been less of a need for places in the provisions already set up in the South of the county. However, there are a significant number of children with statements of SEN for ASD in local Lower Schools. We propose to recruit staff to work across all Lower Schools where these children are placed in the South of the county, linked with the central support services. This will be reviewed according to developing need.

10. SUPPORT TO MAINSTREAM SCHOOLS

10.1 55% of children and young people with statements are in our mainstream schools, and a further 4% are in specialist provisions.

10.2 Currently, Bedfordshire spends less on their advisory support services, even with recent additional posts, than other Authorities.

10.2.1 Bedfordshire has provided excellent specialist support for children with sensory difficulties and the inclusion and attainments of our pupils with visually impairment is recognised nationally. However, there are currently 186 pupils with ASD with statements of SEN, yet there are only three specialist advisory teachers for this group of pupils. We propose to build the capacity of central specialist services, specialist classes and special schools to provide a higher level of support to children placed in their local mainstream schools than is currently available.

- 10.3 A central theme of the feedback from the consultation meetings is that there is a need for more support from schools facing services at this level. They require more specialist training for the Teaching Assistants (TAs) employed to support the children and young people, and more support for teachers on how to differentiate appropriately for them, and model interventions. These support services can be supplied from a range of providers:
- Psychology and Specialist Support Service, and the Behaviour Support Services;
 - Special Schools' Outreach;
 - Commissioned support.
- 10.4 There will be a rolling programme of training for different types of disability and SEN so that school staff have regular opportunities to access this. This has already been successful for ASD and Down's Syndrome (run by the Down's Syndrome Association), and we plan to follow the same model for all types of need. We propose to write into the statements of SEN a requirement for TAs who are going to support a child to access this training within a specific time period.
- 10.5 We have issued guidance to schools on identifying and providing for children and young people at School Action and Action Plus.
- 10.6 Further work needs to be done to map more accurately the services to support children and young people with statements in mainstream schools.
- 10.7 In particular, we need to increase our specialist advisory team for Autistic Spectrum Disorders (ASD) and Speech, Language and Communication needs (SLCN) to meet the training and support needs of children and young people with these identified needs. This will ensure a better continuum of provision than is currently available.
- 10.8 In order to create capacity to meet the needs of children with statements in mainstream schools, the Area Special Schools' and specialist provision staff could provide an important source of expertise and support. This outreach can form part of the continuum of provision with central services and commissioned support, and will better enable us to provide a more flexible model as described in section 8.
- 10.9 Other providers will be commissioned according to need when local services do not have the capacity or are unable to meet the need.
- 10.10 The Common Assessment Framework (CAF) will provide a basis for a creating a common language and set of guidance around assessment and decision making for children. This will help to ensure continuity and coherence in planning for individual children and clarify the contribution of teams and organisations to the implementation of this plan.
- 10.11 Parents views expressed as part of the Early Years review, emphasised the need for holistic and continuous assessment which takes place in a variety of settings that lead to integrated reporting from a range of professionals. They particularly noted that more effective forward planning especially around transition into school is needed.

11. SUPPORT TO MAINSTREAM SCHOOLS IN BESD

- 11.1 We acknowledge that schools have been dissatisfied overall with the support they receive for children and young people with BESD, especially those with the greatest level of need. We have pulled all of our behaviour support services (SEBSS and PRU) together into one team with a single point of referral. At the same time we are in the process of developing a Behaviour Strategy which incorporates all of the services in Children's Services, and provides clarity to schools and families as to what is available and how to access it.
- 11.2 The support provided by the National Strategy Behaviour and Attendance Consultants for middle and upper schools is part of our universal services support for schools. The support consists of working with key senior leaders in each school to work strategically on Behaviour and Attendance and to create an emotionally healthy climate for learning. This includes the development of Secondary Social, Emotional Aspects of Learning (SEAL) and the development of anti bullying policies and practice.
- 11.2.1 The support provided for Primary Behaviour and Attendance in lower schools is part of our universal support for schools. This support consists of helping schools to implement the primary SEAL.
- 11.3 In our areas of greatest need and deprivation a wide range of services alongside Surestart and Children's Centres will be offering a range of early interventions, including nurture group provision for those children who would require it.
- 11.4 Some Lower Schools have been developing 'nurture groups/provision', but analysis has shown that these are not consistent across the county. The Local Authority needs to ensure that the development of these is based on researched and proven models of practice, and provide guidance to schools to ensure that they provide better outcomes for the children.
- 11.5 Developing local partnership between schools will enable them to provide resources to develop these types of provision.
- 11.6 Middle and Upper schools felt that their own Learning Support Units (LSUs) were working well for the majority of young people. The DCSF provides a framework for monitoring these provisions, and schools should be supported in using this tool to identify and share good practice, and identify actions for improvement.
- 11.7 We should also consider allocating some of the resource tied up in support services to support schools in areas of high need in the running of effective school based provision.
- 11.8 The Bedford BIP (Behaviour Improvement Partnership) (funded by DCSF) and the Chiltern BIP (funded by the Local Authority) have had a significant impact on schools working together within the local community to find local solutions to support these young people. Both have had significant impact on reducing exclusions, and increasing attendance and achievement.
- 11.9 We have identified a further £400,000 from the previous Excellence Cluster/BIP in Bedford that we intend to use to support groups of schools in the Kempston, Sandy and Biggleswade and Leighton Buzzard areas of the county using BIP as a model. This will enable schools to develop a range of provision in the community to meet local needs and support schools with those young people with challenging behaviour.

- 11.10 As with the Chiltern BIP these would require a locally devised action plan that would be monitored and evaluated with support from the Local Authority.
- 11.11 The consultation meetings clearly highlighted the lack of specialist support for BESD, especially around years 10 and 11 (15 and 16 year olds). Headteachers identified 3/4 young people from each year group who they felt required an alternative type of vocational provision within their week. Further work is currently ongoing to develop a flexible alternative vocational curriculum for 14 -19 year olds.
- 11.12 In the reorganisation of BESD support services we need to ensure posts that carry the additional specialist expertise required by schools to support these pupils. A specialist qualification in BESD should be a requirement over time. There is a distance learning course through Birmingham University that could provide this, and Standards Fund could be used to support staff in accessing it.
- 11.13 We are moving towards the government's target of having all secondary schools working in partnership to reduce exclusions and increase attendance. The Chiltern local BIP provides a good model for other schools to follow in the provision it is making for BESD.
- 11.14 Analysis of children at risk of exclusion and those who have been permanently excluded shows that the majority have significant difficulties in their home lives. Some of the older pupils have issues around drugs and alcohol. Many of them require wrap around services and many also require access to very specialist services.
- 11.15 Consultations have identified the need for a small number of young children to have access for part of their week to more therapeutic provision, as they are unable to manage full time in a school setting.
- 11.16 We propose that this could be delivered through the development of two of the Children's' Centres (one in the North and one in the South) which can also provide support for their families.

12. SCHOOL ACTION / ACTION PLUS

- 12.1 The government has required all Local Authorities to review the distribution of the deprivation factor of the Direct Schools Grant (DSG). A group of representatives from the School's Forum has been meeting regularly with Local Authority officers to identify a proposed method of distribution. The new model is based on a factor of the Acorn deprivation index, which is broken down by children's postcodes, as it was recognised that the uptake of free school meals was not an accurate method of allocation.
- 12.2 As part of this review, funding for SEN has also been considered. *Removing barriers to achievement* clearly recommends increased delegation of SEN funding to mainstream schools to enable them to meet needs at an early stage and without needing a statement to access support. This will reduce bureaucracy and increase funding for interventions for children and young people.
- 12.3 We currently delegate £9,997,885 (which includes LSC funding) though the notional 5% for SEN to schools, and a further £1,020,824 of additional money for higher need action plus pupils, which is substantially lower than our comparator authorities.

However, the Schools' Forum has recently recommended an additional £3million plus to be delegated to schools for supporting special educational needs.

- 12.4 This funding is used by schools to employ Special Educational Needs Co-ordinators (SENCOs) and Teaching Assistants (TA) to work with groups and individual pupils at action and action plus. The remaining delegated funding equates to an average of 1 hour TA support daily in a group of 5 pupils for pupils at Action, and at Action Plus 4 hours individual support or more, if working in a small group. The additional £1,020,824 delegated funding can be used to provide for 25% of the pupils at action plus with the most significant needs with a further 4 hours individual TA support a week. If the recommendation made by Schools' Forum is taken forward, this will impact positively on the amount of support that schools are able to provide.
- 12.5 While this is significant support when used effectively, many Authorities delegate funding up to 15 hours per week for those action plus children and young people with the most significant needs.

13. FINANCIAL IMPLICATION / AFFORDABILITY

- 13.1 One of the main principles of the SEN review was affordability and recycling of resources. We need our provisions to be cost efficient and to reduce unnecessary expenditure and re-investing to meet identified and unmet needs. There are a number of current budgets that need to be refocused to support the implementation of the SEN review.
- 13.2 The current revenue budget for all our special schools is **£12,662,004** including the Rainbow school budget. The funding for special schools places was protected in April 2006 until April 2008. Work has been ongoing with the special school headteachers to identify a model of funding for April 2008 that will provide transition support until the new Area Special Schools are in place. The place protection will continue to apply to schools during this transition period where there is a drop in numbers of pupils. It has been agreed to make minor amendments with funding from March 2008 around floor and central budget to provide clarity and equity but funding for places will await the outcome of the Review. It is anticipated that place funding (per pupil) may need to increase to meet the greater complexity of need. The funding of Oak Bank requires additional budget to enable the school to move to 60 places from April 2008 and provide a staffing structure for a broader age range of pupils with more complex needs than previously. This will support the Local Authority in enabling more young people with BESD to have their needs met in county. As a result, we will require a review of the place element.
- 13.3 Currently the Schools Forum have agreed that the contingency budget from the Rainbow school closure should continue to be used to support and develop resources for children with SEN. It was agreed that the money would follow the children. Additional funding was given to those schools receiving the children from Rainbow rather than expecting them to fund under their place funding. We have also set up an additional class at Lincroft for the children (transferring). The current budget available from the Rainbow school contingency once these commitments are taken into account is **£502,000** one-off cost. The ongoing year on year available budget available is **£440,000**. Any of this budget not committed will be used for the set up of additional specialist classes and extend the BESD provision to 90 places by providing alternative 14 -19 provision. Additional funding will need to be found through exploration of grants and funding via the Learning Skills Council and the redesignation of special school places.

- 13.4 The Resourced nursery budget of **£266,510** will be refocused to deliver alternative forms of provision, outlined in section 7 above. An extra £4,500 will be used to support the Nursery education funding grant and a further £112,500 for additional individual support to children with severe or complex needs in maintained nurseries or preschools. The additional £149,510 will supply additional specialist teaching support or outreach.
- 13.5 The resourced Lower school money of **£254,954** that was agreed by Executive in 2005 has not yet been used to develop additional provision to follow on from the Resourced Nurseries as there were early indications that the model would not viable / sustainable. It is proposed that this resource be used to develop a more flexible model of provision in the areas of the county that have no or incomplete specialist provision in mainstream schools.
- 13.6 These budgets form the flexible revenue funding available to implement parts of the SEN review, however it is also recognised that year on year the schools forum has agreed additional expenditure from the DSG to support the set up of new specialist classes across the county and the capital grant has also supported additional building.
- 13.7 We have identified an additional **£400,000** from the previous Excellent Cluster/BIP in Bedford which returns to Local Area budgets from April. We will use this to extend the current BIP provisions in the county and develop three new BIPs extending the Bedford BIP to include Kempston, one in the East covering Biggleswade and Sandy and a further one in the South covering Leighton Buzzard.
- 13.8 The Schools Forum in September 2007 also agreed additional money for the next three year period to support children with additional learning needs i.e. those children at School Action / School Action Plus within mainstream provision, raising this by an additional **£3million** plus.

14. NEXT STEPS

- 14.1 We seek agreement to the strategy and to progress on the development of the proposals outlined above:-
- Develop 5 new Area Special Schools;
 - Change the funding formula for special schools to reflect the complex nature of the children's needs;
 - Provide additional BESD places not as part of Area Special Schools, but as a separate provision by extending Oak Bank School to meet the needs of children and young people aged 9 – 19 years, and to extend its capacity from 52 places to 90 places over three years by establishment of an additional site for a 14 –19 vocational centre in the centre and north of the county for children with BESD;
 - Create a flexible model which can provide a range of provision for the continuum of needs in all parts of the county, and complete pyramids of provision. We will clarify guidance for entry into specialist ASD provision, and build a greater range of provision, including more intensive specialist teacher support for some children and young people;
 - Develop our support to children and young people in mainstream schools with a statement and at Action Plus through:-

- strengthening our specialist advisory teams;
- developing special school outreach provision;
- developing links with other providers, e.g. Children's Centres and externally commissioned providers;
- reorganisation of the support services for BESD to provide a single pathway for referral, and provide staff with the skills to support schools in meeting the needs of the most challenging children and young people.
- Strengthen support to mainstream schools for children with identified special educational needs and for those children that present schools with most difficulty by:-
 - developing an additional three Behaviour Improvement Programme (BIPs) through the investment of an additional £400,000;
 - agree to target an additional £3 million over the next three years in schools budgets, for those children with additional education needs.

CREATING CENTRAL BEDFORDSHIRE

Transition Task Force – Children, Families & Learning

NOTES OF MEETING HELD FRIDAY 6TH JUNE 2008 AT MID BEDS DISTRICT COUNCIL OFFICES

Attendance : Cllr. A Rayment – Chair
 Cllr N Costin
 Cllr. J. Murray
 Cllr. R. Younger
 Cllr. Mrs A. Lewis
 Cllr. Mrs J. Fairbairn
 Mr J Dean
 Ms P Coker
 Mr T Dessant
 Mr. S Fell – Harlington Upper School
 Mrs G Ellyard – Southcott Lower School
 Mr C Peters – Weatherfield Special School
 Mr P Wylie – Beds CC
 Ms H Redding – Beds
 Cllr Mrs R Drinkwater
 Mrs A. Eversden

Apologies : Cllr Mrs C Wyles

1.	<u>Notes of last Meeting</u>	ACTION
	The notes from the meeting held on 21 st May 2008 were agreed	
2.	<u>General LGR Update</u>	
	<p>a) JD advised the meeting that there had been a Simulation Exercise undertaken at Mid Beds earlier in the day. This workshop had been run by IDe&A to give Officers and Members an opportunity to consider some of the challenges facing the new authority. From this it became clear that there was a need to plan as if it were Central Bedfordshire and take decisions with that in mind. It also brought home the reality of working within a defined financial envelope.</p> <p>b) Given the scale of Children, Families and Learning, Central Bedfordshire have taken the decision to appoint an interim Director. JD had not been involved in the process but it was understood that the successful</p>	

applicant, would be taking up post on Tuesday 10th June 2008 and he would take forward the work for this service. JD informed the meeting that going forward, he would be stepping back from his lead role with the Children, Families and Learning services but did confirm that he would continue to lead on the forthcoming Head Teacher and Chair of Governors workshops that will be taking place during the first two weeks in July

- c) On 3rd June 2008, a meeting of the Officer Service Group for CF&L was held.. It was a very productive meeting and it was noted that the contribution from Beds County Council colleagues had been very positive and valuable.
- d) AR advised the meeting that he understood that the interim Director, Jan Didrichsen, is highly experienced and had previously held the position of Interim Director for Children's Services with both Lincolnshire County and Hull City Councils. Obviously the TTF will look to the Director to provide his experience in this area but wished it to be recorded that the on-going contribution from JD was still very much wanted by the TTF.

JM asked how it would be possible for the TTF to discuss and make recommendation issues when the financial implications are not known?

JD agreed that the need to have an understanding of the financial implications was one of the major factors that had come out from the simulation exercise earlier in the day and it had therefore been agreed that some indicative budgets for each service would be produced very shortly to allow the TTF's to start to work within a budget. To date, over and above the decision to disaggregate services, the decisions of the TTF so far recommended have had little or no financial implications. It is when we get into the detailed service design that the financial implications will have an impact.

AR stated that to date, the recommendations had been based on principle and what is best for the service. It is correct to say there are potential financial implications for every recommendation given by the TTF and decision taken by the Shadow Executive but, at this point, we are not in the position to make decisions on a financial basis and therefore we may well have to revisit some of the recommendations made so far on the basis of costs. As we work through the policies, the financial implications will become clearer.

There is a Shadow Executive meeting on Tuesday 10th June. From this it is anticipated there will be a decision taken on the senior officer structure and an agreement to go to market for

	<p>some of the senior appointments. Due to contractual issues with Tribal, the agency appointed to handle this recruitment, advertisements for these posts are unlikely to be released until week commencing 16th June.</p>	
<p>2.</p>	<p>SEN Review</p> <p>PW referred the meeting to the full SEN review document and the summary document, a copy of which each member of the TTF had received prior to the meeting. Beds CC had spent a large amount of time in producing the SEN review and giving consideration to the issues surrounding special schools. It was acknowledged that had County Council remained in existence, the review would have gone back to the Shadow Executive at the end of the year with various recommendations. The summary document tries to identify some of the areas that need to be developed going forward. It is acknowledged that close communication with parents regarding on-going decisions is imperative. The summary documents details six specific recommendations which the TTF were asked to consider.</p> <p>1. That the new councils endorse the concept of area special schools:</p> <p>The concept is to provide schools that can meet a range of special needs but currently the existing buildings, classroom size and facilities are not fit for purpose and we need to look at how to provide special schools that are fit for purpose going forward. The teaching staff and skills they provide are recognised as superb. It is important for special schools to feel that they are an important part of the community. At one of the recent head teacher workshops, comment was made in respect of pupils having to be sent all over the county to receive the appropriate support. It is understood that this is due, in part, to the specialist nature of the existing schools. The question was asked as to whether or not we are looking to build a number of new schools across the county that will cope with everyone's needs within their area or are we looking to build a bigger facility that could accommodate a large catchment area? RY referred to the main SEN review document, 4.2 – “children are placed in expensive places outside Bedfordshire”. There is a need to bring the children back into the area at a reduced cost and this concept provides us with a great opportunity. The out of county places could literally be anywhere within the country.</p> <p>Six new schools will provide the facilities that we need for the majority of those children who need support. Not included in this proposal are some young people with extremes of behaviour that need secure facilities. It would not be cost effective to try to be self-sufficient for all needs.</p>	

TD commented that from his experience, he felt this was a very good review.

CP stated that this was the first review that had been completed in six years and it has the agreement of all. It must also be acknowledged that for collocated schools, there are costs involved.

Agreed: there was full support for the concept of area special schools. CC colleagues are requested to take this forward. We would need an analysis for the potential collocation at the three existing sites. Having identified these, it would be helpful to know what impact there would be on the recovery of capital in selling on the old sites.

It was also acknowledged that the impact on reduced costs in transporting children throughout the county would have significant revenue savings.

The question of whether there is any special funding for special schools from government sources was asked. It was mentioned that there is a possibility of funding but over the last number of years, DSC have been decreasing the funding provision.

2. That the new councils support the review of the Funding Formula for the current special schools:

New special schools will need to be funded on a different basis to the current special schools. There is a short term problem with the existing funding formula which needs to be reviewed to free up money for redistribution across the special needs agenda. There is not time to address the formula for mainstream schools but existing schools are under pressure and cannot continue working within the current budget framework.

Beds CC are currently looking at the methods of funding used by other authorities. It was agreed that it would be useful to see a comparison with other authorities.

Some pupils with special needs are educated within main stream schools and the funding for this provision is from their budget. Similarly, funding is provided for children who are schooled outside the Borough.

The recommendation is to support the review of the funding formula for special needs schools.

3. That the new councils consider the future of Oak Bank School as a joint resource:

Oak Bank school had been in special measures for some time but this is no longer the case and it is now developing into a very good school, going from strength to strength. At the time of the SEN review there were insufficient pupil numbers within Bedfordshire to justify two schools of this nature in the county. There is an urgent need to develop provision for the 14 – 19 year olds and look at “hubs” in the north and south of the county to extend BESD support. The hubs would support pupils in gaining vocational qualifications to give them a better chance to move into meaningful employment. There needs to be a decision as to how to move this forward with Bedford Borough.

Oak Bank is a 60 place school and historically the places were split on a 50/50 basis between Central Bedfordshire and Borough. Currently however, there are more Central Bedfordshire pupils but this ratio is ever changing. It was acknowledged that the transportation costs to take pupils to and from the facility are very high. The question was raised of comparison costs between 2 facilities versus 1 facility plus transportation costs. This has been investigated and it was still more cost effective to have a single school with transport costs than to provide two schools. It was also acknowledged that the smaller the provision, the harder it is to recruit and retain staff.

There was a discussion on the question of increasing the school to around 90 plus place. It was generally felt that this could well prove to be too large and needed to be kept under review. The ideal size for this type of facility was around 50.

It was agreed that the proposals for Oak Bank were appropriate and that the current proposals should be progressed. Discussions will take place between Central Bedfordshire and Bedford Borough regarding joint access.

4. That the new councils consider how they wish to support the proposals to develop services for pupils with literacy difficulties, including dyslexia.

Parents of children with literacy difficulties face the difficult that adequate support for them is not available across the whole county. The impact of this on families can be huge. The proposal is to look at the development of a pyramid facility in the Sandy/Biggleswade area which would help to extend the provision to this area of the county.

The TTF requested that the County Council continue with the work they are currently engaged in and refer back to the TTF

with costs for the proposal. County have confirmed they should be able to provide this fairly quickly.

Acknowledging the obvious cost implications, the TTF need to know if this is already included in the County's existing budget. It was confirmed that some of the costs are included in the budget but the capital will have to go into the capital budget this September if the facility is to proceed.

TTF agreed it was necessary to undertake a feasibility study on this provision.

There is a need to develop services for children with dyslexia. We need to make sure we narrow the gap and reduce literacy failure problems. This is a government priority. We need to look at developing, with head teachers, a protocol to identify measures to reduce literacy failure. This really impacts on raising achievements and it is accepted that there is potentially a high number of children involved.

County confirmed that had the unitary decision not happened, they would be working with the schools and special staff services to enable all schools to raise the standard of provision for pupils with literacy problems.

TTF agreed that it was necessary to progress this work and asked for further information to be provided by County.

5. The officers from the councils join the County Council SEN review Officer steering group to sustain the implementation of the review

It was unanimously agreed that this support would be forthcoming.

9. Next meeting

A further series of meetings were agreed as follows:

Monday 4th August – Mid Beds Offices from 5pm – 7 pm
Monday 18th August – South Beds Offices from 5pm – 7pm
Tuesday 9th September – Mid Beds Offices from 5pm – 7 pm
Wednesday 8th October – South Beds Offices from **4 pm – 6 pm**

It was also agreed to switch the locations for the meetings on 30th June and 15th July. Please therefore note:

Monday 30th June – Mid Beds Offices from 5 pm – 7 pm
Tuesday 15th July – South Beds offices from **4 pm – 6 pm**

Agenda Item: 9

Meeting: Executive

Date: 23 June 2009

Subject: Flitwick Dispersal Order

Report of: Portfolio Holder for Community Safety

Summary: The report proposes that the Executive give consent to Bedfordshire Police for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.

Advising Officer: Gary Alderson, Director Sustainable Communities

Contact Officer: Jeanette Keyte, Head of Community Safety

Public/Exempt: Public

Wards Affected: Flitwick West including Steppingley
Flitwick East

Function of: Executive

Key Decision Yes

Reason for urgency/
exemption from call-in
(if appropriate) Not applicable

RECOMMENDATIONS:

- 1. That the Executive give Bedfordshire Police consent for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.**

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

Background Legislation

1. Powers to disperse intimidating groups were introduced by Part 4 of the Anti-Social Behaviour Act 2003. Part 4 created a power for a senior police officer, of at least the rank of superintendent, to designate an area, with the local authority's consent, where there is persistent anti-social behaviour and a problem with groups causing intimidation, harassment, alarm or distress.

2. Within dispersal areas the police and designated police community support officers (PCSOs) have the power to:
 - disperse groups where the relevant officer has reasonable grounds for believing that their presence or behaviour has resulted, or is likely to result, in a member of the public from being harassed intimidated, alarmed or distressed. Individuals can be directed to leave the locality and may be excluded from the area for up to 24 hours.
 - Return young people under 16 home, who were out on the streets and not under the control of an adult, after 9pm if they are either:

at risk or vulnerable from anti-social behaviour, crime etc;

or causing, or at risk of causing, anti-social behaviour.
3. Before an authorisation for a dispersal order can be given the relevant officer must obtain the agreement of the local authority. Local authority for these purposes is defined for England as a district council, a unitary authority, the Common Council of the City of London or the Council of the Isles of Scilly.
4. Dispersal Orders may be made for a period not exceeding six months.
5. Once consent is obtained from the local authority the police are empowered to issue an authorisation in writing which must be publicised locally, which specifies the relevant locality, the grounds for authorisation, and the period during which the dispersal powers can be exercised, which is up to six months.

Dispersal Order Application for Flitwick

6. Bedfordshire Police have 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 has been requested for a period of six months.
7. Key areas identified in the application that attract particular problems in Flitwick are Coniston Road near to Tesco, the road next to the recreation ground, Coniston Road near to the Russell Centre shops and Bumble Bee Public House and also the area of the Village Hall car park.
8. The application indicates that the reason for the majority of calls to the police regarding anti social behaviour is linked to young people gathering in the area. Recorded police incidents for this area from early 2008 through until January 2009 total 70.
9. The application advises that public consultation and engagement with young people and adults has shown that there is concern about the groups and behaviour in the Coniston Road.
10. The application confirms that a multi-agency problem solving group has been convened in response to the problems in Coniston Road and a number of diversionary activities are currently being developed as a response.

11. The application is supported by an exit strategy for the Dispersal Order which identifies diversionary activities that will be taking place in conjunction with the Dispersal Order and once the order has expired with a view to achieving sustainable reductions in the incidents reported for this area.

Conclusion and Next Steps

13. The application and supporting documentation has been submitted to the Council in line with the requirements of Part 4 of the Anti Social Behaviour Act 2003. The Executive is asked to consider the application accordingly.

CORPORATE IMPLICATIONS

Council Priorities:

Providing consent for the Dispersal Order for Flitwick will contribute to the Council priority to create safer communities. Effective use of Dispersal Orders reduce incidents of anti social behaviour and disorder thus improving public confidence and reassurance.

Financial:

There are no financial implications for the Council.

Legal:

Provision of consent relates to Part 4 of the Anti Social Behaviour Act 2003 which requires the local authority to provide consent for the Dispersal Order.

Risk Management:

Awaiting comments.

Staffing (including Trades Unions):

No implications

Equalities/Human Rights:

The Dispersal Order is likely to promote equality of opportunity because national evidence has highlighted that certain vulnerable groups are more likely to be disproportionately affected (and even targeted) by antisocial behaviour. These groups include disabled people, older people, children, women and some ethnic groups.

Community Safety:

Section 17 of the Crime and Disorder Act 1998 requires the Council to do all that it reasonably can to prevent crime and disorder. Dispersal Orders give the police additional powers to target action in problem areas to help communities remove intimidation and anti-social behaviour such as that identified in Flitwick. The Order is also supported by additional multi-agency activities which aim to support a sustainable reduction of incidents in this area.

Sustainability:

No implications

Appendices:

Appendix A – Evidence for use in the application for a dispersal order in Flitwick

Appendix B – Map of proposed dispersal order area

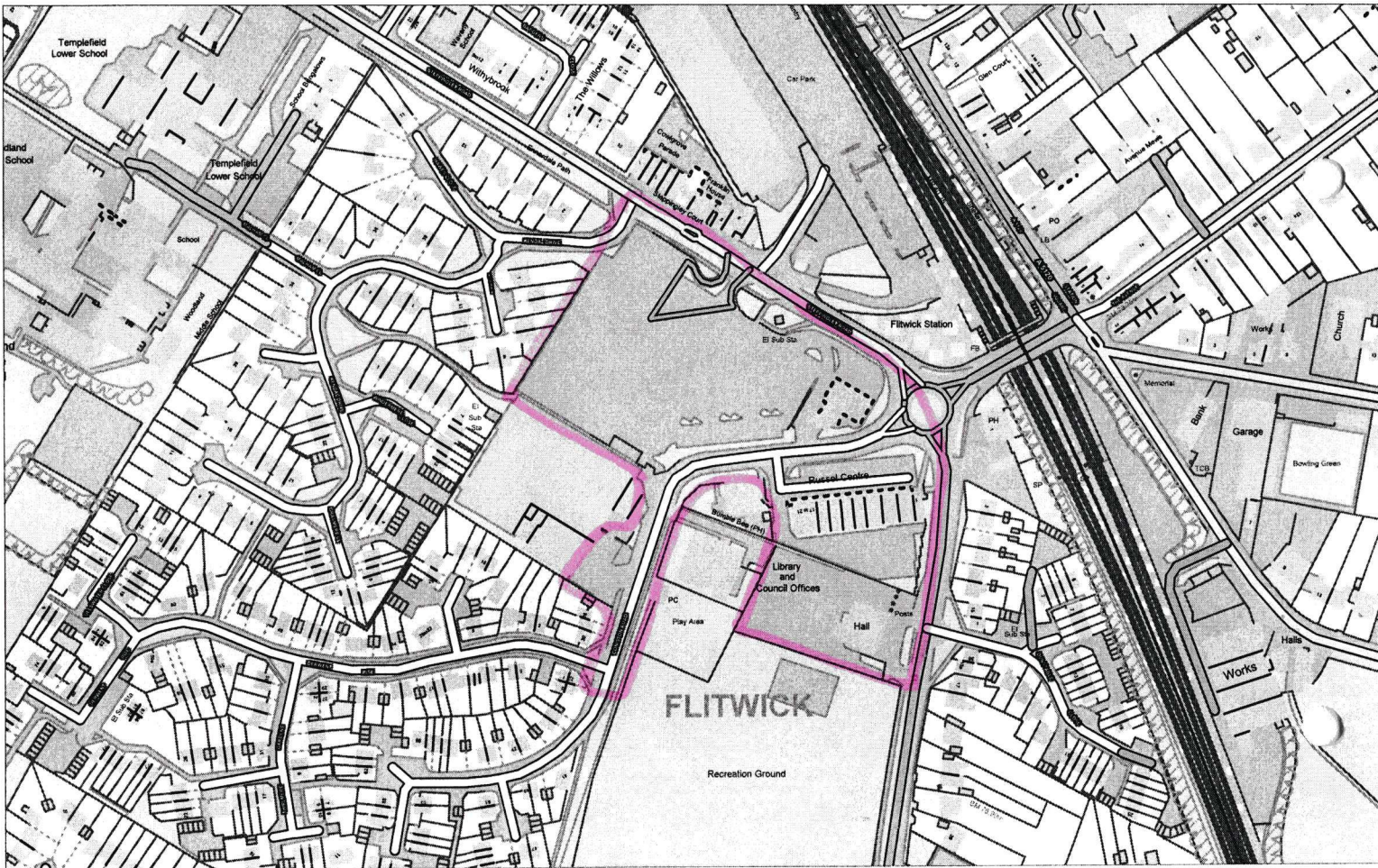
Appendix C – Exit Strategy Regarding Dispersal Order in Flitwick

Background Papers (open to public inspection):

None

Location of papers: Priory House, Chicksands

Annex A



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EVIDENCE FOR USE IN THE APPLICATION FOR A DISPERSAL ORDER IN
FLITWICK (Part 4 – Anti-Social Behaviour Act 2003)

Completed by PC 423 Jon Birch
Neighbourhood Police Officer – Flitwick SNT

The area of Flitwick Town Centre has for over six years and possibly longer, been regarded as a place where much of the notable anti-social behaviour takes place. This is more noticeable at weekends on Friday and Saturday evenings.

Key areas that attract problems are Coniston Road near to Tesco Store and the road next to the recreation ground, Coniston Road near to the Russell Centre shops and Bumble Bee public house, also the area of the Village Hall car park. (Map at annex A).

The number of calls to the police regarding anti-social behaviour, violent crime and damage in these locations is a reflection of how much they can be a problem, mainly on the days mentioned.

With all of these areas being classed as designated public places and alcohol free zones, an effort has been made to enforce the issue of alcohol consumption which commonly is a cause to some issues. Penalty notices have been issued and a number of youths referred to the youth register for being found with alcohol, but clearly these measures are not having a long lasting effect.

At the root of most calls and reports about anti-social behaviour to this area, is the issue of youths gathering. The congregation of a small group frequently grows to a large group and in simplicity a crowd grows and problems start.

Recorded police incidents to this area with a group issue from the start of 2008 to January 2009 amount to over seventy. Most of these relate to the top end of Coniston Road near to Tesco.

Details from Mid Bedfordshire showed that the locations mentioned are within the higher concentration areas for anti-social behaviour and criminal damage (From September 2008 – details at annex B).

In the first six months of 2008, Tesco logged 68 incidents of anti-social behaviour. A number of people have been banned by Tesco with support of the Police over 2008, and some arrests have been necessary over issues in Coniston road, including one breach of an ASBO.

More importantly, public consultation and engagement with young people and adults alike, has shown that there is concern amongst many of the public about the groups and behaviour in the Coniston Road area.

Problems have continued despite various approaches, and in late 2008, I consulted the District Council about the possibility of a Dispersal Order. The idea for this had already been presented at the Flitwick Community Safety Panel, which gave it full support along with Flitwick Town Council.

The District Council took the initiative of organising with me a problem-solving group at the Flitwick Police room and a number of agencies attended. This took into account all the concerns mentioned in this document and a number of agencies went away with actions. Most actions related to youth working and diversionary activity. Tesco also took on some preventative measures for the area of the store. (Minutes of the problem-solving group attached)

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I have come to the conclusion that with the continuing problems stemming from congregation by youths in this area, that a Group Dispersal Order would have a significant impact on the recorded anti-social behaviour in Flitwick, also that level of recorded crime and calls to places like Co-Op store and Tesco, will be reduced.

A Dispersal Order was in place in Flitwick in 2003 and the feedback from the public and previous Neighbourhood team is very positive regarding its effect. In addition the actions from the problem solving group can potentially reap the benefits of appeal to any young people that find themselves 'dispersed'.

In Summary I feel the level of group related incidents in Flitwick Town Centre, requires some action such as a Dispersal Order sooner than later, rather than maybe having to consider such an action if the problem solving process does not resolve issues.

This report is submitted for consideration.


423

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From: Pc 423 Birch

To: Sgt 1210 Denham

16th March 2009.

EXIT STRATEGY REGARDING DISPERSAL ORDER IN FLITWICK

The SNT consulted with other agencies and partners in order to make the case for a dispersal order, with the intention of it being used in conjunction with other schemes and actions during that period but also to have effect beyond the period of the order.

A working group was set up at a Problem Solving Meeting in early December 2008. The purpose of the working group was to consider and plan a number of diversionary activities for young people in the Flitwick area, particularly for those that may gather in the town centre area.

The group lead members are:

Cheryl COVERDALE – Town Council Community Development
Jane REGAN- mid Beds D.C. Youth working
Nicola KING – Aragon Housing Youth Working

Other agencies were consulted and are part of a large-scale plan for activity. Those present and consulted included Flitwick leisure Centre manager, BYOS, County Council youth services and the SNT.

The town youth club will continue to open on a Thursday and some drop in evenings are being planned for Friday evenings.

The Community Development Team at the Town Council are looking at a suitable design and funding for a new youth shelter on the recreation ground, also the skate park has a following of youth which has been consulted in a meeting by Cheryl Coverdale over potential improvements. The Town Council have been given details of the 'Partnerships in Play' project in the hope that some funding through Mid Beds can assist with utilising the Recreation ground for things like the youth shelter and improvements.

Further dates for 'drum and base' evenings are being looked at by Mid Beds youth workers. Such an event proved very popular in November 08, and despite needing good supervision, the level of anti-social behaviour in the town was reduced as a result of it.

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Cheryl, Jane and Nicola, continue to make consultation with young people for new ideas and opinions. The need for diversionary activity was also identified as a priority at the Community Safety Forum on 27th January 09.

The issue of litter is something raised by many about town and is being addressed as a priority by the Town Council with new bins in convenient locations such as the recreation ground. This will be essential if groups of youths will end up making more use of the recreation ground as opposed to Coniston Road and The Russell Centre area, and if more young people are addressed over littering during a Dispersal Order period, there is a better chance of improving on the problem beyond the Order.

The Alcohol strategy has been in place since 2008, and consists of the following actions:

- Extension of Designated Public Places (Alcohol free zones)
- Enforcement of Designated Public Places
- Work by trading standards
- School intervention
- Referral through District Council and other agencies.

An application to extend the Alcohol free zones in 2008 was successful, and the key action now and beyond the dispersal order will enforcing it, particularly in the Coniston Road area, where there is a common link between alcohol and Anti-social behaviour. Keeping groups clear from this area will disrupt the chain of alcohol distribution, particularly sale by proxy.

Sale by Proxy is due to be targeted by trading standards. This will be in addition to continuing test purchases, and staff at Tesco / Co-op notifying the SNT of suspects for purchasing alcohol to supply.

The Licensing manager at Tesco will be briefing staff over age checks and challenging adults where appropriate. Tesco are also looking at changing the brick wall area at the front of the store to make it less comfortable and appealing for youths to sit and gather, this will help beyond the period of the dispersal order.

Some presentations have been done by the SNT to older year groups at Redborne Upper School to raise awareness of the alcohol free zones and consequences of breaching it. Beyond the Dispersal order this can continue with the addition of talking about Dispersal Orders (Which they may well be familiar with by then).

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Regarding referral to other agencies such as Mid Beds and Alcohol awareness programmes, is not a new measure but the use of an Order may facilitate the SNT and all partners in identifying the more prominent offers or those in need of direct intervention, this may have an effect beyond the period of the dispersal order.

PC 423 Jonathan Birch

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Agenda Item: 10

Meeting: Executive

Date: 23 June 2009

Subject: Information Governance and Security Policy

Report of: Portfolio Holder for Business Transformation.

Summary: This report seeks Executive approval for the Information Governance and Security Policy which is the final policy document in the Council's suite of information management policies to be presented to the Executive. This Policy incorporates the Statement of Application of Information Management Policies to Elected Members (at Annex A to the Policy).

Advising Officers: Richard Ellis, Director of Business Transformation.
Clive Heaphy, Director of Corporate Resources.

Contact Officers Ian Porter, Assistant Director (Policy, Partnerships & Performance).
Caroline Carruthers, Assistant Director (Property & ICT).

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

**Reason for urgency/
Exemption from call-
in
(if appropriate)** Not applicable.

RECOMMENDATIONS:

1. That the Executive:

- (a) approves the Information Governance and Security Policy, attached at Appendix A, for implementation.**
- (b) delegates the responsibility for the insertion of changes requested by the Committee to the Assistant Director (Policy, Partnerships & Performance) in conjunction with the Assistant Director (Property & ICT).**
- (c) approves the Statement of Application of Information Management Policies to Elected Members, attached as Annex A to the Information Governance and Security Policy.**

Reason for Recommendations *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. This policy is also a prerequisite of the Government Connect Code of Connectivity (CoCo).*

As there are aspects of this suite of information management policies from which elected members are exempt, these exemptions also need to be agreed and communicated.

This report seeks Executive approval for the final policy in this suite, namely the Information Governance and Security Policy (Appendix A) as well as the Statement of Application of Information Management Policies to Elected Members (Annex A to the Policy).

Background

1. Central Bedfordshire Council has a need to meet a number of national standards and legal requirements relating to information and its management. As information is a key corporate asset and central to everything the Council does, we need to know and have confidence:
 - about where it is and who is looking after it during the course of its lifecycle;
 - that it is available to those that need access to it; and
 - that its security is guaranteed and everyone in the Council knows how to handle sensitive information.
2. Having accurate, relevant and accessible information is vital to the efficient management of the Council. The Council must balance its aim to be open in providing information to the public and stakeholders with its obligations and duties around confidentiality and data protection for certain types of sensitive information. This balance, on which much confidence and trust is founded, requires the Council to:
 - create and manage all its records efficiently;
 - make them accessible when needed;
 - protect and store them securely; and
 - dispose of them safely at the appropriate time.
3. To ensure the Council has a robust framework for information management in place, we have been developing a suite of policies which set out arrangements for:
 - **ICT provision** in terms of the hardware and software all members and officers have access to and its acceptable use;
 - **access to information** - to ensure that the public have access to information through the appropriate legislative mechanisms;

- **information and records management** – to ensure the Council has the appropriate mechanisms in place to manage its records and information assets during the course of their lifecycles in accordance with relevant legislation and to support the Council's efficiency as an organisation; and
- **information assurance and security** - ensuring correct mechanisms are in place to minimise the adverse risk that can result from poor information governance and security.

4. Much of this information management framework has already been set out in the policies approved by the Shadow Executive between February and May 2009:

- Data Protection Policy (in response to Data Protection Act 1998) – approved 17 February 2009;
- Freedom of Information Policy (in response to Freedom of Information Act 2000) – approved 17 February 2009;
- Environmental Information Regulations Policy (in response to Environmental Information Regulations 2004) – approved 17 February 2009;
- Re-use of Public Sector Information Regulation Policy (in response to Re-use of Public Sector Information Regulations 2005) – approved 17 February 2009;
- ICT Acceptable Use Policy - approved 17 March 2009;
- Information and Records Management Policy – approved 17 March 2009; and
- Members' ICT Provision Policy from June 2009 onwards – approved 12 May 2009.

A final key component of information management is effective information governance and security, which is the subject of the policy document being considered at this Committee.

Information Governance and Security Policy

5. The Information Governance and Security Policy, attached at Appendix A, is intended to provide the Council with an effective governance and security management framework for the protection of the Council's information assets. It follows and addresses the widely accepted key principles of good information management and governance:

- **Confidentiality** – confining access to data to those with specific authority to view it.
- **Integrity** – safeguarding the accuracy and completeness of information and ensuring the correct operation of all systems, assets and networks.
- **Accessibility** – ensuring that information and records are available and delivered to the right person, at the time when it is needed.
- **Authenticity** – ensuring information and records are credible and authoritative.

- **Reliability** – ensuring information and records can be trusted as a full and accurate representation of the transactions, activities or facts.

6. Given the diverse and complex nature of the Council's business, the policy also sets out the mandatory security requirements involved in meeting the current and emerging government/industry standards including the:

(a) **Payment Card Industry Data Security Standard (PCI DSS)** which seeks to enhance cardholder data security and facilitate the broad adoption of consistent data security measures globally in response to increasing credit and debit card security threats, and is designed to prevent credit card fraud, hacking, and other risks; and

(b) **Government Connect Code of Connectivity (CoCo)** which is a pan-government programme providing an accredited and secure network between central government and every local authority in England and Wales. This requires all local authorities to have compliant security controls in place, no later than September 2009, before they can be connected to the GCSx (Government Connect Secure Extranet) which is part of the wider Government Secure Intranet (GSi) providing connectivity to nearly all central departments.

Since April 2009, the Department for Work and Pensions (DWP) data access policy has required exchanges of sensitive personal data with local authorities to take place via Government Connect. The Council requires access to DWP systems and data to deliver Housing and Council Tax Benefits. Government Connect is also being used to exchange information for Youth Offending, Trading Standards, Registrars and Parking services and also offers a platform to be used for shared services.

The approval of an Acceptable Use Policy and an Information Security Policy and security awareness training for all staff are all pre-requisites to achieving compliance.

7. This Information Governance and Security Policy will be reviewed annually or more frequently if a specific governance risk is identified or a new security threat arises.

Information Governance arrangements

8. The public sector in the UK has had a number of high profile information losses and breaches which have highlighted the need for all public sector organisations to have robust and enforceable security policies and 'fit for purpose' governance arrangements in place. These need to be kept under constant review as the rules and industry standards for information governance continue to be tightened.

9. At Central Bedfordshire Council, ultimate responsibility for information governance and security rests with the Chief Executive of the Council, with delegated authority to the Senior Information Risk Owner (SIRO), Director of Business Transformation.

10. To support the SIRO and ensure information management and governance become firmly embedded within both strategic and operational thinking and behaviour across the Council, an officer Information Governance Steering Group is being established. This Steering Group will be chaired by the SIRO and will have representation from all key service areas and its members will be responsible for cascading key messages to officers in their service areas.
11. The Information Governance Steering Group will report to the Central Bedfordshire Management Team on the delivery of information management and governance in Central Bedfordshire Council including arrangements for:
 - ICT,
 - Data Quality,
 - Data Protection and Information Sharing,
 - Information and Records Management,
 - Freedom of Information and Confidentiality,
 - developing and maintaining all information governance-related policies, standards, procedures and guidance,
 - co-ordinating information governance in Central Bedfordshire Council, and
 - raising awareness of information governance.

Information Governance and Elected Members

12. The Council's approved information management policies apply to all employees, employees and agents of external organisations who in any way support or access any Council information system, and all Elected Members of the Council unless a specific exemption is identified. These exemptions are set out in the Statement of Application of Information Management Policies to Elected Members which is attached for consideration and approval at Annex A to the Information Governance and Security Policy.
13. This Statement will be reviewed annually or more frequently as amendments or additions to the approved suite of information management policies are made.

Conclusion and Next Steps

12. Given the increasing volume and reliance on information and records, created and stored in both electronic and physical environments, any information governance and security arrangements must give effective support to those services and activities which rely on such information and embed a heightened sense of awareness of information management in the Council's culture.
14. Following approval of this policy document, the Council will have approved the full suite of information management policies. We will then need to ensure that everyone is aware of their individual responsibilities and that appropriate arrangements are put in place to embed these policies consistently across the organisation. The Information Governance Steering Group chaired by the Director of Business Transformation will oversee this and an early task will be to commission the delivery of an awareness and training programme.

15. As security awareness training is a prerequisite of the Government Connect Code of Connectivity (CoCo) compliance, this will need to be prioritised so that when our CoCo submission is made by the Section 151 Officer (Director of Corporate Resources) at the end of August 2009, this self assessment can indicate those actions which have been implemented (including the approval of the ICT Acceptable Use Policy and an Information Security Policy) and/or the plans that are in place for these (including staff training) to be embedded by the end September 2009.

CORPORATE IMPLICATIONS

Council Priorities:

Efficient and effective information governance and security arrangements are essential to the Council's performance and reputation. This report aims to ensure that the availability, integrity and confidentiality of the ICT and information management systems are maintained at a level which is appropriate for the Council's needs. These include the need to support the work of officers and councillors in meeting Central Bedfordshire Council's objectives and to be an open and trusted authority where appreciation of security and governance requirements is an intrinsic part of the organisation's culture.

The service transformation agenda is also critically dependent on effective information management and connectivity across local authorities and with government.

Financial:

The CBMT will consider the level of additional resources (both staffing and financial) required to sufficiently embed the suite of information management policies including an appropriate training and awareness programme.

Legal:

The Council must comply with all relevant UK and European legislation and standards, including principal **legislation**:

- Data Protection Act, 1998
- Data Protection (Processing of Sensitive Personal Data) Order, 2000
- Copyright, Designs and Patents Act, 1998
- Computer Misuse Act, 1990
- Health and Safety At Work Act, 1974
- Human Rights Act, 1998
- Regulation of Investigatory Powers Act, 2000
- Freedom of Information Act, 2000
- Environmental Information Regulations, 1992
- Re-use of Public Sector Information Regulations, 2005
- Local Government Act, 1972
- Taxes Management Act, 1970
- Children's Act, 2004
- Crime and Disorder Act, 1998

- Limitations Act, 1980.

and principal industry **standards**:

- Payment Card Industry Data Security Standard (PCI DSS); and
- Government Connect Code of Connectivity (CoCo).

Risk Management:

The aim of this Information Governance and Security Policy is to:

- minimise the risk to public information by protecting it against unauthorised access and potential misuse; and
- put in place governance arrangements to ensure that our suite of approved policies are regularly reviewed to ensure that they are fit for purpose and adhere to appropriate legislative requirements.

Staffing (including Trades Unions):

See finance implications above.

Equalities/Human Rights:

The Council is required under equality legislation to collect and analyse a variety of information relating to service users and employees in order to ensure the promotion of equality of opportunity. Some of this information can be very confidential and the Council must ensure that such information is secure and used appropriately.

Sections of the information governance arrangements (email/internet usage) are directly concerned with the safeguarding of the Council's equalities and diversity policies.

Community Safety:

There are no community safety impacts directly associated with this report.

Sustainability/Climate Change:

There are no sustainability/climate change impacts directly associated with this report.

Appendices:

Appendix A – Central Bedfordshire Council's Information Governance and Security Policy

Background Papers (open to public inspection):

Location of papers: Priory House, Chicksands

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Central Bedfordshire Council

Information Governance and Security Policy

Version 1.0

May 2009

Policy Governance

Accountable Director	Director of Business Transformation
Policy Author (Title)	<p>Policy Team in consultation with ADs for:</p> <ul style="list-style-type: none"> • ICT and Property • Audit and Risk • Democratic and Legal • Policy, Partnerships and Performance • SCHH - Business and Performance • Customer Services <p>and Heads of Service for:</p> <ul style="list-style-type: none"> • Countryside and Archives • SCHH – Business Systems • ICT Assurance and Applications
Approved By (Title)	
Date Approved	
Issue Date	
Review Date	
Person Responsible for Review (Title)	
Include in Publication Scheme (Y/N)	Yes
Publish to Web (Y/N)	Yes
Circulation	<p>This policy is to be made available to all Council Officers and Elected Members</p> <p>There will be an ongoing professional development and awareness training available to support this document.</p>

Policy Approval

Central Bedfordshire Council (the Council) acknowledges that information is a valuable asset. It is therefore wholly in its interest to ensure that the information it holds, in whatever form, is appropriately governed, in terms of protecting the interests of all of its stakeholders.

This policy and its supporting standards and work instructions are fully endorsed by the Council through the production of these documents and their minuted approval.

I trust that all officers, contractors and other relevant parties will, therefore, ensure that these are observed in order that we may contribute to the achievement of the Council's objectives and the delivery of effective services to our community.

Chief Executive:

Date

The current version of the Central Bedfordshire Council's Information Governance and Security Policy is available from the website at www.centralbedfordshire.gov.uk.

Alternatively, a copy can be obtained by writing to the Principal Information and Records Officer at:

Central Beds Council

Priory House

Chicksands

Shefford

SG17 5TQ

Contents

- 1. Introduction**
- 2. Purpose and Scope**
- 3. Responsibilities**
- 4. Legislation and Standards**
- 5. Policy Framework**
- 6. Annex A – Statement of Application of Information Management Policies to Elected Members**
- 7. Annex B - Document Classification**

1. INTRODUCTION

Having accurate, relevant and accessible information is vital to the efficient management of the Council, which values records and information as important corporate assets. The Council must balance its aim to be open in its provision of information to the public and stakeholders wherever possible, on which much confidence and trust is founded, with its obligations and duties around confidentiality and data protection. This balance requires the Council to create and manage all records efficiently, to make them accessible when needed, to protect and store them securely and to dispose of them safely at the appropriate time.

Effective information management will bring many benefits to the Council by facilitating and supporting more efficient working, better decision making, improved customer service and business transformation.

A key component of information management is effective information governance and security, which is the subject of this policy document. The public sector in the UK has had a number of high profile information losses and breaches resulting in a significant loss of confidence and trust in the public sector's handling of information. There is now a greater reliance on electronic information and records, over the traditional paper mediums, and this is resulting in a more information centric society. As a result expectations are changing and the rules and standards are being tightened to ensure that appropriate levels of security are applied where necessary.

This policy is part of a suite of information management policies which have been adopted by the Council. These are:

- Data Protection Policy (in response to Data Protection Act 1998);
- Freedom of Information Policy (in response to Freedom of Information Act 2000);
- Environmental Information Regulations Policy (in response to Environmental Information Regulations 2004);
- Re-use of Public Sector Information Regulations Policy (in response to Re-use of Public Sector Information Regulations 2005);
- ICT Acceptable Use Policy;
- Information and Records Management Policy; and
- Members ICT Provision Policy.

These policies apply to all officers (including all agency workers and contractors) and elected members, subject to any specific exemptions identified in the statement of application of information management policies to Elected Members (see Annex A).

Many elements of these policies will require significant changes to the Council's working culture and practices and will be supported by an extensive awareness raising and training programme in relation to information management responsibilities.

The aims of this suite of policies are to preserve:

- **Confidentiality** – confining the access to data to those with specific authority to view it.
- **Integrity** – safeguarding the accuracy and completeness of information and ensuring the correct operation of all systems, assets and networks.
- **Accessibility** – ensuring that information is available and delivered to the right person, at the time when it is needed.
- **Authenticity** – ensuring information and records are credible and authoritative.
- **Reliability** – ensuring information and records can be trusted as a full and accurate representation of the transactions, activities or facts.

Objectives

The objectives of this Information Governance and Security policy are for the Council to achieve:

- **Openness** - by making information more available to benefit the whole community
- **Legal Compliance** - by adhering to the appropriate legislative requirements to minimise the risk to public information and monies through inappropriate use.
- **Information Security** - by ensuring information is protected against unauthorised access and potential misuse.
- **Information Quality Assurance** - by ensuring information is accurate, authentic and reliable.

2. PURPOSE AND SCOPE

The purpose this policy is to set out the controls and requirements that will operate to protect the wide range of information that is generated, shared, maintained and ultimately destroyed or archived.

This policy applies to:

- all employees of the Council
- all elected members of the Council
- all employees and agents of external organisations who in any way support or access any Council information system

and information which is:

- stored on computers
- transmitted across networks
- printed out and/or filed in some form
- written on paper and/or filed in some form
- sent by fax

- stored on tapes and disks
- spoken in conversation e.g. by telephone
- sent via E-mail
- stored on databases
- held on microfiche.

3. RESPONSIBILITIES

Ultimate responsibility for security rests with the Chief Executive of the Council, with delegated authority to the Director of Business Transformation acting as the Senior Information Risk Owner (SIRO).

The SIRO will chair the Information Governance Steering Group (IGSG) who are responsible for initiating, developing and monitoring the delivery of information governance in Central Bedfordshire Council as part of the Council's corporate information management.

On a day-to-day basis the Information Governance and ICT Assurance leads will be responsible for managing the policy and working with service managers to ensure robust security procedures are in place and are being complied with. This includes ensuring that permanent and temporary officers and contractors are aware of:

- the information governance and security policies applicable in their work areas;
- their personal responsibilities for information governance and security; and
- how to access advice on information governance and security matters.

The Senior Information Risk Owner (SIRO) and the Caldicott Guardian¹ are responsible for ensuring that information governance is embedded into the organisation to ensure that the potential risks to corporate information and records are mitigated.

The Principal Information and Records Officer will take day-to-day responsibility for developing, monitoring and overseeing the implementation of the corporate information and records management policies, procedures and guidelines and providing the mechanisms for supporting access to information compliance.

4. LEGISLATION AND STANDARDS

The Council will comply with all relevant UK and European legislation and industry standards. This requirement is devolved to employees and agents of the Council who may be personally accountable for any breaches of information security for which they may be held responsible. The principal **legislation** to which the Council will comply is:

¹ Caldicott Guardian – specific role required to oversee the management of the Council's health and social care information and record holdings.

- Children Act, 2004
- Computer Misuse Act, 1990
- Copyright, Designs and Patents Act, 1998
- Crime and Disorder Act, 1998
- Data Protection Act, 1998
- Data Protection (Processing of Sensitive Personal Data) Order, 2000
- Environmental Information Regulations, 1992
- Freedom of Information Act, 2000
- Health and Safety At Work Act, 1974
- Human Rights Act, 1998
- Limitations Act, 1980
- Local Government Act, 1972
- Re-use of Public Sector Information Regulations, 2005
- Regulation of Investigatory Powers Act, 2000
- Taxes Management Act, 1970.

The principal **standards** are:

- **Payment Card Industry Data Security Standard (PCI DSS)**

The Council has defined responsibilities to protect cardholder data and the supporting environment and infrastructure

- **Government Connect Code of Connectivity (CoCo)**

The Council will ensure it meets the mandatory security requirements defined in the CoCo agreement.

- **HMG Security Policy Framework (SPF)**

Although aimed primarily at Government departments and agencies in supporting their protective security and counter-terrorism responsibilities, the SPF has wider application in supporting data protection and commercially sensitive information held by local authorities.

5. POLICY FRAMEWORK

Information security risk assessment and management

The Council will promote the introduction and embedding of information security risk assessment and management into the key controls and approval processes of all its major business processes and functions to safeguard the interests of service users, officers and the Council itself.

The aim is to mitigate risk by providing the means to identify, prioritise and manage all Council activities in respect of high risk commercial and sensitive personal information and records but not at the expense of the health and safety of an individual or providing openness to information wherever possible.

Information risk assessment and management is an essential element of broader information governance and is an integral part of good management practice. The intent is to embed

information risk management in a very practical way and not to impose risk management as an extra requirement.

Information security awareness training

All officers and members will be given information governance and security awareness training. Appropriate officers will receive tailored training relevant to their roles and the systems they use including any requirements to achieve compliance with external standards.

Job descriptions and contracts of employment

All job descriptions will include a general statement about responsibilities for information and data collection. Where officers have defined responsibilities specific to their job role, these will be included in and regularly reviewed as part of the performance and development review (PDR) process.

As part of their contract of employment all officers will receive a copy of the ICT Acceptable Use Policy and confirm their adherence to that policy. Induction will cover the fundamental expectations in relation to information management responsibilities including security.

Security control of information assets

All major information assets will be identified on corporate information asset registers and have a designated Information Asset Owner (IAO), who will make decisions about the protection of those assets that are consistent with this policy and/or any other applicable legislation.

In order to minimise loss of or damage to assets and/or information, equipment will be appropriately protected from security threats and environmental hazards and security marked/tagged using the Council's standard procedure.

Access management

Access management underpins many of the controls designed to protect systems, data, offices and infrastructure from unauthorised access attempts – including physical access to information whether they are in the corporate computer systems, held in offices, records stores, the corporate archive or commercial storage.

A range of controls will be in place to ensure that access to information, information processing facilities and business processes are controlled on the basis of business need and security requirements.

The types of controls to be put in place are as follows:

- **Physical access controls**

Only authorised personnel who have an identified business need will be given access to restricted areas containing information systems. The IAO, working in collaboration with other officers such as the Information Security and/or Information Governance Lead, will determine the rules for granting access to these areas.

- **Information access control**

Access to systems (regardless of medium) containing information shall be restricted to authorised users who have business need to use the systems. Each system will have a

security protocol that includes rules about access control. These rules will cover matters such as:

- secure log on procedures
 - identifying users
 - password management system
 - use of system utilities
 - session time-out
 - limitation of connection time
 - information access restrictions
 - sensitive system isolation
 - privilege management
 - unattended user equipment and data.
- **Equipment Security**
In order to minimise loss of, or damage to, all assets, equipment shall be physically protected from threats and environmental hazards.

Information security events and weaknesses

All information security events and suspected weaknesses are to be reported to the appropriately designated officer(s) to ensure they are dealt with in a timely and effective manner.

All information security events will be investigated (overseen by the SIRO and IGSG) to establish their cause and impacts with a view to considering action to avoid the occurrence of similar events.

Protective marking scheme

Best practice in information assurance requires information to be categorised and identified using an appropriate scheme (known as a protective marking scheme).

The Council has adopted and will work towards implementing the following levels of security classification:

- Not Protected – information that should or could be placed in the public domain.
- Protected – should be applied where the release of information will impact upon a limited individuals.
- Restricted – should be applied where the release of information will impact on a large section of the community.

Full details of this scheme are in the Information and Records Management Policy.

Network security

The secure management of networks, which may span organisational boundaries, requires careful consideration of the legal implications of dataflow, monitoring, and protection.

Additional controls may also be required to protect sensitive information passing over public networks.

The key general principles that all system users need to comply with are as follows:

- The Council will use software countermeasures and management procedures to protect itself against the effects of malicious software. All system users will be expected to co-operate fully with this requirement.
- Users must not install software on the Council's systems and/or infrastructure without permission from ICT. Users breaching this requirement may be subject to disciplinary action.
- Devices containing software or data from external sources, or that have been used on external equipment, require the approval of ICT before they may be used on the Council's systems. Such media must also be fully virus checked before being used on the organisation's equipment. Users breaching this requirement may be subject to disciplinary action.

Laptops and removable media

Modern working practices create a demand for the widespread use of laptops and removable media. Although these offer considerable advantages to business efficiency and practice they also pose particular risks that need to be managed. A number of controls will be put in place to govern the use of laptops and removable media. These will cover matters such as:

- the configuration, identification, registration, storage and disposal of the machines themselves and the regular review of the Council's laptop holdings
- the responsibilities placed on users (and any authorisations required) in respect of:
 - the processing, storage, back up and disposal of information
 - the restriction on the use of removable media (such as CDs and DVDs, memory sticks and digital cameras) to the devices which have been provided by the Council for Council business
 - the day to day security of Council laptops and their information, including in particular the risks of using laptops off site and the precautions that should be taken to mitigate such risks
- remote access from a laptop to Council information systems.

Appropriate guidance and training will be given to users of laptops to support the implementation of controls.

System change control

Network and system software, hardware and operating procedures are subject to regular change. Any changes will be subject to a strict change control regime to ensure that all changes are controlled and approved.

Information sharing

The sharing of sensitive information between Central Bedfordshire Council and other organisations will be governed by clear and transparent procedures that satisfy the

requirements of law and best practice guidance and will be defined within agreed information sharing protocols and agreements.

The principal mechanism for sharing information with central government agencies will be established through the use of Government Secure Extranet (GSx).

Locally, data sharing arrangements will be in accordance with the Bedfordshire and Luton Information Sharing Protocol details of which are in the Council's Data Protection Policy.

Safe haven guidelines

Safe havens are designated areas where sensitive and personal information can be transported and distributed safely and securely to protect service user confidentiality. Officers will be provided with guidance on the use of safe havens for distributing information via faxes, telephone, post and electronically.

Information and records management

The Council will ensure there are procedures in place to prevent the creation of duplicate records and/or filing systems, especially personal filing systems. There will also be procedures to maintain the integrity of electronic and paper-based information systems so as to minimise general information risk. This will include officers checking details held on key systems with the source e.g. with the person who supplied the information. Officers will receive guidance on good practice and improvements in local information and records management practices including moving towards more electronic forms of filing and management of records.

- **Information and data collection activities**

The Council will ensure that there are documented procedures in place covering all key information systems. These procedures will allow for spot checking of data collection activities, and for ensuring that all entries have been recorded in accordance with the agreed information collection policies and procedures.

- **Rationalising databases/data sets**

The Council will endeavour to minimise the number of databases and datasets held, by the use of the corporate Enterprise Content Management (ECM) System, to facilitate the management of datasets. However where it is appropriate that separate databases/datasets are held there will be control mechanisms in place to ensure that any common data is consistent, accurate and up to date.

- **Correction of errors and omissions**

The Council will ensure that local procedures require services to regularly validate information and data within agreed timescales. This will include reconciliations between electronic and paper-based records to ensure that events have not been missed and, if appropriate, contacting the person who supplied the information.

The correction of errors and omissions arising from validation, or from internal or external audits, will be carried out according to agreed timescales and confirmation of such recorded.

The cause(s) of errors and omissions will be established and followed up with officers concerned so that lessons learned are passed on and repetition avoided. Where ongoing and regular problems are identified, the resolution of these will be addressed through further training and supervision.

- **Information, records and data auditing**

The Council will ensure that there is an established internal and external audit programme in place covering all key systems.

This timetabling and focus of this programme will be based on an assessment of risk to key information systems, or may be influenced in the event of an information-related security incident and the findings of an internal or external audit or inspection. The SIRO and IGSG will be involved in any agreements regarding the execution of the audit programme where a security incident has occurred.

The Council will also ensure that it has a robust system in place for identifying its information and records series. This will be achieved by carrying out regular information and records audits and ensuring a consistent approach is adopted as outlined in the Information and Records Management Policy.

Information quality assurance

Responsibility for information quality and records management will be allocated appropriately throughout Central Bedfordshire Council and formalised in all relevant job descriptions.

Business continuity and disaster recovery plans

The Council will ensure that business impact assessment, business continuity and disaster recovery plans are produced for all critical information and records, and their applications, systems and networks.

Monitoring and compliance assurance

Compliance with this policy is mandatory for everyone included within its scope. Where instances of non-compliance are suspected, established disciplinary measures will be invoked and action taken dependent on the findings of the investigatory process.

Compliance audits will be undertaken and findings and recommendations reported to the IGSG, who will ensure that significant risks and issues are addressed in the most appropriate manner.

6. ANNEX A

STATEMENT OF APPLICATION OF INFORMATION MANAGEMENT POLICIES TO ELECTED MEMBERS

Elected Members are required to comply with the Council's approved suite of information management policies unless a specific exemption is identified. The following sets out any exemptions and also provides good practice guidance for Elected Members on information management.

Acceptable Use Policy

This applies, with no exemptions, to everyone using the Central Bedfordshire Council Citrix system and equipment provided by the Council.

NOTE: Elected Members' particular attention is drawn to the requirements in respect of emails as this is one of the principal communication methods used by elected members.

Information and Records Management Policy

This applies, with no exemptions, when Elected Members are creating, managing and disposing of information and records used in the course of Council business.

NOTE: Elected Members generally hold three types of information:

- a. Council information
- b. Constituency case records
- c. Party political information

the policy applies only to information and records of type (a) above.

Therefore it is recommended that Elected Members:

1. Ensure that information saved and any record system used should easily distinguish between these three types of information
2. Ensure they manage their own records relating to type (b) & (c) above in accordance with Data Protection legislation

Data Protection Policy

The Council's Data Protection Policy applies, with no exemptions, to Elected Members when they have access to Council information and records which contain personal and sensitive personal information and data.

NOTE: For the purposes of the Data Protection Act, Elected Members are considered to be separate legal entities from the Council when dealing with any other personal information they might obtain or have access to, such as constituency casework and campaigning activities.

Therefore, Elected Members are required to ensure that they register with the Notification Department of the Information Commissioner's Office www.ICO.gov.uk . If required, advice is available from the Council's Principal Information and Records Officer.

Freedom of Information (Fol) Policy and Environmental Information Regulations (EIR) Policy

The Council's Fol and EIR policies apply, with no exemptions, to information and records that Elected Members hold that relate to Council business. For the purposes of Fol and EIR information and records include any written documentation including emails and "post it" notes.

NOTE: Any requests for Council information received by the Elected Member should be sent to the Information and Records Team to deal with.

All Elected Members are encouraged to use internal mechanisms for requesting information from the Council as this is likely to be quicker than following the Freedom of Information route.

All Elected Members should encourage constituents to write direct to the Council for Freedom of Information requests rather than get involved in forwarding requests and effectively acting as an agent to an enquiry. Elected Members can always ask constituents to request that they are copied into any reply.

Re-use of Public Sector Information.

Elected Members are exempt from this policy, unless they have received information via the Freedom of Information process or receive a request to re-use Council information in which case they should direct it to the Information and Records Team.

Note – Members do have, in certain circumstances, the right to disclose information to third parties if it can be said to be 'in the public interest'. Given the personal and corporate reputational risk, all Members are strongly advised to be very careful about disclosing **any** information to the media or elsewhere. Firstly, they **must** refer to the constitution and member guidance on disclosure and are strongly recommended to get further advice and guidance from the Assistant Director Legal and Democratic.

Once information has been disclosed under Freedom of Information or Environmental Information Regulations, it is generally considered to be 'in the public domain' for **any** future requests made for it. However, this does not mean that the information can automatically be used or published by person who requested it or to whom it was disclosed, as it is only disclosed for the **personal use** of the individual requesting it. It is for the Council to decide if the information can be re-used for any other purpose so as to safeguard public interests and prevent information being used for financial gain.

Under no circumstances should personal or sensitive personal data be disclosed without the prior written consent of the person to which the data relates. Members should be aware that personal liabilities and penalties will result in such circumstances.

For further advice and guidance on Freedom of Information, Data Protection, and Environmental Information regulations and the re-use of public sector information please contact the Principal Information and Records Officer.

7. ANNEX B

DOCUMENT CLASSIFICATION

All corporate documents are classified using the following two classification methods. (For more detailed information see Information and Records Management Policy.)

Security classification

The purpose of security classification is to ensure that all information is secured and only accessible to appropriate persons. All documents (including emails) will have the security classification clearly identified unless it is categorised as 'Not Protected', the default position for openness.

The security classification is divided into the following three categories:

- Not Protected
- Protected
- Restricted

(For a detailed explanation of these security classifications see the Information and Records Management Policy.)

The security classification of this document is:

- Not Protected

Functional classification

The purpose of functional classification is to ensure that all significant documents are placed in their correct position within the corporate information architecture. This is to facilitate effective management, access and disposal of information across the organisation. Each document will be marked using the corporate function (highest element of classification which describes the general area in which the document resides) under which it falls.

The functional classification of this document is as:

- Information Management

Agenda Item: 11

Meeting: Executive

Date: 23 June 2009

Subject: Public Protection Statutory Service Plans 2009-2010

Report of: Portfolio Holder for Safer Stronger Communities

Summary: The report proposes the approval of 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

Advising Officer: Gary Alderson, Director of Sustainable Communities

Contact Officer: Sandra Moore, Head of Public Protection South
Susan Childerhouse, Head of Public Protection North

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

Reason for urgency/
exemption from call-in
(if appropriate) Not applicable

RECOMMENDATIONS:

- 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 (separately enclosed as Appendices A, B and C respectively) be approved.**
- 2. That the Assistant Director Community Safety and Public Protection, in consultation with the Portfolio Holder, undertakes any necessary minor amendments to the plans prior to publication.**

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

Background

1. Central Bedfordshire Council, as a new unitary authority, has a clear and influential role in safeguarding the public, consumers and businesses of Central Bedfordshire and is committed to comprehensively discharging its duty as an enforcing authority under consumer and trading law. The Council's Public Protection service has a significant role to play in creating a safe and healthy environment for people at home, at work and at leisure, whilst supporting business growth, protecting consumers and cracking down on rogue traders. The primary responsibility of this service is to work towards the achievement of cohesive, strong and safe communities, thereby enhancing the attractiveness of the area to people and businesses.
2. In keeping with the Hampton Agenda for better regulation, the Public Protection service recognises the need to avoid placing unnecessary burdens on legitimate businesses and instead to provide support which allows them to meet their legal obligations whilst not inhibiting their trade. At the same time it aims to target those that disregard the law by taking effective and efficient enforcement action, thus providing a "level playing field" on which all businesses can operate. Officers will also proactively seek out, analyse and if appropriate respond to intelligence indicating a need for intervention. This targeted approach does not preclude the service from proactively providing advice and information to businesses through individual on-site business advice consultations and the generic 'Traders Charter' Diligence Pack continuously updated and distributed.
3. Good service planning is the cornerstone of efficient performance management. An effective service plan provides a solid foundation, keeping priorities and principles firm even in times of change. It is also a vital part of the 'golden thread' which links corporate and community objectives through to individual performance plans, so that each member of a team knows how they contribute to achieving the council's improvement objectives. Service plans are an essential tool for making rational and coordinated decisions about levels and types of provision where resources, finances, people, skills and assets are used well through clear links to financial planning.
4. The three proposed service plans appended to this report are an expression of the Council's commitment to the delivery of its Public Protection service and set out how services will be delivered to achieve a fair trading environment ensuring the health safety and welfare of those living visiting and working in Central Bedfordshire. Resources will be targeted at those premises identified as providing the highest risk through the use of the different interventions available to the services and will also ensure that our statutory obligations are met. Some of these areas of work will be undertaken with partners in the Police, Fire Service, Primary Care Trust (PCT), Health Protection Agency (HPA) and Health and Safety Executive (HSE) as well as the other 12 local authorities which form the Hertfordshire and Bedfordshire Environmental Health Group (HEBEG) and the eastern region authorities which comprise the East of England Trading Standards Association (EETSA).

5. The service plans, along with the Central Bedfordshire Enforcement Policy are published documents, ensuring that the way the services operate and the Council's commitment to these services are transparent to businesses, residents and others wishing to use them. .

The Food Law Enforcement Service Plan

6. Central Bedfordshire Council is a Food Authority as defined in the Food Safety Act. As such it is required to have regard to the Framework Agreement on Local Authority Enforcement published by the Food Standards Agency (FSA). This document provides a mechanism for implementing the FSA's powers under the Food Standards Act to influence and oversee local authority enforcement activity. The Standard, and the Service Planning Guidance which it contains, set out the Agency's expectations on the planning and delivery of food law enforcement. These expectations reflect a combination of recognised good practice and existing requirements under the Agency's Food Law Code of Practice.
7. The Framework Agreement provides for:
 - Publicly available *local food service plans* to increase transparency of local enforcement services
 - Agreed food law enforcement standards for local authorities
 - Enhanced monitoring data with greater focus on inspection outcomes and which provides more detailed information on local authority performance
 - An audit scheme aimed at securing improvements and sharing good practice.
8. The format of the Food Law Enforcement Service Plan is governed by the template and guidance contained in the Framework Agreement, which is prescriptive. This enables the FSA to readily assess delivery of the service and to allow comparison of Plans between local authorities for Best Value purposes and assist with Inter Authority Auditing exercises. The plan sets out:
 - the Council's policy statement on food safety and public health including aims and objectives and links to corporate policy priorities.
 - a profile of the area including the Council's political and managerial arrangements.
 - detailed information on the demands placed on the service.
 - detailed estimates of activities to be carried out in the year in relation to premises inspection, investigation of complaints, advising businesses, the sampling programme, food safety incidents, liaison arrangements and promotional activities.
 - resources deployed to meet these demands in terms of staffing, employee development programmes, ICT, technical equipment, and advice and information arrangements.
 - quality assessment procedures and performance indicators.

9. The plan is updated annually and includes a review of the previous year's activity. The proposed Food Law Enforcement Service Plan 2009-2010 for Central Bedfordshire Council appears at Appendix A to this report.

The Age Restricted Sales Plan

10. This annually published plan provides a clear statement of enforcement policy and practice, as well as detailing the Council's aims and objectives to effectively tackle and so reduce the supply of age restricted products to those who are under age. It also sets out arrangements for ensuring consistent good practice, and for benchmarking performance against other Local Authorities.
11. The plan fulfils a number of obligations as part of the overall work by the Public Protection service to prevent illegal supplies of age restricted goods:
- The Children and Young Person's (Protection from Tobacco) Act 1991 requires a local authority to review its enforcement policy relating to the supply of cigarettes and tobacco to persons under the age of 18 on an annual basis.
 - The Clean Neighbourhoods and Environment Act 2005 (section 32) places a duty on local weights and measures authorities (Central Bedfordshire Council) to consider whether enforcement action is necessary with respect to the under age sale of aerosol paint and to undertake appropriate enforcement action if needed.
 - The Licensing Act 2003 (section 154) places a duty on local weights and measures authorities to enforce Sections 146 and 147 so far as they apply to sales of alcohol to children (under 18 made on or from premises to which the public have access).
12. This Authority enforces legislation relating to the sale of the following age restricted products:
- Aerosol paint
 - Cigarettes and tobacco products
 - Alcohol products
 - Intoxicating substances (butane/solvents)
 - Fireworks
 - Petroleum spirit
 - Video recordings
 - Lottery and scratch cards
 - Knives and blades
13. Public Protection works in partnership with other stakeholders including Central Bedfordshire Council's Community Safety service, Bedfordshire Police as well as the HPA, PCT and community groups. This partnership working ensures accurate identification of growing high-risk areas and enables the sharing of best practice and performance of collaborative work (e.g. joint operations/initiatives and licence reviews).

14. The Performance Framework for Local Authorities gives an indicator directly relating to age restricted products in NI 115 which measures substance misuse by young people, where substances include solvents and alcohol. This indicator is included in the Local Area Agreement set of indicators and as such it is a recognised priority for Central Bedfordshire. This priority flows from the obvious link between substance misuse and crime and anti-social behaviour as well as the negative impact on health and well being.
15. Similarly NI 123 measures smoking rates amongst those over 16 and the service can contribute to reducing this figure through its work on preventing children's access to tobacco products.
16. The proposed Age Restricted Sales Plan 2009-2010 for Central Bedfordshire Council appears at Appendix B to this report.

The Health and Safety (as a Regulator) Service Plan

17. The enforcement of workplace health and safety legislation in Great Britain is a responsibility shared between the Health and Safety Executive (HSE), a central government agency, and 400 local authorities. The Health and Safety at Work etc. Act 1974 (HSWA), and related legislation, is enforced at individual work premises either by HSE, or the relevant local authority, according to the main activity carried out there. The Health and Safety (Enforcing Authority) Regulations 1998 allocate the enforcement of health and safety legislation at different types of premises between local authorities and HSE. Local authorities are the principal Enforcing Authority in retailing, wholesale distribution, warehousing, hotel and catering premises, offices, and the consumer/leisure industries. The primary purpose of HSWA is to control risks from work activities. The role of the enforcing authorities is to ensure that duty holders manage and control these risks and thus prevent harm to employees and the public.
18. Section 18 of HSWA places a duty on Central Bedfordshire as an enforcing authority under the Act, to make adequate arrangements for enforcement of the regulatory regime. The "Standard on Enforcement", issued as mandatory guidance under section 18, sets out the arrangements that enforcing authorities should put in place to meet this duty. Enforcing authorities are legally required, from 1st April 2008, to work towards compliance with the principles and standards. From 31st March 2011, compliance with the standard will be mandatory.
19. The foundation element of the section 18 standard requires an enforcing authority to set out its commitment, priorities and planned interventions:-
 - *Commitment* - make a clear statement, endorsed by senior management, on its commitment to improving health and safety outcomes.
 - *Priorities and Planning* - set out its priorities and plan of interventions for the current year. These should take into account:
 - national and regional priorities, targets and plans
 - locally derived objectives
 - relevant guidance and policies.

- *Targeting Interventions* - target its interventions:
 - to maximise its impact in improving health and safety outcomes
 - on securing action by duty holders to manage and control the health and safety risks of their work activities
 - on the duty holders who are best placed to control the risks whether they be employers or others
 - on other organisations and stakeholders that can influence risk reduction
 - on activities that give rise to serious risks or where the hazards are least well controlled
 - to stop those that seek economic advantage from non-compliance (e.g. rogue traders)
 - in accordance with national guidance on interventions and priority programmes
 - in accordance with local, regional and national programmes

20. Guidance on the Standard stipulates that an enforcing authority should develop an intervention plan which:

- Has an annual currency or a two or more year life and facility for an annual review
- Is a standalone document or is part of a broader plan of services which clearly identifies health and safety priorities
- Is available for the use and guidance of all managers and practitioners.

The overriding principle is that the plan should outline a robust approach to delivering the planned outcomes as well as providing a summary of performance against the previous year's plan.

21. The proposed Health and Safety (as a Regulator) Service Plan 2009-2010 for Central Bedfordshire Council appears at Appendix C to this report.

Conclusion and Next Steps

22. This report seeks approval of 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 for Central Bedfordshire Council. Once approved the plans will be published on the Council's website, shared with key stakeholders and open to scrutiny by central government and its agencies.

CORPORATE IMPLICATIONS
Council Priorities: Managing growth effectively Promoting healthier lifestyles and creating safer communities Protecting children and young children Boosting prosperity

Financial:

This information is awaited following closure of accounts for the legacy authorities. All expenditure will be met within existing budgets.

Legal:

There is a mandatory requirement placed on the Council by the Food Standards Agency and the Health and Safety Executive to produce Enforcement Service Plans which are approved by members.

Risk Management:

Failure to properly manage and operate the enforcement services could result in central government agencies intervening to assume responsibility for the function.

Staffing (including Trades Unions):

None

Equalities/Human Rights:

There are no direct implications for human rights. The application of legislation may have human rights implications in instances where licences to trade are revoked, premises are closed down or prosecutions are brought.

The Service undertakes regular equality monitoring to check that local businesses are aware of the service and able to access information and guidance. Information is translated where necessary and training is delivered in other languages when appropriate. It also works with schools, child care settings, care homes and luncheon clubs to promote the well-being of vulnerable groups. The Service has an important role to play in helping to prevent disability and tackling health inequality caused by unsafe working practices. Action taken to ensure the enforcement of age restricted sales has an important role to play in promoting the well being of vulnerable groups.

Community Safety:

The Service Plans detail how the Council will discharge its responsibility to enforce consumer, safety and trading law within Central Bedfordshire. Their implementation will work to minimise criminal contraventions of the legislation and which is intended to ensure public safety and protect the consumer.

Sustainability:

To help create a safer, stronger, healthier and more prosperous community

Appendices:

Appendix A – Food Law Enforcement Service Plan 2009-2010

Appendix B – Age Restricted Sales Plan 2009-2010

Appendix C – Health and Safety (as a Regulator) Service Plan 2009-2010

Background Papers (open to public inspection):

Central Bedfordshire Enforcement Policy

FSA Framework Agreement on Local Authority Food Law Enforcement

Food Law Code of Practice (England)
Test Purchase Results Table 2008/9
HSE Section 18 Standard on Enforcement

Location of papers: Priory House, Chicksands

Appendix A



**CENTRAL BEDFORDSHIRE COUNCIL
PUBLIC PROTECTION**

FOOD LAW ENFORCEMENT SERVICE PLAN

2009-2010

*In accordance with the Food Standards Agency
Framework Agreement, issued September 2000 as
amended.*

FOREWORD

Central Bedfordshire Council, as a new Unitary Authority, has a clear and influential role in safeguarding consumers and businesses of Central Bedfordshire and is committed to comprehensively discharging its duty as an enforcing authority under consumer law.

This annually published plan provides a clear statement of enforcement policy and practice as well as detailing the Council's aims and objectives for the enforcement and improvement relating to food law enforcement. It also sets out arrangements for ensuring consistent good practice, and for benchmarking performance against other local authorities.

Better Regulation

This plan has taken into account and is fully committed to the Government's Better Regulation Agenda. Over the next few years and where possible the Public Protection service will look at ways of:

- Reducing the inspection burden on businesses
- Making it easier to read and improving written communication with businesses
- Providing simple and helpful advice via the council website
- Providing face-to-face or telephone advice which does not automatically lead to enforcement
- Providing small business training courses
- Devising and provide positive incentive schemes
- Reviewing sanctions and penalties for non compliance, in particular where such action will reduce the prospect of prosecution

These and other initiatives in conjunction with new Public Protection managers and teams, and improvements in officer competency, will result in significant improvements in the regulation of food businesses.

Portfolio Holder for Sustainable Communities

TABLE OF CONTENTS

	Page
0.0 Introduction	4
1.0 Service Aims and Objectives	5
2.0 Background	7
3.0 Service Delivery	15
4.0 Resources	23
5.0 Quality Assessment	25
6.0 Review	26
Appendix 1 - External Experts for Food Examination & Analysis	27
Appendix 2 - Schedule of Enforcement Activity	28
Appendix 3 - Targets for Local Performance Indicators	29
Appendix 4 - Estimated Staff Resources per Activity	30
Glossary of Terms	31

0.0 INTRODUCTION

0.1 This Food Law Enforcement Service Plan outlines the food law enforcement functions carried out by the Public Protection Service of Central Bedfordshire Council to meet the requirements of the Food Standards Agency (FSA) Framework Agreement. It covers functions carried out by officers under the provisions of the Food Safety Act 1990, the Food Hygiene (England) Regulations 2006, relevant regulations made under the European Communities Act 1972 and the Official Feed and Food Controls (England) Regulations 2007.

0.2 The scope of this Plan includes:

- Food Hygiene Interventions
- Licensing and Approval of Food Businesses
- Food composition and labelling
- Food sampling and analysis
- The control and investigation of outbreaks of food related infectious disease
- Food safety incidents
- Food complaints
- Food safety promotion
- Controls on animal feeding stuffs

0.3 In order to comply with FSA requirements and in the interests of transparency and accountability this Plan will be submitted to the Executive of the Council on 23 June 2009. Once approved the Plan will be published and made available on the Council's website.

0.4 The stated aim of the FSA is to make food law enforcement more effective and for all agencies to undertake their duties in a more effective, comprehensive and collaborative manner. This Plan sets out how Central Bedfordshire Council intends to achieve these objectives.

1.0 SERVICE AIMS AND OBJECTIVES

The Public Protection Team within the Sustainable Communities Directorate actively seeks to achieve the Council's vision to improve the quality of life of all in Central Bedfordshire and enhance the unique character of our communities and our environment (Strategic Plan 2009-2011)

In seeking to realise this vision the service sets a number of detailed objectives, which are outlined below:

- To achieve effective intelligence-led risk based interventions of a range of businesses and other activities to secure the safety of food and feedingstuffs
- To develop, simple and helpful information for small businesses, including participation in the ERWIN (Everything Regulation Whenever It's Needed) which has as its basic concept the provision of Regulatory Services information in an innovative way that makes it more accessible and useful for businesses. This collaborative project involves the Trading Standards, Environmental Health, Fire and Rescue and Licensing services across the East of England
- To improve communication to small businesses on food and feedingstuffs safety issues via the Council's website, targeted communications and letters following inspection
- To work in partnership with the FSA, Local Better Regulation Office (LBRO), East of England Trading Standards Association (EETSA), Local Authorities Coordinators of Regulatory Services (LACoRS), local businesses and others to reduce the burdens on businesses whilst at the same time improving food and feedingstuffs safety;
- Develop positive incentive schemes
- Consider new initiatives in line with the Regulators Compliance Code
- To take risk-based enforcement action where appropriate and necessary

Cross - linkages with other Corporate Plans and Policies

The Council's Strategic Plan 2009-2011 contains a number of themes which link to the Food Law Enforcement Service Plan:

- *growing our economy and raising the profile and identity of the county as a great place to live, work and visit.* This Service Plan, in implementing the governments Better Regulation Agenda will assist the Council helping to grow the economy by removing unnecessary regulatory burdens from local businesses whilst at the same time, improving food safety education and

information services for businesses, making them better places to work, and safer for the public to visit.

- *reducing health inequalities and delivering good health and well-being for our communities.* This service plan is fully aligned with central government's drive to improve the health and well-being of all sectors of the community through the promotion of safe and healthy food choices.

As stated in the Sustainable Communities Directorate Plan 2009-10, the five agreed Council priorities are:

1. Supporting and caring for an ageing population
2. Educating, Protecting and Providing Opportunities for children and young people;
3. Managing Growth Effectively;
4. Creating Safer Communities;
5. Promoting healthier lifestyles.

The Food Law Enforcement Service Plan has cross-linkages with these priorities as follows:

1. The Council is the enforcing body for food safety and standards in care homes, luncheon clubs etc where Council interventions safeguard the health of elderly clients
2. The Council, as part of its inspection programme, educates and where necessary, takes enforcement action, to secure food safety in schools and other child care settings
3. Implementation of the Better Regulation Agenda will reduce administrative and regulatory burdens on local business thereby helping economic growth

2.0 Background

2.1 Central Bedfordshire profile

Central Bedfordshire lies in the heart of the country, covering some 712 square kilometres from Leighton Linlade and Dunstable in the west to Sandy and Arlesey in the east. The area is diverse with picturesque villages and towns as well as numerous industrial estates. It is home to a number of industries including leisure, aircraft and defence-related engineering. The district is traversed by a number of major trunk roads including the M1, A1 and A6. It is one of the most rapidly growing areas in England and is planning for substantial additional development as part of the Milton Keynes and South Midlands growth areas. The largest communities within central Bedfordshire are Ampthill, Biggleswade, Dunstable, Flitwick, Houghton Regis, Leighton Linlade, Sandy and Shefford.

2.2 Demographics

The evidence base which is currently being developed for Central Bedfordshire's Community Strategy states that the overall population in 2007 was 252,100. From the 2001 Census we know that Black and Minority Ethnic communities comprised 6% of the population. The largest groups were White Irish 1.3%, White Other 2% and Indian 0.6%.

2.3 Local Food Poisoning Statistics

The overall rate of food poisoning in Bedfordshire continues to be above the national average.

Campylobacter is the most commonly reported infection followed by Salmonella. Seasonal variation is evident in reported cases with Campylobacter infection peaking in late spring and early summer and Salmonella infection increasing in late summer and early autumn. A large proportion of food poisoning is acquired abroad, which also affects seasonality. A high proportion of Campylobacter infections may be acquired in the home. In some cases individuals handling cooked and uncooked meat together, (e.g. at barbecues) has been the source of infection. However it has to be said that in the majority of cases the source cannot be categorically proven.

No food poisoning outbreaks have occurred in the district in the previous year. The majority of food poisoning cases have been confined to the household and in the majority of cases have affected only one individual.

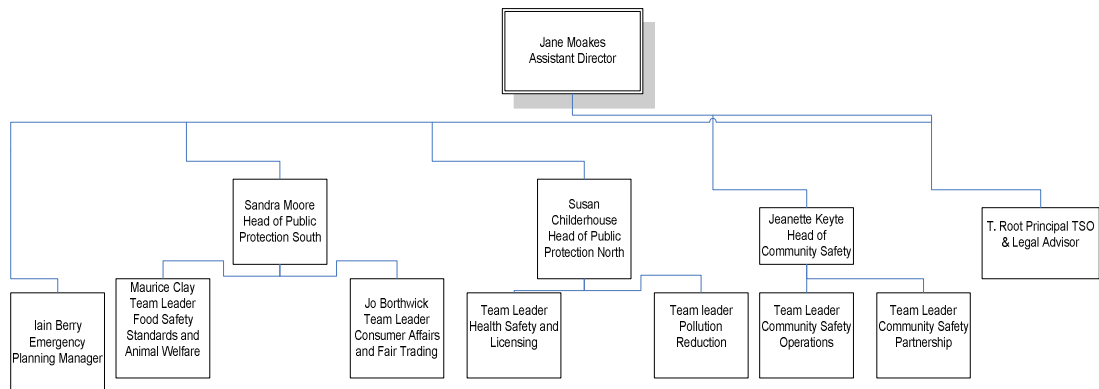
2.4 Organisational structure

The food safety and standards function is part of the Public Protection service which also deals with emergency planning, occupational health and safety, contaminated land, air quality and environmental protection in commercial businesses. It operates under the Director of Sustainable

Communities who is accountable to the Chief Executive. The officer structure in relation to food law enforcement is illustrated in Figure 1. Overall co-ordination of the service's food law enforcement is the responsibility of the Head of Public Protection.

Specialist services are provided by external agencies such as the Public Health Analyst and Food Examiner. Details of these may be found in Appendix 1.

Figure 1



2.5 Committee Structure

The Constitution and Committee Structure for the new unitary authority was adopted by the Central Bedfordshire Shadow Council on 26 February 2009.

Following the elections in June 2009, the Council will elect a Leader to serve a two year term of office (until the next full Council elections in 2011). The Executive will consist of the Leader together with at least two, but not more than nine, councillors including a Deputy Leader. Members of the Executive will be appointed by the Leader.

The Executive is responsible for making most operational decisions. However the Council is responsible for approving or adopting the Policy Framework and the budget.

An Executive Portfolio Holder (currently the Portfolio Holder for Sustainable Communities) represents the Public Protection service of the Directorate of Sustainable Communities.

The Council will establish five Overview and Committees (mirroring the Council's Departmental Structure). The Overview and Scrutiny Committees assist the Council and the Executive in the development and review of its Budget and Policy Framework and reviews and scrutinise the decisions made by and performance of the Executive. The Overview and Scrutiny Committees may, from time to time, appoint Task Forces to

investigate in depth matters of concern. All non-Executive members are eligible to serve on task forces and are appointed on the basis of their interest in or experience of the matter being reviewed. The Sustainable Communities Overview and Scrutiny Committee will be responsible for matters relating to the environment and public protection.

2.6 Scope of Food Law Enforcement

The food safety function covers the following specific areas:

- Food Safety Enforcement.
- Food standards (composition and labelling) enforcement.
- Imported food inspection.
- Food Hygiene Inspections.
- Infectious disease investigations and control and investigation of outbreaks and food related infectious disease.
- Licensing and approval of food businesses.
- Food sampling and analysis.
- Food Safety Incidents.
- Food Safety Promotion.
- Animal feedingstuffs enforcement

2.7 Use of Contractors

It has been the policy of this Council to engage the services of outside contractors to assist in programmed food hygiene inspections, subject to:

- There being insufficient resources to complete programmed inspections within the capacity of the employed establishment
- Agency contractors meeting the requirements of the Food Law Code of Practice; and
- Costs being met within existing budgets;

A three year contract for the inspection of medium and low risk food premises in the south of the council's area was let in April 2007 and will terminate in March 2010. The engagement of contractors to assist with service delivery will be subject to review during the current service plan year.

2.8 Demands on the Food Safety Service

Food hygiene interventions

At 1st April 2009 2051 food premises are registered and subject to programmed food hygiene interventions. The split between risk categories (as defined by the Food Law Code of Practice Annex 5) for 2008/09 and 2009/10 is shown in Table 1 below. The area has a high turnover of food businesses as a result of new business start-ups and changes in ownership. This can significantly increase the inspection workload of the team during the course of the year but this is difficult to predict and quantify accurately.

Table 1

Number of food businesses (food hygiene)

Risk	A	B	C	D	E	Total
No of Premises	5	132	893	231	478	2051

The Service becomes aware of new food businesses by:

- receiving food premises registration forms (food businesses are required by law to register with local councils);
- general surveillance of the area by officers;
- advertisements seen in the local press.
- information from existing businesses and the public on changes in ownership, usage etc.

New businesses are flagged for an initial inspection following which they will be risk rated in accordance with Annex 5 of the Food law Code of Practice. Until that happens the business is unrated.

The FSA re-issued the Food Law Code of Practice in June 2008, to bring the document into line with the better regulation agenda and the Regulatory Reform Act. The new Code can be viewed at <http://www.food.gov.uk/enforcement/enforcework/foodlawcop/copenpla/nd/> and includes a number of changes. The two fundamental changes relate to a complete overhaul of the Local Authority Enforcement Monitoring System (LAEMS) and the replacement of a strictly inspection-focused approach to food law enforcement in certain medium and lower risk premises (risk categories C and below). This is intended to allow for a more flexible approach in those premises

assessed as being “broadly compliant”. Although these businesses must still receive an intervention at the prescribed frequency, the approach allows local authorities to use a wider range of defined intervention options in order to work towards increased business compliance within a set framework, while focusing resources on those businesses requiring more effort to secure compliance. High-risk premises rated A or B for hygiene must continue to receive a full inspection or audit as their main intervention. Given the make-up and turnover of food businesses in the area it is anticipated that the majority of Central Bedfordshire’s food businesses in risk category C may also continue to require a full inspection as their main intervention.

Where D rated premises are deemed broadly compliant the Code allows for every alternate intervention to be an unofficial control, the intention being to reduce the officer time spent on lower risk premises and reduce burdens on compliant businesses.

Premises with an intervention rating of category E for hygiene may be dealt with by an Alternative Enforcement Strategy (AES). This allows for the removal of very low risk food businesses (e.g. those having only vending machines or providing very low risk items such as teas, coffees etc) from the inspection programme. However businesses classified in this way must still receive a food hygiene intervention at least once every three years. Mobile food vendors and similar businesses which are registered with the Council, but only trade outside its area, are subject to an initial inspection but are not included in the inspection programme. Businesses falling into these two groups will receive mail shots on food law enforcement issues, and may also receive targeted enforcement visits, but will not be included in the programme of inspections unless complaints or referrals from other local authorities are received.

It should be noted that a potentially significant change in approach to food hygiene interventions may flow from the Pennington Report into the E. coli 0157 outbreak in 2005, published in March 2009. The FSA at its Board Meeting in April 2009 established a programme management board which will report back with initial proposals in response to the report recommendations in July 2009. The following areas of work will be addressed:

- uptake of food safety management systems by food business operators
- knowledge, training and skills of enforcement officials
- consistent and appropriate risk based enforcement
- audit and monitoring of enforcement
- evaluation to ensure programme objectives of securing public health protection are met
- improving our understanding of the science
- the adequacy of legal powers to ensure food safety and effective penalties for non-compliance

- joined-up working, between organisations in the food safety system, not only at working officials level, but also at the higher echelons of organisations.

The FSA Board has acknowledged that a change of culture is required to ensure that identified weaknesses are properly identified and escalated within the enforcement hierarchy. Furthermore it has clearly signalled that it does not endorse “light touch” enforcement. It is anticipated that significant changes in approach will be imposed by FSA during the life of this plan which could impact on officer resource as a result of the need for training and re-prioritisation of the intervention strategy.

Food standards inspections

As at 1st April 2009 a total of 1577 premises were subject to food standards (composition and labelling) interventions. The risk profile at 1st April 2009 is shown in Table 2 below.

Food standards inspections are carried out in accordance with the LACoRS Trading Standards Risk Assessment Scheme. The basis of the scheme is that each business within the local authority’s area receives a score to direct enforcement actions to deal with the risk posed by the business, as opposed to a scheme which is based purely on inspection as a means of dealing with the risks. This means that businesses which would not otherwise be on the database are included, as they can pose a trading standards risk which may be dealt with via other mechanisms (e.g. surveys, test purchases etc).

The scheme comprises a national element that is scored on a national basis and a local element that is particular to the individual business and determined by the local authority. The national element of the scheme deals with the potential risk while the local element of the scheme deals with the particular business’ systems of risk management. The local authority determines this by assessing compliance levels, complaints received and systems of management control used in the particular business. The overall risk score for the business is determined by adding the national score for the business type, to the local score for the individual business. The scheme categorises businesses into high, medium, and low risk. The overall score is used to determine the frequency of enforcement actions. These can take the form of inspections, test purchasing, sampling, targeted enforcement projects etc.

Table 2

Number of food businesses (food standards)

Risk	High	Medium	Low	Total
No of premises	27	650	900	1577

At 1st April 2009 there are a total of 310 feedingstuffs premises in the area. The risk profile is shown in Table 3 below. Feedingstuffs inspections are also carried out in accordance with LACoRS Trading Standards Risk Assessment Scheme. Those premises that require Feed Hygiene inspections are currently risked scored using the Animal Feed Law Inspection Rating Scheme in the Animal Feed Law Code of Practice. The relevant score from either of these schemes is used to determine the frequency of interventions, which may take the form of inspections, sampling or targeted enforcement projects.

Table 3

Number of feedingstuffs premises

Risk	High	Medium	Low	Total
No of premises	0	23	287	310

2.9 Access to the service

The Public Protection is currently located at Priory House, Monks Walk, Chicksands, Shefford; District Offices, High Street North, Dunstable; or Borough Hall, Cauldwell Street, Bedford. Customers may contact us in the following ways:

- By telephone between 8:30am – 5:30pm (4:30pm on Fridays) on 0300 300 8000
- By Fax on 08702 432122
- By email on individual officer email addresses or customer.services@centralbedfordshire.gov.uk
- Out of regular office hours there is an officer on call for emergency situations. The number to access this service is 01582 665698
- In person by calling into our reception areas at Priory House, Monks Walk, Chicksands, Shefford; District Offices, High Street North, Dunstable; or Borough Hall, Cauldwell Street, Bedford.

In order to assist customers whose first spoken or written language is not English the authority is able to offer through Language Line the following:

- a 24 hour telephone interpreting service,
- a written translation service
- a face-to-face interpreting service.

In addition to the main offices listed above, the Council operates three one-stop shop advice points known as Customer Contact Centres in Ampthill, Biggleswade, and Leighton Buzzard. The Customer Services team deals with enquiries face to face, via telephone and by email. The centres are open to the public from 8.30am - 5.00pm (4.30pm on Fridays) for all services.

2.10 Enforcement Policy

The Public Protection service is bound by the Directorate Enforcement Policy. It also operates in accordance with the Food Safety and Health and Safety Enforcement Policies. All of these policies comply with the principles of the Central and Local Government Concordat on Good Enforcement Practice and the Regulators' Compliance Code.

3.0 Service Delivery

3.1 Food and Feedingstuffs Premises Inspections

It is the Council's policy to ensure that inspection activity is focused on the higher risk premises as a priority and that inspections are undertaken in accordance with the Food Law Code of Practice and other recognised guidance, such as that issued by LACoRS.

Officers will determine the risk by using the risk rating schemes identified in the Food Law Code of Practice Annex 5. All officers undertaking inspections, investigating complaints, giving advice and taking samples will meet the qualification and experience requirements which are detailed by the Food Law Code of Practice, Chapter 1.2.

The Feed Law Code of Practice sets out instructions and criteria to which local authorities – the feed authorities – should have regard when engaged in the enforcement of animal feed law. Feed authorities must follow and implement the provisions of the code that apply to them. The code of practice has been issued under the Official Feed and Food Control Regulations 2006. These permit Ministers to issue codes of practice in their capacity as competent authorities, under EC Regulation 882/2004 on official controls performed to ensure verification of compliance with feed and food law, animal health and animal welfare rules.

An AES for lower risk premises during the year will continue, in accordance with the Code of Practice following the successful use of self-assessment questionnaires in previous years, whereby all low risk food premises were asked to complete a detailed assessment of their operation. Businesses that either fail to return a questionnaire or are deemed to require an inspection are re-included in the inspection programme.

Businesses in category E for food hygiene are no longer subject to programmed inspections, but will receive information, and enforcement interventions as deemed appropriate to the nature of their operation. The Code of Practice requires that all premises falling outside the routine inspection regime for food hygiene must be subject to alternative enforcement strategies not less than once every 3 years. For low risk food standards inspections this must be not less than once every 5 years. Interventions targeted at these businesses will focus on issues commonly associated with the low risk premises and identified through local, regional or national intelligence. Despite the overall low risk nature of such businesses, development and delivery of appropriate interventions will also demand a significant amount of officer time, which is accounted for in this plan.

The proposed inspection activity for 2009-2010 is set out in Tables 4 and 5 below. The estimated figures do not include new premises which

will register and require inspection and also those premises which become Category A rated requiring a 6 monthly inspection and therefore 2 inspections in the year period. It also varies from Figure 3 as some premises have changed risk category following inspection, i.e. moved from a C to a B category. It is estimated that the total staffing resources for programmed food hygiene and standards inspections in 2009-2010 is 3.62 FTE.

Table 4

Food hygiene inspections due 2009/10

Risk	A	B	C	D	E	Total
No of Inspections	10	132	542	100	159	943

Table 5

Food standards inspections due 2009/10

Risk	High	Medium	Low	Total
No of Inspections	25	51	26	102

Feedingstuffs premises

There are currently 135 businesses known to sell animal feeds located in the area. These businesses will be visited in the event of any complaints being made and may be targeted for sampling during the year should intelligence suggest a need, or if specifically directed by the FSA. There are also currently 144 livestock farms registered for the purposes of Feed Hygiene legislation, therefore targeted enforcement will be carried out in combination with an animal health and welfare routine inspections. Other Feed Hygiene registered businesses will be visited in the event of a complaint or other intelligence received.

3.2 Food and feedingstuffs service requests

Food related service requests investigated by the service fall into one of the following broad categories:

- Foodstuffs (contamination, composition, labelling)

- Complaints about food businesses (hygiene, pests, etc.)
- Food Alerts (issued by the FSA)
- Health and safety concerns in food premises
- Refuse/general public health/drainage
- Home Authority enquiries from businesses or other local authorities

Investigations of foodstuff complaints are carried out in accordance with LACoRS guidelines. Other service requests are investigated in accordance with established procedures. A response time of 3 days must be met.

A total of 129 service requests were received for 2008-2009. Of these, 45 related to complaints about food premises within the area and 84 specifically related to foodstuffs purchased by residents of the area. Based on previous years complaints it could be estimated that 150 complaints will be received in 2009-2010, requiring an estimated staffing resource of 1.7 FTE.

3.3 Home Authority Principle and Primary Authority scheme

The service supports the Home Authority Principle of liaising with Home or Originating Authorities on issues which have national implications to ensure consistency of approach and implementation of good practice. A local authority acting as a home or originating authority will place special emphasis on the safety of food originating within its area. It aims to prevent infringements by offering advice and guidance at source in order to maintain high standards of public protection at minimum cost.

With effect from 6th April 2009 Central Bedfordshire is participating in one of three national pilots for the Primary Authority Scheme with Moto Hospitality. Initially the scope is limited to food safety and trading standards activities, but work is ongoing to expand this to cover health and safety and environmental permitting.

The scheme is administered by the LBRO and benefits local authorities by providing a platform for assisting businesses in generating economic prosperity without compromising consumer protection from harm and fraud. It delivers a means of applying environmental health and trading standards legislation that is linked to area priorities but coordinated more widely.

Through partnerships with businesses the focus can shift to securing compliance by providing proactive advice with added confidence that this will be respected by colleagues in other localities. Primary authorities will be able to support proportionate decision making by local authorities through their detailed understanding of the business. They will also enable resources to be focused on the areas of highest need, while avoiding the duplication of effort.

There are currently 27 Home Authority partnerships for food standards, food hygiene and, where applicable, feedingstuffs. As well as liaising with the businesses, complaints referred from other local authorities will be assessed and investigated as necessary. Details of all home authority contacts are listed on a secure, national database maintained by LACoRS and used by all local authorities.

It is estimated that the operation of formal partnerships within Central Bedfordshire will require approximately 0.35 FTE. Additional resources may be required if the premises are implicated or subjected to a complaint.

3.4 Advice to Businesses

The Council will work with businesses to help them comply with the legislation and to encourage best practice which will be achieved through:

- The provision of certificated food hygiene courses
- Enabling access to other accredited courses locally.
- A bi annual newsletter to all food businesses within the area.
- The provision of advice leaflets and access to information via the Council's website.
- Advice provided during the course of inspections.
- Responding to enquiries and requests for information.
- Issuing press releases for Food Alerts.
- Promoting Food Safety Week.

Food Hygiene Regulations now require all food businesses to have demonstrable food safety management systems in place. The FSA has established the Safer Food Better Business (SFBB) project to assist catering businesses to achieve this via a "self-help" route. A joint Hertfordshire and Bedfordshire local authority consortium was established to deliver the project which secured £144k from the FSA to deliver SFBB training and support across the two counties. This project was delivered during 2006/07 and continued throughout 2007/08 and 2008/09 on a smaller scale. Officers will continue to provide SFBB coaching as required by businesses, and specific seminars for businesses on this topic will continue to be delivered, on a demand driven basis.

It is estimated that during 2009-2010 that responding to enquiries and requests for information will require a staffing resource of 0.35 FTE.

3.5 Food and feedingstuffs sampling

The Council will target its food sampling programme for microbiological sampling and analysis using the following criteria:

- Food poisoning outbreaks.
- Importers and distributors located in the area
- Food complaints where relevant.

- Manufacturers and producers in the area.
- Businesses engaged in the handling and or preparation of high-risk foods.
- Businesses identified for sampling as part of a national, regional or EU scheme.

- Businesses subject to consumer complaints.

All sampling will be undertaken in accordance with the relevant legislation and in particular the Food Law Code of Practice, Chapter 6.1.

In preparing the annual sampling programme consideration will be given to participating in the relevant sampling initiatives which are devised and co-ordinated by the following local and national partners:

- LACoRS
- London Food, Water and Environmental Microbiology Laboratory, Colindale
- EETSA
- Public Analyst
- HEBEG Food Study Group
- Bedfordshire Food Liaison Group
- FSA funded surveys

A minimum number of samples will be taken to satisfy the requirements for each local authority as part of any microbiological survey. The likelihood is that approximately 160 samples will be taken for analysis, including food complaints.

Samples will be analysed by the laboratories authorised by the Council as outlined in Appendix 1. These will be taken in accordance with the procedures laid down in the Food Law Code of Practice.

It is estimated that the sampling programme during the year 2009-2010 will require a resource of 0.40 FTE.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

Food related infectious disease would be investigated in accordance with procedures agreed with the Consultant in Communicable Disease Control (CCDC). All notifications of illness will be responded to within three days

and any infection activity indicating an outbreak will be communicated to the CCDC without delay and responded to within 24 hours. Investigation of outbreaks will be in accordance with the Outbreak Control Plan agreed by the Bedfordshire Control of Infection Committee.

The Service will continue to work with the Bedfordshire and Hertfordshire Health Protection Unit in the development of working arrangements for the investigation of infectious diseases and protocols for outbreak management. This will include regular liaison with Bedfordshire Health Protection Committee, to review infectious disease issues in the area and identify actions to deal them.

Based on the demand for this service in 2008-2009, it is estimated that in excess of 250 infectious disease investigations will be undertaken in 2009-2010, which will require a staffing resource of 0.49 FTE. In the event of an outbreak this estimate may significantly increase.

3.7 Food Safety Incidents and food alerts

The Council will respond as appropriate to Food Alerts and in accordance with the Food Law Code of Practice, Chapter 2.2.

Food Alerts are transmitted electronically via a designated secure e-mail link from the FSA. On receipt of the Alert the responsible officer will ensure it is distributed electronically as appropriate to other Council services, the Council's Communications Team, Home Authority businesses who have requested food alert details and the Trading Standards Consumer Advisors. All actions taken will be in line with the advice given in the Alert.

It is difficult to predict with accuracy the level of resources required. However, it is estimated that in excess of 60 Food Hazard Warnings can be expected which is likely to require approximately 0.11 FTE.

3.8 Liaison with other organisations

The Council have made a number of arrangements to ensure that enforcement action is consistent with other neighbouring authorities. Regular dialogue and meetings take place at the following local forums:

- HEBEG Food Study Group
- EETSA Food Task Group
- Bedfordshire Food Liaison Group
- LACoRS
- Bedfordshire and Hertfordshire Control of Infection Committee
- Care Quality Commission, Enforcement Liaison Group
- HEBEG Food Sampling Group

- Three Valleys Water Health and Local Authority Liaison meetings
- Anglian Water Health and Local Authority Liaison meetings
- APP (Formerly FLARE) User Group

Officers also have access to the following information databases to assist with queries and to promote fair and consistent enforcement:

- Barbour Online reference resource.
- Publications reference library.
- Consultancy advice from Campden and Chorleywood Food Research Association (CCFRA).
- Networked EHCnet access.
- Access to Environmental Health Briefing via EHCnet.

It is estimated that during the year 2009-2010 this activity will require a staffing resource of 0.11 FTE.

3.9 Food and feedingstuffs safety and standards promotion

Subject to resources, the following projects aimed at promoting food law enforcement are planned for 2009-2010:

- Continue to operate and promote the Scores-on-the-Doors (SoD) scheme with a view to driving up standards in the area's food businesses, and work with the Herts and Beds SoD Steering Group to review the existing scheme in the light of the FSA's progress towards a national scheme.
- Continuing with the FSA national food hygiene campaign, particularly progressing the work done during 2008-2009 on SFBB
- Expand the range of advice materials available to food businesses via the Central Bedfordshire website.
- Explore opportunities for alternative means of delivering food hygiene training in partnership with other agencies / venues
- Work with the Early Years Service to ensure all child minders / childcare providers are registered as food operators and provide advice and training
- Continue to revise all advice leaflets and guidance notes relating to food hygiene and food standards in line with recent regulatory changes and the corporate standard and improve accessibility to the information
- Continue to explore potential for joint working with health providers on issues of public health for example, the healthy eating agenda.
- Focus on new opportunities for publicising Scores on the Doors.

Promotional work undertaken will include press releases and elected member briefing notes.

Where resources permit, at least six Level 2 Food Safety Awareness Courses (formerly Foundation Certificate in Food Hygiene) in English and at least one in a minority ethnic language, will be delivered subject to demand. The latter course will be made available in collaboration with other local authorities. We will also explore opportunities for alternative means of delivering training in partnership with other agencies / venues.

The effectiveness of Food Hygiene training will continue to be assessed by way of an evaluation sheet completed by candidates finishing the course. Efforts will continue to explore ways of evaluating the effectiveness of each promotional activity before commencement.

It is estimated that during 2009-2010 a staffing resource of 0.23 FTE will be required to undertake these promotional activities.

4.0 Resources

4.1 Financial Allocation

The budget allocation for Food Safety in 2008-2009 and 2009-2010 is set out in Table 6 below.

This information is awaited following closure of accounts for the legacy authorities

Budget	2008 - 2009	2009 - 2010 (Estimate)
Staffing		
Transport costs		
Supplies and services		
Premises costs		
Central support costs		
Gross expenditure		
Income		
Net cost of service		
Population		
Cost per head of population including central support costs		

Costs are met from the overall service budget for court action and where Counsel opinion or a barrister is required after consultation with Legal Services each case will be considered on its merits with the enforcement policy as a guide. All costs arising from successful cases in the magistrates' court will be paid back into Democratic and Legal Services. Consultants costs or in rare cases of requesting costs for witnesses, will be paid over to the Public Protection budget.

4.2 Staffing Allocation

The qualifications for all officers having a direct food law enforcement role are shown in Table 7 below.

Authorised Officers	No. of Officers
Degree / Diploma in Environmental Health	5
Higher Certificate in Food Premises Inspections	2
Food standards enforcement	5
Administrative support/Non-authorised officer	3
Total (Authorised officers only)	7

The Table 8 below states what types of enforcement activity officers are authorised to undertake given their qualifications and experience. Levels of competencies are expressed with reference to the Food Law Code of Practice

Authorisation	No. of Officers
Inspect Risk category A –B	7
Inspect risk category C – E	7
Inspection seizure and detention of food	4
Service of improvement notices	7
Service of Emergency Prohibition Notices (closures)	4
Informal Sampling	7
Formal Sampling	7

4.3 Staff development plan

Officers will be appropriately qualified and receive regular training to maintain and improve their level of competence. For 2009-2010 all officers will have access to at least 10 hours update training per year, as required by the Food Law Code of Practice.

The training structure comprises:

- Recruitment of officers with appropriate levels of competence in food law enforcement
- Evidence of formal qualifications commencing appointment and copies held on personal file
- In-house professional Competence Framework
- Performance appraisals and formal identification of training need

An estimated 8 days training has been allocated per full time team member (pro rata) which equates to 0.53 FTE.

5.0 Quality Assessment

The measures and monitoring arrangements which will be taken to assess the quality of the Authority's service including performance against the standard are outlined below:

- Inspection evaluation questionnaire sent out following a programmed inspection, food complaint, infectious disease case or food hygiene training course.
- Review samples of post inspection paperwork and undertake shadow visits as to be determined.
- Peer Group inspection performance.
- Benchmarking for Best Value for key services in Hertfordshire and Bedfordshire.
- Regular Team Meetings.
- One-to-one meetings between individual staff and their line manager.
- Six monthly appraisals and development reviews.
- Annual review of practice against enforcement policy.
- Development of on-line consistency exercise for Herts and Beds officers in relation to food premises risk ratings

The Public Protection South team was accredited to the ISO 9001 quality standard in January 2009 across all of its regulatory activities. This provides a framework to monitor and improve performance including managing risk, driving continuous improvement and raising levels of customer satisfaction. It is also intended that the documented procedures required by the FSA framework agreement will be reviewed and harmonised.

6.0 Review

6.1 Review against the Service Plan

Local Performance Indicators, which include response times to complaints and the level of programmed inspections, form part of the Sustainable Communities Service Plan. This is monitored and reviewed quarterly by senior management, the Portfolio Holder and the Executive.

Enforcement activity for 2008-2009 is summarised at Appendix 2. Targets for 2009-2010, which have been identified within the service plan, relevant to food safety are illustrated in Appendix 4. A full review of the Service Plan is undertaken annually and the Head of Public Protection will integrate any changes into the Food Safety Service Plan concurrently.

6.2 Identification of any Variation from the Service Plan.

Performance Indicators are reviewed on a quarterly basis and significant variations reported identifying remedial action when required. These are illustrated for 2009-2010 in Appendix 4.

6.3 Areas for Improvement.

Any service issues identified during the reviews or by routine performance monitoring will be recorded in writing and an appropriate action plan to address those service issues agreed with the Head of Public Protection.

Appendix 1 External experts for food examination and analysis

Public Analyst appointed by the Council

Hampshire and Kent Scientific Services, Southsea, Hampshire

Food Examiner

Microbiological examination of foodstuffs

Public Health Laboratory Service, Communicable Surveillance Centre, 61
Colindale Avenue, London.

Entomology

Examination and identification of insects.

Dr J Maunder, Medical Entomology Centre, Cambridge.

Consultant in Communicable Disease

Dr M McEvoy, Bedfordshire and Hertfordshire Health Protection Unit
(Health Protection Agency), Letchworth

Provision of Food Technology advice

Campden BRI (formerly Campden and Chorleywood Food Research
Association), Chipping Campden

Contractor for Food Hygiene Inspections

Hadley Environmental Services, St Ives, Cambs

Appendix 2 Schedule of Enforcement Activity 1st April 2008 – 31st March 2009

Enforcement Activity	Number
Food Hygiene Inspections	1049
Food Standards Inspections	33
Written Warning Letters	489
Informal Letters	44
Hygiene Improvement Notices	7
Emergency Prohibition Notices	0
Voluntary Closure	4
Prosecution	0
Simple caution	1

Appendix 3 National Performance Indicators

Reference	Indicator	Target
NI184	Food establishments in the area which are broadly compliant with food hygiene law	100%
NI182	Satisfaction of Businesses with local authority regulatory services	98-100%

Appendix 4 Estimated Staff Resources per Activity 2009/2010

<u>FOOD SERVICE ACTIVITY</u>	<u>FULL TIME EQUIVALENTS</u>	
FOOD SAFETY INTERVENTIONS	3.60	
FOOD STANDARDS/FEEDINGSTUFFS INTERVENTIONS	1.20	
FOOD AND FEEDINGSTUFFS COMPLAINTS	1.70	
HOME/PRIMARY AUTHORITY PRINCIPLE	0.35	
ADVICE TO BUSINESSES	0.35	
FOOD SAMPLING	0.40	
OUTBREAKS/INFECTIOUS DISEASES	0.49	
FOOD SAFETY INCIDENTS	0.11	
LIAISON WITH OTHER AGENCIES	0.11	
FOOD SAFETY PROMOTION	0.23	
OFFICER TRAINING	0.53	
QUALITY ASSESSMENT	0.25	
REVIEW AND PROCESS CONTROL	0.40	
TOTAL	9.72	FTE per year

Estimated Staff Resources Available in Food Service 2009/10

TOTAL 9.40 **FTE per year**

Plus contractor at 0.32 FTE

Glossary of Terms

Emergency Prohibition Notice – Legal notice requiring immediate closure of premises, equipment or a process

Food Alert – Communication from the Food Standards Agency to a Food Authority concerning a food hazard or other food incident.

Food Examiner – A specialist analyst capable of and accredited to carry out examination of foodstuffs for microbiological safety

Food Legislation – This encompasses both European and domestic legislation

High risk premises – Premises requiring inspection at a minimum frequency of 6 or 12 months (risk band A & B respectively)

Health Protection Agency (HPA) - Its role is to provide an integrated approach to protecting UK public health through the provision of support and advice to the NHS, local authorities, emergency services, the Department of Health and the Devolved Administrations.

Hygiene Improvement Notice – Legal notice requiring works to be completed within fixed timescale

Low risk premises – Premises inspected at a minimum frequency of 24 months or less (risk band D)

Medium risk premises – Premises requiring inspection at a minimum frequency of 18 months (risk band C)

Public Analyst – A specialist analyst formally appointed by the Council to carry out examination of food complaint samples

Simple Caution - Under certain circumstances, a simple caution may be used as an alternative to prosecution. If a simple caution is offered the defendant must admit the offence and understand its significance. A caution is recorded as a conviction on the Central Register of Convictions held by the Office of Fair Trading and may be cited in subsequent court proceedings. A simple caution is recorded for a period of 3 years.

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Appendix B

Central Bedfordshire Council Public Protection

Age Restricted Sales Plan 2009/2010

Foreword

Central Bedfordshire Council, a new Unitary Authority, has a clear and influential role in safeguarding consumers and businesses of Central Bedfordshire and is committed to comprehensively discharging its duty as an enforcing authority under consumer law.

This annually published plan provides a clear statement of enforcement policy and practice as well as detailing the Council's aims and objectives for the enforcement and improvement relating to restricted sales. It also sets out arrangements for ensuring consistent good practice, and for benchmarking performance against other LAs.

Better Regulation

This plan has taken into account and is fully committed to the Government's Better Regulation Agenda. Over the next few years and where possible the Public Protection Team will look at ways of

- Reducing the inspection burden on businesses
- Making it easier to read and improving health and safety letters for businesses
- Providing simple and helpful advice via the council website
- Providing face to face or telephone health and safety advice which does not automatically lead to enforcement
- Providing small business health and safety training courses
- Devising and provide positive incentive schemes
- Review sanctions and penalties for non compliance, in particular where such action will reduce the prospect of prosecution

The above and other initiatives in conjunction with new Public Protection managers and teams, and improvements in officer competency, will result in significant improvements in the regulation of restricted sales

Portfolio Holder for Sustainable Communities

Introduction

The Children and Young Person's (Protection from Tobacco) Act 1991 requires a local authority to review its enforcement policy relating to the supply of cigarettes and tobacco to persons under the age of 18 on an annual basis.

The Clean Neighbourhoods and Environment Act 2005 (section 32) places a duty on local weights and measures authorities (Central Bedfordshire Council) to consider whether enforcement action is necessary with respect to the under age sale of aerosol paint and to undertake appropriate enforcement action if needed.

The Licensing Act 2003 (section 154) places a duty on local weights and measures authorities to enforce Sections 146 and 147 so far as they apply to sales of alcohol to children (under 18 made on or from premises to which the public have access).

This Plan fulfils these obligations as part of the overall work by Public Protection to prevent illegal supplies of age restricted goods.

Range of activities

This Authority enforces legislation relating to the sale of the following age restricted products namely:

- Aerosol paint
- Cigarettes and tobacco products
- Alcohol products
- Intoxicating substances (butane/solvents)
- Fireworks
- Petroleum spirit
- Video recordings
- Lottery and scratch cards
- Explicit printed sexual material (There is no age restriction on printed material only film – there is an industry code of practice)
- Knives and blades

Background

Public Protection works in partnership with others stakeholders including Central Bedfordshire Council's Community Safety and Licensing, Bedfordshire Police as well as the Health Protection Agency, Primary Care Trust and other community groups. The aforementioned partnership working ensures accurate identification of growing high-risk areas and enables the sharing of best practice and performance of collaborative work (e.g. joint operations/initiatives and licence reviews).

The Performance Framework for Local Authorities gives an indicator directly relating to age restricted products in **N1 115** – which measures substance misuse by young people, where substances include solvents and alcohol. This indicator is included in the Local Area Agreement set of indicators and as such it is a recognised priority for Central Bedfordshire. This priority flows from the obvious link between substance misuse and crime and anti-social behaviour as well as the negative impact on health and well being.

N1 123 measures smoking rates amongst those over 16 and the Service can contribute to reducing this figure through its work on preventing children's access to tobacco products.

In keeping with the Hampton agenda Central Bedfordshire Council Public Protection recognises the need to not place unnecessary burdens on legitimate business but rather provide support which allows them to meet their legal obligations whilst not inhibiting their trade. Conversely we look to target those that disregard the law by taking effective and efficient enforcement action. We will also proactively seek out, analyse and if appropriate respond to intelligence indicating a need for intervention. This targeted approach does not preclude the Service from proactively providing advice and information to businesses through individual on-site business advice consultations and the generic 'Traders Charter' Diligence Pack continuously updated and distributed.

Enforcement Plan 2009/10

Alcohol

Public Protection have contributed to the alcohol Strategy for Central Bedfordshire and committed to continuing to provide an intelligence led response that is tailored to meet the needs of businesses and the communities with priority desired outcome to ensure compliance and so reduce the supply of alcohol to those under age within Central Bedfordshire. This plan recognises the need for a concerted response involving all stakeholders. Public Protection will continue to work with off and on licensed premises to reduce sales of alcohol to young people by providing the support to help licensees train staff and help them develop strategies that facilitate compliance. Where particular problems exist we will provide additional support and involve the police where necessary. This collaborative approach recognises that most businesses wish to comply with the law. Where traders are identified that flout the law the combined forces of Public Protection including Trading Standards and Licensing and the Police, will look to act and where necessary a licence review will be instigated. The Service will also consider the merits of a prosecution where warning and fixed penalty notices have not provided compliance.

Tobacco products

The Service will monitor complaints and intelligence and carry out test purchase operations as required. Public Protection is also taking part in a Department of Health funded regional project on tobacco products. This has

involved test purchase operations followed by advice where businesses sell to those under 18. The work includes looking at sales from vending machines and online sales and again advice and support will be provided to businesses who fail including working with the suppliers of the vending machines where appropriate. The results will be collated regionally and looked at nationally and so inform future work and developments in this area for Trading Standards. Locally action will be taken in line with our enforcement policy where failures occur.

Knives

Public Protection will continue to work with the police and other agencies in support of the Bedfordshire Police “No more Knives” initiative. This was a Home Office campaign which funded Bedfordshire Police in response to knife crime data highlighting Bedfordshire as having high levels of knife related crime. Further analysis of the intelligence showed that this was not the case in Central Bedfordshire. However national intelligence identifies knife crime as a serious concern and one which the government is keen to see effectively tackled so we will respond to local intelligence where problems are identified. Trading Standards has a role to play in preventing the sale of knives to young people under the age of 18 and so will on an intelligence led basis use their expertise to conduct test purchase operations and provide advice and education to businesses where necessary formal action including prosecutions will be taken in accordance with our enforcement policy.

Other Age restricted products

There is potential for funding to be provided regionally for test purchase operations for age rated DVD's and computer games. Public Protection will consider the option of taking part in this work where capacity exists and in keeping with Service objectives. Otherwise there are no plans to specifically target any other types of age restricted goods for test purchase operations or campaigns however the Service will respond to local, regional and national intelligence and consider actions in respect of all the products given above. For example during the firework “season” if complaints are received which indicate that fireworks have been supplied to young people under the age of 18 then advice will be given to the business and a test purchase operation may be conducted on those premises.

Current Service policy for age restricted products

- To provide retailers of age restricted products with advice and guidance on their legal obligations by means of the Traders' Charter Pack and by follow up visits where non-compliances are identified.
- To carry out enforcement operations in response to intelligence.
- To work in partnership wherever possible in support of our aim to reduce the sale of age restricted products to those who are under age using the intelligence supplied by our partners and supporting them to deliver under age sales advice and education.

- To provide a named contact officer for business supplying alcohol for on and off licences and to encourage ongoing communication recognising that most traders wish to comply with the law.
- To take appropriate enforcement action against businesses that supply goods in contravention of the legislation where advice has not been acted upon and failed test purchases continue in accordance with our enforcement policy.
- To conduct under age sales operation in compliance with Home Office policy and with reference to the new Lacors Practical Guide to Test Purchasing as adapted to reflect normal contingencies and to ensure compliance with Human Rights Act.
- To ensure all staff understand and meet Health and Safety obligations by following agreed safe systems of work for test purchase operations.

Review of 2008/2009

During 2008/9 there was still a high proportion of enforcement work relating to alcohol which remained a priority area because of the problems identified at a local and National level. There were a significantly higher number of operations for tobacco products. The latter was part of a regional Department of Health funded project which included work on reducing the supply of tobacco products to young people under the age of eighteen. The work comprised test purchase operations particularly targeting sales from vending machines and providing advisory visits to businesses in support of compliance. Visits were also conducted in relation to cigarettes, solvents, knives, fireworks, petrol, DVD's and spray paints.

In addition the Service conducted knife test purchase operations in support of the Bedfordshire Police knife crime initiative (referred to above) and provided staff training as required.

The service has continued to issue Trader' Charter packs across the County which provide advice and guidance as well as detailing retailer obligations with regard to the sale of all age restricted products. Specifically packs were sent to new alcohol licence applicants and these were followed by an advice visit.

Many of the test purchase operations conducted for alcohol were with the police. The Service also worked closely with colleagues in the licensing Department at both district councils and conducted operation in the "Mid Bedsafe" area with them to measure how well on-licences in the area were adhering to their licensing conditions. The results have lead to further operations and ongoing engagement with licensees in several of the towns.

The table in appendix 1 provides details of the test purchase operations conducted within the Central Bedfordshire area during 2008/9 for each product and where sales took place. The percentages shown are against an ambitious target set of 90% (see below). The results show that the overall percentage for all products combined was 78% however as the percentages for each product type show there is a variation with alcohol and tobacco

having much higher success rate than knives where failures outweigh passes on follow up visits. The results for knives indicate a need for more trader support and training along with intervention where supply is persistent.

Enforcement actions including warning letters, formal cautions, pre-review agreements and informal trader agreements have variously been employed as means of enhancing compliance levels across Central Bedfordshire during 2008/9.

Targets for 2009/10

The target set for enforcement work conducted in relation to under age sales will continue to be set at **90% of business found to be supplying age restricted products by the Service is brought into compliance**. This requires us to ensure that traders found supplying age restricted products to young people no longer do so, this being the desired outcome. However, where enforcement action is ongoing this contributes to the measure of “bringing into compliance” which recognises that sanctions may be required for the minority of businesses who disregard the law.

The Service will continue to review performance against the target for each product on a quarterly basis.

Proposed initiatives/projects for 2009/10

- ‘Proxy-Sale Clamp-Down’ campaign (in partnership with Beds Police) Start date May 2009.
- Night-time economy monitoring initiative – Following comparatively high sales of alcohol to underage operatives from on-licences premises, a series of Pub and night-club test purchase operations are planned in partnership with Beds Police.
- Alcohol harm reduction initiative – All alcohol retailers who failed a test purchase will be invited to attend additional training workshops. Start date Jan 2009.
- ‘Development of Young People and Peer Education’ initiative. Partnership working with Central Bedfordshire Council Youth Service. Young volunteers will be able to complete a services award through the Duke of Edinburgh Aware scheme. The Youth Service will nominate young people with a troubled background to gain valuable work experience with Trading Standards during test-purchase operations (including the possibility of a reference for further employment from the Service). The plan is to roll-out a peer education programme within the citizenship classes at selected upper schools around Central Bedfordshire. Start date Sep 2009.
- Enforcement of the ‘Persistent Sales of Alcohol’ sections of the Violent Crime Reduction Act 2006 which created an additional offence in section 147a of the Licensing Act 2003 for the persistent selling of alcohol to children. Premises which fail two test purchase operations

within a six weeks period will be subject to an additional three test purchases to ascertain if they are persistently selling to children.

**CENTRAL BEDFORDSHIRE COUNCIL
PUBLIC PROTECTION**

**HEALTH AND SAFETY (AS A REGULATOR) SERVICE
PLAN 2009-2010**

*In accordance with the Health and Safety Executive's
section 18 standard 1st April 2008*

INDEX	Page No
Foreword	4
Introduction	5
1.0 SERVICE AIMS AND OBJECTIVES	6
1.1 Service Objectives	6
1.2 Cross-linkages with other Corporate Plans and Policies	6
2.0 BACKGROUND	7
2.1 Central Beds Profile	7
2.2 Demographics	7
2.3 Organisational Structure	8
2.4 Committee Structure	8
2.5 Health and Safety Regulation	9
2.6 Use of Contractors	9
2.7 Demands for the Health and Safety Service	10
2.8 Registrations	10
2.9 Access to the Health and Safety Service	11
2.10 Enforcement Policy	11
3.0 SERVICE DELIVERY	12
3.1 Health and Safety Inspections	12
3.2 Health and Safety Complaints	13
3.3 Lead Authority Partnership Scheme	14
3.4 Specialist Consultancy and Examination	14
3.5 Advice to Businesses	14
3.6 Investigation of Accidents, Diseases and Dangerous Occurrences	15
3.7 Liaison with Other Organisations	16
3.8 Health and Safety Promotion	16
4.0 RESOURCES	17
4.1 Financial Allocation	17
4.2 Staffing Allocation	18
4.3 Staff Development Plan	19
5.0 QUALITY ASSESSMENT	19
6.0 REVIEW	19
6.1 Review against the Service Plan	19
6.2 Identification of any variation from the Service Plan	20
6.3 Areas of Improvement	20
7.0 OTHER SAFETY FUNCTIONS	21
8.0 Inter Authority Auditing	21

LIST OF APPENDICES	Page No.
Appendix 1. Provision of external health and safety support	23
Appendix 2. HELA Strategy: Priority Issues	24
Appendix 3. Estimated Staff Resources per Activity 2009-2010	25
Appendix 4. Competency of Inspectorate	26
Appendix 5. Formal Enforcement Action Taken	29
Appendix 6. Glossary of Terms	30

Foreword

Central Bedfordshire Council, a new Unitary Authority, has a clear and influential role in safeguarding the health and safety of a significant proportion of the workforce of Central Bedfordshire and is committed to comprehensively discharging its duty as an enforcing authority under health and safety legislation.

To help achieve this role, the Council has fully embraced three significant strategies which are published by the Health and Safety Executive (HSE). These are as follows:

- Revitalising health and safety;
- Securing health together;
- A strategy for workplace health and safety in Great Britain to 2010 and beyond.

In summary, the aims of these strategies are to improve health and safety within the workplace, and educate businesses on how to make their activities safer and healthier. An important strategy for Local Authorities (LAs) relating to the above is Fit 3 - fit for work, fit for life, fit for tomorrow. This is a sustained strategic programme developed to concentrate LA and HSE resources in areas that will most effectively bring about a reduction in work related injuries and ill health.

This annually published plan provides a clear statement of enforcement policy and practice as well as detailing the Council's aims and objectives for the enforcement and improvement of health and safety at work. It also sets out arrangements for ensuring consistent good practice, and for benchmarking performance against other LAs.

Better Regulation

This plan has taken into account and is fully committed to the Governments Better Regulation Agenda. Over the next few years and where possible the Public Protection Team will look at ways of

- Reducing the inspection burden on businesses
- Making it easier to read and improving health and safety letters for businesses
- Providing simple and helpful advice via the council website
- Providing face to face or telephone health and safety advice which does not automatically lead to enforcement
- Providing small business health and safety training courses
- Devising and provide positive incentive schemes
- Review sanctions and penalties for non compliance, in particular where such action will reduce the prospect of prosecution

The above and other initiatives in conjunction with new Public Protection managers and teams, and improvements in officer competency, will result in significant improvements in the way that officers carry out health and safety inspections thereby benefiting businesses whilst at the same time safe-guarding the health and safety of businesses customers and employees.

Portfolio Holder for Sustainable Communities

INTRODUCTION

Service or business plans are a cornerstone of effective performance management. An effective plan provides a solid foundation for achievement and forms a vital part of the golden thread, so each person understands how they contribute to achieving the council's improvement objectives. (*a managers guide to performance management, 2nd edition, Audit Commission, 2006*).

This Health and Safety (as a Regulator) Service Plan 2009 – 2010 (Service Plan) deals exclusively with the health and safety enforcement functions carried out by the Council as a regulator under the Health and Safety at Work etc. Act 1974 (HSWA) and associated regulations. It addresses the following specific areas: -

- Health and safety proactive work, including inspections, self-assessment, promotional and educational activities.
- Health and safety reactive work, including accidents, ill-health and complaints.

The Service Plan is an expression of the authority's commitment to the development of the health and safety service and is legally required by the HSE, the body that monitors local authority's health and safety enforcement activity.

In April 2008 the HSE published a new section 18 standard prescribing mandatory elements, which must be included within this type of plan. A key change in the new standard was for Enforcing Authorities to promote sensible risk management and work in partnership with other enforcing authorities, regulators and stakeholders. Central Bedfordshire Council is fully committed to partnership working. Other section 18 key matters are:

- Commitment, priorities and planned interventions;
- Capacity and management
- Maintaining and improving officer competency
- Enforcement taking into account proportionality, accountability, consistency transparency and targeting

The HSE require that the Service Plan is submitted to the relevant member forum for agreement to ensure local transparency and accountability and to make clear the arrangements for contributing to current HSE priorities.

During team meetings this service plan will be presented to the relevant officers responsible for enforcing health and safety at work.

Due to the new Unitary Authority, new corporate and LAA objectives, and the Better Regulation Agenda, this Service plan is a significant change from previous plans and will be under continuous review over the next few years so that the services the health and safety team offer will be more efficient and effective, targeting resources towards priority groups such as children, and those suffering injury or ill health from work or visiting a place of work. Resources will also be targeted at national targets (i.e. working at height, musculoskeletal and slips, trips and falls) and other areas as a result of statistical analysis of accidents.

To further improve the health and safety service, a better understanding of the needs of local businesses is required so that incentives and initiatives can be devised that engage businesses, and enables them to see the real financial benefits of improved health and safety within the workplace.

These changes can be defined as Customer Insight and Intelligence led inspections, with the ultimate aim of reducing accidents and ill health within the district.

These improvements will be led by the Assistant Director, Community Safety and Public Protection and Head of Service.

1.0 SERVICE AIMS AND OBJECTIVES

1.1 *Service Objectives* (Draft – to be reviewed by Public Protection Manager)

The Public Protection Team, part of the Sustainable Services Directorate, actively seeks to achieve the Council's vision to improve the quality of life in Central Bedfordshire by the delivery of a range of high quality and cost effective statutory services.

In seeking to achieve these goals there are a number of detailed objectives, which are outlined below:

- To carry out intelligence led inspections of a range of businesses and other activities to secure health and safety at work;
- To ensure effective and timely action to remove significant risks to health and safety at work
- To develop, simple and helpful information for small businesses, including researching the feasibility of an advisory service
- To improve communication to small businesses on health and safety issues via the Council's website, and letters following inspection
- To work in partnership with the HSE, Herts and Beds Occupational Safety Group, fire authority, local businesses and others to reduce the burdens on businesses whilst at the same time improving health and safety within the workplace;
- Develop positive incentive schemes
- Improve the way accidents are investigated
- Consider new initiatives in line with the Better Regulation Agenda

1.2 Cross- linkages with other Corporate Plans and Policies

The Council's Strategic Plan 2009-2011 has a vision to *"improve the quality of life of all in central Beds, and enhance the unique character of our communities and our environment"*.

There are a number of themes resulting from this strategic plan which link to the health and safety at a regulator service plan:

- *growing our economy and raising the profile and identity of the county as a great place to live, work and visit.* This Service Plan, in implementing the government's Better Regulation Agenda in conjunction with HSE initiatives to improve health and safety within the workplace, will assist the

Council helping to grow the economy by removing unnecessary health and safety regulatory burdens from local businesses whilst at the same time, improving the councils health and safety education and information services for businesses, making them a better place to work, and safer for the public to visit.

- *reducing health inequalities and delivering good health and well-being for our communities.* This Service Plan is fully committed to the government “securing health together” occupational health strategy which tackles work-related ill-health so as to reduce the personal suffering, family hardship and costs to individuals, employers and society.

The above themes have been translated into Local Area Agreements (LAA) between local authorities and their partners. As stated in the “Sustainable Communities Directorate Plan 2009-10, the five agreed Council priorities are:

1. Supporting and caring for an ageing population
2. Educating, Protecting and Providing Opportunities for children and young people;
3. Managing Growth Effectively;
4. Creating Safer Communities;
5. Promoting healthier lifestyles.

In summary, the Service Plan cross-links with these priorities as follows:

1. The Council is the enforcing body for health and safety in care homes where Council interventions improves the health and safety of both staff and elderly residents
2. The Council, as part of its inspection programme, educates and where necessary, takes enforcement action, to secure the health, safety and welfare of children at work, children attending nurseries, and children visiting businesses with parents (Garden Centres, Supermarkets etc)
3. Implementing the Better Regulation Agenda will reduce administrative and regulatory burdens on local business thereby helping economic growth
4. The Councils health and safety programme which includes intelligence led inspections, accident investigations, and providing advice and education to businesses helps create safer communities

2.0 BACKGROUND

2.1 Central Bedfordshire Profile

Central Bedfordshire lies in the heart of the county, through some 712 km from Leighton Linlade and Dunstable in the west to Sandy and Arsley in the east, and from Woburn to Whipsnade. The area diverse with picturesque villages and towns. There are numerous industrial estates with offices and large warehouses. It is home to a number of industries including leisure, aircraft and defence-related engineering. The district is traversed by a number of major trunk roads including the M1, A1 and A6. It is one of the most rapidly growing areas in England and is planning for substantial additional development and as part of the Milton Keynes and South Midlands growth areas. The largest communities within central Bedfordshire are Ampthill, Biggleswade, Dunstable, Flitwick, Houghton Regis, Leighton Linlade, Sandy and Shefford.

2.2 Demographics

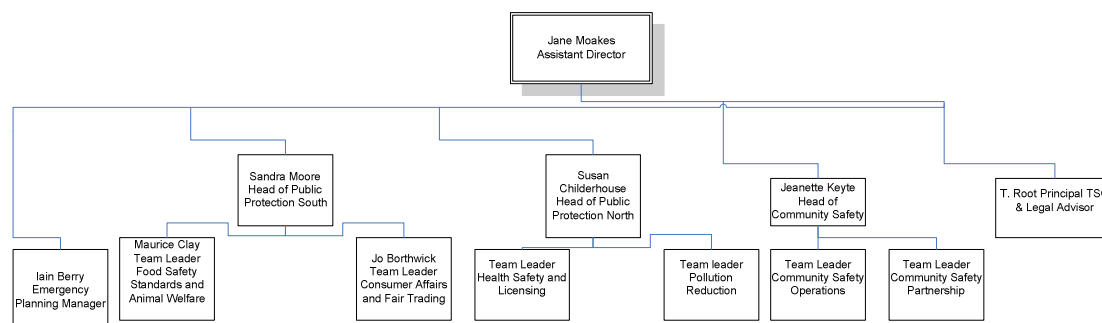
The evidence base which is being developed for Central's Community Strategy currently states that the overall population in 2007 was 252,100. From the 2001 Census we know that BME communities comprised 6% of Central's population. The largest groups were White Irish 1.3%, White Other 2% and Indian 0.6%.

2.3 Organisational structure

The health and safety function is part of the Community Safety and Public Protection Service, which also deals with Emergency Planning, Food Safety and Food Standards, Animal Welfare, Licensing, Pollution Reduction, Community Safety, and Trading Standards. It operates under the direction of the Assistant Director Community Safety and Public Protection, Jane Moakes who is accountable to the Director of Sustainable Communities, Gary Alderson.

This new organisational structure will allow for a more improved service delivery of health and safety in particular by once segregated divisions now being part of one team allowing inter partnership working thereby reducing inspection burdens on businesses and the service being more cost effective and efficient

Figure 1. Management structure for delivery of the Health and Safety (as a regulator) Service Plan.



2.4 Committee Structure

The Constitution and Committee Structure for the new unitary authority was adopted by the Central Bedfordshire Shadow Council on 26 February 2009. A copy of the Committee structure is attached at Appendix 5

Following the elections in June 2009, the Council will elect a Leader to serve a two year term of office (until the next full Council elections in 2011). The Executive will consist of the Leader together with at least two, but not more than nine, councillors including a Deputy Leader. Members of the Executive will be appointed by the Leader.

The Executive is responsible for making most operational decisions. However the Council is responsible for approving or adopting the Policy Framework and the budget.

The Executive Portfolio Holder, Sustainable Communities, represents the Public Protection Service

The Council will establish five Overview and Committees (mirroring the Council's Departmental Structure). The Overview and Scrutiny Committees assist the Council and the Executive in the development and review of its Budget and Policy Framework and reviews and scrutinises the decisions made by and performance of the Executive. The Overview and Scrutiny Committees may, from time to time, appoint Task Forces to investigate in depth matters of concern. All non-Executive members are eligible to serve on task forces and are appointed on the basis of their interest in or experience of the matter being reviewed. The Sustainable Communities Overview and Scrutiny Committee will be responsible for matters relating to environment and public protection

2.5 Scope of Health and Safety Regulation

The health and safety service covers the following specific areas: -

- Health and safety proactive work, including inspections, self-assessments, promotional and educational activities.
- Health and safety reactive work, including investigation of accidents, ill health, complaints and queries.

Nationally the enforcement of health and safety is divided between local authorities and the HSE, depending upon the type of premises and activity undertaken. In general, local authorities are responsible for offices, warehouses, catering, residential accommodation, shops, hotels, sports and leisure and tyre and exhaust premises. There is no duplication of inspection in relation to any individual business.

There are a total of 2571 workplaces for which Central Bedfordshire Council is the enforcing authority for health and safety. The majority of these premises fall into retail, warehouse and office categories. However, an audit of the district is due and it is anticipated that the actual number of premises under the enforcement remit of the Council may be significantly higher.

2.6 Use of Contractors

It was the policy of the legacy Councils to engage the services of outside contractors to assist in programmed health and safety inspections, subject to:

- There being insufficient resources to complete programmed inspections, due to sickness, vacancies or other unforeseen pressures on the service.
- Agency contractors meeting the requirements of Health and Safety Commission guidance on competency of inspectors.

- Costs being met within existing budgets;

During 2008 1 agency contractor has been employed to assist with health and safety promotion. Should the need arise; the department can call upon reputable contractors. Their details are shown in appendix 1.

2.7 Demands for the Health and Safety Service

The commercial premises in Central Bedfordshire are split between risk categories, as defined by Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) in LAC 67/1(rev3). There are a total of 2571 premises for enforcement within Central Bedfordshire; the breakdown is shown in Table 1.

Table 1. Risk categories of health and safety premises in Central Bedfordshire.

Risk category	A	B1	B2	B3	B4	C
Inspection frequency	Yearly	2 yearly	3 yearly	4 yearly	5 yearly	7-10 yearly
Number of premises	9	26	67	193	345	1931

In addition to the above table there are up to 177 additional premises, which have not been assigned a risk category, however this information is currently under review and it is expected this figure will reduce. This number theoretically should reduce during 2009 – 2010 however a district survey may reveal more premises. Any increase in premises numbers may have a resource impact on staffing levels. However the service will look into initiatives to improve health and safety in these premises.

2.8 Registrations

A total of 17 installations are registered under the Notification of Cooling Towers and Evaporative Condensers Regulations 1992. There are 76 premises registered for skin piercing activities, specifically ear piercing, acupuncture, electrolysis and tattooing, under the Local Government (Miscellaneous Provisions) Act 1982 with 3 new registrations approved in 2008 – 2009

2.9 Access to the Health and Safety Service

The Public Protection is currently located at Priory House, Monks Walk, Chicksands, Shefford, District Offices High Street North Dunstable and Borough Hall, Bedford. Customers may contact us in the following ways:

- By telephone between 8:30am – 5:30pm (4:30pm Friday) on
0300 300 8000
- By Fax on 08702 432122

- By email on individual officer email addresses or customer.services@centralbedfordshire.gov.uk
- Out of regular office hours there is an officer on call for emergency situations. The number to access this service is 07850 032360.
- In person by calling into our reception area at Priory House, Monks Walk, Chicksands, Shefford, Beds or High Street North Dunstable, or Borough Hall Bedford.
- As the service is dealing with a number of customers whose first spoken or written language is not English then the authority is able to offer through Language Line the following;
 - a 24 hour telephone interpreting service,
 - a written translation service
 - a face-to-face interpreting service.

In addition to the main offices at Priory House, the Council operates two one stop shop advice points branded as Citizone Points of Presence (PoPs) in Ampthill, Biggleswade, Leighton Linlade or Leighton Buzzard. The Customer Services team deals with enquiries face to face, via telephone and by email.

The Points of Presence (PoPs) are open to the public from 8.30am - 5.00pm (4.30pm on Friday) for all services.

2.10 Enforcement Policy

The Public Protection Team is bound by the Council's Enforcement Policy. It also operates in accordance with the Food Safety and Health and Safety Enforcement Policies. All of these policies comply with the principles of the Central and Local government Concordat on Good Enforcement Practice and the Regulators' Compliance Code.

3.0 SERVICE DELIVERY

3.1 Health and Safety Inspections

The Service is committed to increasing and improving compliance with nationally driven outcomes. In particular it will seek to ensure that issues highlighted in the HSE/Local Authority Enforcement Liaison Committee (HELA) Strategy are prioritised in inspections, and embedded in divisional procedures. The HELA Strategy priority areas are summarised at Appendix 2.

According to current advice from HELA in Circular 67/1 (rev 3), the lowest risk premises, Category C, are not expected to form part of the inspection programme. Other methods which can be effectively used, for these premises include mail shot / questionnaires, seminars, telephone advice and self-inspection/assessment packs. When self assessment questionnaires are returned they are assessed for compliance against Health and Safety legislation and 5% of the returned questionnaire are randomly inspected to ascertain that the information provided by businesses are a true reflection of their declaration.

The level and range of enforcement activity undertaken from the 1st April 2008 to 31st March 2009 in relation to Health and Safety is summarised in Table 2 below:

Table 2. Health and safety enforcement activity 1st April 2008 to 31st March 2009.

Activity type	Number of actions
Inspections	523
Other visits	60
Formal notices	34
Informal notices	224
Advice letters	96
Simple cautions	1
Prosecutions completed	1
Prosecution started	0
Being considered for prosecution	1

Appendix 7 details the breakdown of formal enforcement action taken.

The inspection programme for 2008 to 31st March 2009 is shown in Table 3 below. The inspections due for 2009/10 are also shown at Table 3 below.

Completion of the intelligence-led programme will require an estimated staff resource of **2.5** FTE

Table 3 Health and safety inspection details for 2009/2010

Risk category	A	B1	B2	B3	B4	C	TOTAL
Number of inspections completed to 31/03/09	4	14	25	49	92	336	520
Inspections Due 2009/10	5	2	21	73	64	368	533

There is a history of monitoring the number of premises inspected. To ensure Value for Money, it may be prudent to measure effectiveness. However measuring effectiveness of inspections is difficult to measure. One suggestion is that, following a revisit to premises it would be possible to measure if there has been a reduction in health risk, safety risk and an increase in confidence in management. This would be a measurable outcome for health and safety inspections however; it would add significant time to the inspecting officers. The Team Leader and Head of Service will look into the feasibility of this option.

3.2 Health and Safety Complaints

Health and safety complaints received by this service are listed in the following broad categories: -

- Complaints concerning businesses, from employees, trade unions, contractors or members of the public about work conditions or safety concerns.
- Notification of defective lifting equipment reports received from insurance companies and notification of asbestos stripping operations.

Investigations of complaints are carried out in accordance with section 18 guidance issued by the Health & Safety Commission and service procedures. It is the policy of Public Protection to prioritise complaints on a risk basis. In relation to complaints concerning commercial businesses, priority is focused upon those posing a significant risk to health and relating to a high-risk activity rather than those, which present a low risk.

From 1st April 2008 up to the 31st March 2009, 19 complaints from Mid Beds and 53 from South Beds, totalling 72 that were received. It is estimated that for 2009-2010 72 complaints will be received requiring a staff resource of 0.20 FTE officers.

3.3 Prime Authority Partnership Scheme

Effective local regulation requires confidence and mutual trust. Businesses should be able to rely on the environmental health, licensing and trading standards advice received from local authorities, in the knowledge that it is expert opinion, applicable across the UK, and a secure basis for investment and operational decisions. The Primary Authority scheme – which commenced on 6 April 2009 – drives and supports progress towards this outcome.

For the first time, businesses will be able to form a statutory partnership with a single local authority, which will provide robust and reliable advice that other councils must take into account when carrying out inspections or dealing with non-compliance. The scheme builds on the foundation created by voluntary home and lead authority initiatives, but entails a fundamental shift in the nature of the relationship between the regulated and the regulator – bringing benefits to both parties.

The administration of Primary Authority is a statutory responsibility of Local Better Regulation Office (LBRO) whose role is to register partnerships, issue guidance, approve inspection plans, and resolve disputes.

Central Bedfordshire is one of three national pilots for the Prime Authority Partnership Scheme with MOTO, initially this will only deal with food safety and standards; but work is ongoing to expand this to cover health and safety and environmental permitting.

3.4 Specialist Consultancy and Examination

The need for examination and sampling of materials articles and substances will be determined according to the following criteria:

- Requirements in respect of accident investigations or other reportable incidents.
- Value in enabling an appropriate course of action to be identified.
- Degree of public or employee involvement in a case.

Samples will be examined by the appropriate Specialist Laboratories, or by Health and Safety Laboratory (HSL). Further details of these services are listed in Appendix 1.

3.5 Advice to Businesses

In line with the principles of the Compliance Code for Regulators, Public Protection is committed to working with businesses; in particular small to medium enterprises to help them comply with the law and to encourage the use of good practice. This is to be achieved through a range of mechanisms: -

- Advice given during the course of inspections and other visits, in particular on risk assessment and risk management is available;
- Provision of advisory leaflets and guidance notes, including those in other languages, where required;
- Response to business requests for advice and assistance;
- Input into the Newsletter a publication by the Division which is sent to all businesses and includes updates on health and safety;
- Information posted on the Council's website;
- Information via press releases;
- Targeted presentations to local businesses;
- Other initiatives as outlined in the Service Objectives (1.1)

From the 1st April to the 31st March 2009, 120 requests for advice were received this does not include advice given during the course of inspections and other visits, plus more educational approaches to businesses, educational establishments and others. For 2009-2010 requests for advice will require a staffing resource of 0.20 FTE.

3.6 Investigation of Accidents, Diseases and Dangerous Occurrences

The Service will investigate cases of accidents, disease and dangerous occurrences notifications under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in accordance with adopted procedures.

These cases are investigated on the basis of risk assessment and priority will be given to fatalities, serious injuries, ill health and dangerous occurrences. Also those potentially involving a serious breach of the law or affecting vulnerable groups will take precedence. The criteria to be used in determining which incidents will be investigated are set out in the accident investigation procedure.

From 1 April 2008 to 31 March 2009, there were 305 accident notifications. Based on these statistics, it is estimated that 305 notifications will be received in 2009-2010. Investigations will be undertaken by the Division on the basis of carrying out an initial assessment of each report with the aim of investigating 100% of all accidents. Such investigations will, as a minimum, involve contacting the injured person and ascertaining their version of events. Investigation time will require a staff resource of 0.60 FTE officers. It should be noted that in the event that there is a work-related fatality, staff resources will need to be significantly increased due to the intensive nature of such an investigation.

In 2008 the LA in partnership with the HSE investigated a fatality when an employee was hit by a moving vehicle outside a warehouse.

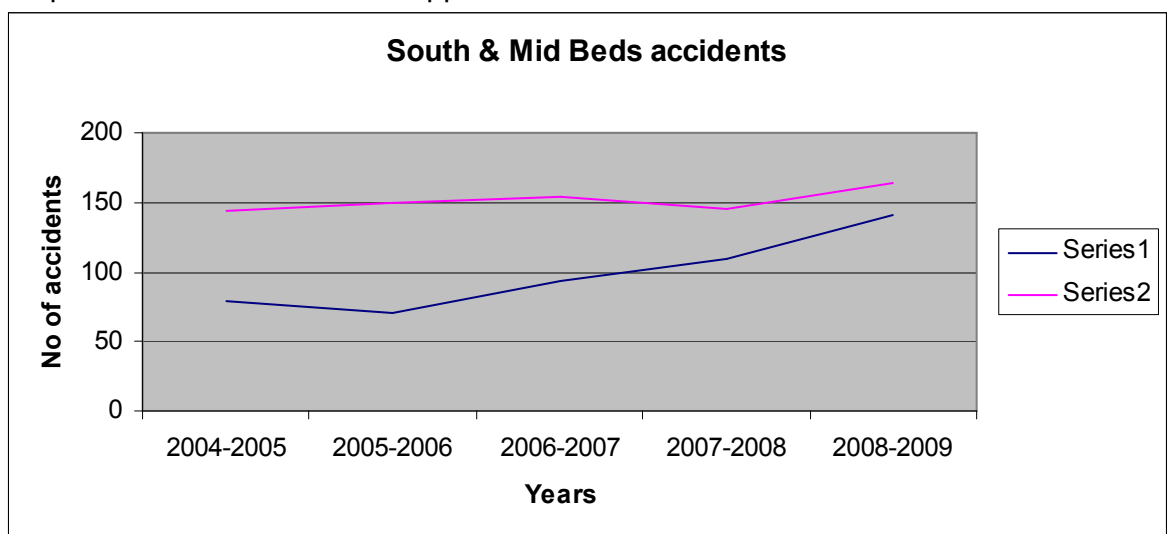
It should be noted that, a review of accident statistics for both South Beds and Mid Beds reveals the following.

Both legacy Councils have a similar number of premises for enforcement. A graph showing the number of reported accidents was devised. The top line shows the reported accidents for South Beds and the bottom line for Mid Beds.

Analysis of the accidents show that, despite hundreds of premises being inspected, South Beds shows a slight increase in reported accidents, with Mid Beds showing a significant increase. However, the data in general appears at face value unsatisfactory. Further investigation is needed to help clarify the increases.

To assist in intelligence lead inspections, in the future it is proposed that accidents types are collated and analysed. This would enable managers to ascertain trends and prioritise resources.

Graph 1: Accident statistics – Upper Line: South Beds. Lower Line: Mid Beds



3.7 Liaison with Other Organisations

The service is committed to the principle of consistency as set out in the Enforcement Concordat. This is to ensure that all enforcement actions, be they verbal warnings, statutory notices or prosecution, are consistent with national guidance and other local authorities. In pursuance of this commitment, liaison currently takes place with the following organisations:

- Chartered Institute of Environmental Health (CIEH)
- Herts & Beds Occupational Health and Safety Group
- HSE
- Health and Safety Laboratory
- Other Local Authorities.

It is estimated that during the year 2009-2010 this activity will require a staffing resource of 0.10 FTE officers.

3.8 Health and Safety Promotion

Promotional work will be undertaken in 2009-2010 by officers within the Team and in partnership with other agencies and bodies. In particular those projects under consideration include: -

- Participation in health and safety initiatives via Herts and Beds Group;
- Dissemination of health and safety information via the Council's website;
- Talks at local schools, colleges and groups on health and safety.
- Additional advice and on-site training for small businesses on carrying out risk assessments;
- Participation with the HSE on the '*Fit 3 Campaign*'
- Participation In Health and Safety Week
- Activities identified to comply with the Better Regulation Agenda and agreed by the Public Protection Manager.

It is estimated that these activities will require a staff resource of 0.35 FTE.

The last service plan for Mid Beds show 0.66 FTE short to achieve its targets however, a consultant within the authority was able to be involved in promotional work for European Health and Safety week. Without his involvement the initiative would not have been a success.

A summary of the staffing resources required for service delivery in totality for 2008-2009 is shown in Appendix 3.

4.0 RESOURCES

4.1 Financial Allocation

The budget allocation for health and safety enforcement in 2008-2009 and 2009-2010 (estimated) is set out in Table 4 below. (information is awaited following closure of accounts for the legacy authorities)

Table 4 Budget allocation for health and safety enforcement

Budget (£)	2008-2009 (original)	2009-2010 (estimate)
Staffing		x
Transport		x
Supplies and Services		x
Premises		x
Central support		x
Gross Expenditure		x
Population		x
Cost per head of population (including central support costs)		x

Explanatory Note Table Four (Due to creation of new Authority the following is in draft only):

The staffing costs cover the fte's carrying out food safety as well as a proportion of the Head of Public Protection, Team Leader Health, Safety and Licensing and Technical Administrators costs.

Where requested enforcement officers are supplied with a desktop PC where they can access the commercial premises database, e-mail, the Internet, word processing, spreadsheets and other information sources e.g. technical indices.

Costs incurred in pursuing court action are met from the overall service budget. Where, after consultation with Legal Services, Counsel opinion or barrister representation is required, each case will be considered on its merits, with the enforcement policy as a guide. All costs arising from successful cases in the Magistrates' Court will be paid back into Legal Services. Consultants costs or, in rare cases, recovery of witnesses costs, will be recharged to the Public Protection budget.

4.2 Staffing Allocation

The qualifications for all officers having a direct health and safety enforcement role are outlined in Appendix 4. The table specifies what types of enforcement activity the

officers are authorised to undertake given their qualifications and experience. Levels of competencies are expressed with reference to section 18 guidance on competency.

4.3 Staff development plan (Draft – to be reviewed by Head of Public Protection & Team Leader)

Officers will be appropriately qualified and receive regular training to maintain and improve their level of competence. For 2009-2010 all CIEH Chartered Status officers will have access to at least 30 hours update training per year, which equates to 0.16 FTE officers.

The training structure comprises:

- Employment of officers competent in health and safety enforcement.
- Evidence of formal qualifications commencing appointment.
- Performance Development Reviews and formal identification of training need.

5.0 QUALITY ASSESSMENT (Draft – to be reviewed by Head of Public Protection and Team Leader)

The measures and monitoring arrangements which will be taken to assess the quality of the service, including performance against HSE guidance, are outlined below:

- Inspection evaluation questionnaire sent out following a programmed inspection.
- Review samples of post inspection paperwork.
- Peer Group inspection performance.
- Benchmarking for Best Value for key services in Herts and Beds. Authorities Environmental Health Group and the review of performance against BV166.
- Monthly Team Meetings.
- Joint visits with colleague officers for validation and consistency purposes.
- One-to-one meetings with individual staff and the Work Environment Manager.
- Six monthly Personal Development Reviews of officers by the Work Environment Manager.
- Publication and monitoring of performance against the Customer Service Standard.
- Annual review of practice against enforcement policy.

6.0 REVIEW

6.1 Review against the Service Plan

Local Performance Indicators, which include response times to complaints and the level of programmed inspections, form part of the Council's performance management approach. It is anticipated that this will be monitored and reviewed by senior management, Portfolio Holders and the Executive.

A review of the Public Protection Services Service Plan will be undertaken every year and the Head of Public Protection will integrate any changes into the Health and Safety (as a regulator) Service Plan.

6.2 Health and Safety Performance

The Key Performance Indicators are monitored monthly and significant variations reported identifying remedial action when required.

Mid Beds District Council

- | | |
|-------------------------------|----------------|
| • Inspections completed | 100% (251) |
| • Response to 24hour requests | 100% (10) |
| • Response to 3day requests | 91% (51 of 56) |

South Beds District Council

- | | |
|-------------------------------|-----|
| • Inspections completed | 87% |
| • Response to 24hour requests | 98% |
| • Response to 3day requests | 97% |

6.3 Areas for Improvement.

Any service issues identified during the reviews or by routine performance monitoring will be recorded in writing and an appropriate action plan to address them agreed with the Head of Public Protection. Improved monitoring would significantly assist the Council in achieving its LAA targets.

There is a history of reporting the historical data from previous years and an estimate provided for the following year. A change in this reporting would improve the performance information provided to senior management and assist in service improvement in delivering better outcomes on issues of local concern or priority. Improvements would also enable senior management and Executive to see, year on year, if the service is meeting the LAA priorities, in particular, Creating Safer Communities. As with the accident trend graph, other graphs could include:

- No of inspections completed
- No of premises reducing risk
- No of premises increasing risk
- No of Improvement Notices served

- No of Prohibition Notices served
- No of cautions given
- No of prosecutions undertaken

This information will enable decisions to be made locally on how best to serve the local community – that is, businesses, employees of those businesses and visitors to those businesses, and target resources appropriately.

7.0 INTER AUTHORITY AUDITING – HSE expects all LAs to undergo an audit of their management of health and safety enforcement at least once every five years. The audit may form part of the Best Value review and a HELA inter authority audit protocol has been designed as a tool which LAs can use in their Best Value reviews. The HSE may review audit reports and any subsequent action plans, which will identify aspects of LAs' management of health and safety enforcement, which may need to be improved. The Herts and Beds health and safety enforcement liaison group have an agreement to undertake audits within their authorities. Mid Beds DC and South Beds DC were audited in 2005. An improvement plan was developed based upon the audit findings and fully implemented.

Appendix 1

Provision of external health and safety and other consultant support

Consultancy

Health and Safety Executive Specialist Inspectors
AW House
6-8 Stuart Street
LUTON
Bedfordshire
LU1 2SJ
Tel: 01582 444200
Fax: 01582 444320
www.hse.gov.uk

Health and Safety Laboratory
Broad Lane
Sheffield
S3 7HQ
0845 345 0055

<http://www.hsl.gov.uk/>

Contractors

Carol Gregory
Hadley EHS Ltd
Scrubbitts Park Road
Radlett, Herts
WD7 8JP
Tel No.07973 502216

John Dunne & Associates (Environmental Health) Ltd
9 Lauderdale Road
Hunton Bridge
Kings Langley
Herts
WD4 8QA
01923 449719

Hadley Environmental Health Services
44 Ansley Way
St Ives
Cambridgeshire
PE27 6SN

Andy Fraser
Fraser Associates 4, Bullocks Lane, Hertford

Appendix 2

HELA strategy: priority issues

Slips and trips

- Ensure that slips and trips are given an adequate focus and priority in inspections, accident and complaint investigations and other dealings with stakeholders

Work at height, workplace transport, musculoskeletal disorders, and stress

- prioritise inspection effort to tackle these issues;
- contribute to the workplace transport priority programme to segregate vehicles and pedestrians and eliminate reversing movements where reasonably practicable;
- consider the role of other Local Authority enforcement functions and roles in improving health and safety;

Occupational ill health

- facilitate discussions within all departments of the Council to consider and document their potential contribution to '*Revitalising and Securing Health Together*' as intermediaries;
- contribute to current data on occupational ill health by supplementing it with local surveys and enquiries;
- focus on key occupational ill health issues when developing enforcement regimes and service plans;
- develop good practice and share among other local authorities;
- contribute to the key programme on stress;

Engagement of stakeholders

- follow good practice on contact with employer representatives;
- develop contacts with small firms to disseminate health and safety awareness and change health and safety management culture;
- develop and publish local service plans to publicise intended approach and to engage businesses, trade unions and other stakeholders;
- develop involvement in the Lead Authority Partnership Principle to develop sector type arrangements to engage business and consumer interests in a strategic dialogue;
- promote awareness of health and safety as a core principle of LA services and look to secure better working environments rather than just compliance with the law and
- play a role in developing a policy on the contribution of other initiatives to health and safety improvements.

Appendix 3

Estimated Staff Resources per Activity 2009-2010

HEALTH AND SAFETY AS A REGULATOR ACTIVITY EQUIVALENTS	FULL TIME
<i>Programmed inspections</i>	2.50
<i>Complaints</i>	0.20
<i>Enquiries and requests for advice</i>	0.20
<i>Accident investigations</i>	0.60
<i>Liaison</i>	0.10
<i>Lead authority enquiries and maintenance</i>	0.00
<i>Officer training</i>	0.15
<i>Promotional work/advice</i>	0.35
<i>Planning & premises licence consultation</i>	0.05
<i>Administration</i>	0.40
<i>Management</i>	0.00
Enforcement	0.20
Total estimated staffing resource required	4.75 FTE
Estimated staff resources available for the Health and Safety Service 2009-2010	Total 4.75FTE

Appendix 4

Competency of inspectorate (*under review*)

Competency	No. of Officers Achieving Standard FTE
<i>Inspection of risk management systems</i>	9
<i>Inspection of risk category A and B1 premises</i>	9
<i>Inspection of risk category B1, B2, B3 and C premises</i>	9
<i>Service of Improvement Notices</i>	9
<i>Service of Prohibition Notices</i>	5
<i>Seizure of equipment and substances</i>	9
<i>Dealing with complaints – advice given</i>	9
<i>Dealing with complaints - investigations</i>	9
<i>Accident investigations potentially leading to legal proceedings</i>	9
<i>Other Accident Investigations</i>	9

Competence

LAs are expected to ensure that they only appoint inspectors who possess the necessary competencies to carry out the tasks they are authorised to do. The HSE considers that competency is achieved by meeting the essential elements in the standards for Occupational Health and Safety Regulation published by the Employers' National Training Organisation. Inspectors should therefore be able to do the following;

Identify the objectives, plans and priorities of the regulatory authority for work-related health and safety, and personally contribute to them effectively.

- Manage time effectively to ensure the efficient use of resources.
- Inspect duty holders, worksites and activities for the purposes of work-related health and safety regulation.
- Prepare for inspections of workplace health and safety for the purposes of regulation.
- Conduct inspections of workplace health and safety for the purposes of regulation.

- Report on the conduct and findings from inspections of workplace health and safety for the purposes of regulation.

Investigate work-related accidents, incidents, ill-health reports and complaints for the purposes of health and safety regulation.

- Prepare for investigations of work-related accidents, incidents, cases of ill health or complaints for regulatory purposes.
- Determine immediate action needed to ensure effective investigation and manage any continuing risk.
- Carry out investigations of work-related accidents, incidents, cases of ill health or complaints for regulatory purposes.
- Evaluate the extent of intervention and enforcement needed for regulatory purposes.
- Manage and conclude investigations.

Plan and gather evidence for the purposes of work-related health and safety regulation.

- Plan the taking of evidence for the purpose of work-related health and safety regulation.
- Gather and preserve evidence for the purpose of work-related health and safety regulation.

Enforce statutory provisions and brief a prosecutor for the purposes of work related health and safety regulation.

- Prepare reports recommending prosecution for alleged breaches of work-related health and safety legislation.
- Initiate and report on prosecution proceedings.

Enforce statutory provisions and present guilty pleas in a magistrates' court for the purposes of work-related health and safety regulation.

- Prepare reports recommending prosecution for alleged breaches of work-related health and safety legislation.
- Initiate legal proceedings for alleged breaches of work-related health and safety legislation and present the prosecution case in a magistrates' court, when a guilty plea is entered by the defendant.
- Draft and serve notices or other statutory enforceable documents for the purposes of work-related health and safety regulation.

Influence health and safety duty holders and others for the purposes of work related health and safety regulation.

- Work with duty holders and others to establish work-related health, safety and welfare standards, procedures and management arrangements in force in the organisation.
- Influence duty holders and others to improve work-related health, safety and welfare standards, procedures and policies.
- Communicate externally, with duty holders, employee representatives and external parties.
- Communicate internally, with colleagues.

Improve work-related health and safety through promotional activities.

- Plan and contribute to local projects and initiatives to promote work-related health and safety.
- Promote work-related health and safety awareness through dissemination of appropriate information.

Appendix 5

Formal Enforcement Action Taken 08-09

ACTION TAKEN	PREMISES TYPE	CONTRAVENTION
Prosecution May 2009	Martin McColls	<p>Failure to remove damaged asbestos from area used by employees. Failure to put in place a management plan regards asbestos.</p> <p>The Company pleaded guilty Bedford Magistrates Court and were fined £18,500. In addition they had to pay £8,500 costs to the Central Bedfordshire Council</p>
Council Officers, RSPCA, vets & Police inspected premises following an investigation into complaints about poor animal welfare and children as young as 5 working and having horse riding lessons in an unregulated premises	Local Farm	<ul style="list-style-type: none"> • Failing to ensure the needs of animals • Causing unnecessary suffering to animals • Breeding and selling dogs without a licence • Keeping dogs in unsatisfactory conditions in a premises requiring a licence • Operating a riding establishment without a licence • The premises presented a health and safety risk to employees and the public • Failing to carry out suitable and sufficient risk assessments for employees and the public <p>Both Head of Service and Assistant Director have agreed that 3 individuals should be prosecuted for the above. Informations to be served July 2009.</p>
Prosecution April 2008	Sunbed salon x2	<p>Failure to comply with Improvement Notices requiring the provision of electrical safety certificates at two salons operated by the same proprietor.</p> <p>The proprietor was sentenced in respect of both premises to 16 weeks imprisonment (serving 8 weeks) for failure to comply with the Improvement Notice, in lieu of fines imposed and in lieu of costs</p>

		[s.2(1) HSW £200 for each premises, s.3(1) HSW £200 for each premises and Electricity Regulations £100 for each premises. A cost contribution was ordered of £500 for each premise.]
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Appendix 6

Glossary of Terms

EHO	Environmental Health Officer
EHP	Environmental Health Practitioner
FTE	Full time equivalent member of staff. This may comprise of more than one officer
HELA	Health and Safety Executive/Local Authority Enforcement Liaison Committee
HSE	Health and Safety Executive
LA	Local Authority
HSWA	Health and Safety at Work etc Act 1974
Fit 3 Campaign	<p>Fit for work, Fit for life, Fit for tomorrow. As part of the HSC business plan for 2005-2006 & 2007-2008 the 'Fit3' Strategic Delivery Programme was introduced. This campaign is based on analysis of injury and ill health generation across known hazard and sector hotspots in businesses, large and small. It aims to deliver a 6% reduction in the incidence rate of cases of work-related ill health. Major initiatives are planned, as a contribution to rising to the challenge of occupational health, include:</p> <ul style="list-style-type: none"> • A major communication campaign on musculoskeletal disorders, which includes piloting the 'Backs Week' projects designed to reduce the incidence of manual handling injuries; • Rolling out the management standards for stress across key sectors, including the public sector ; • Launching the Workplace Health Direct advice line and selecting partners to pilot new occupational health support services, to provide accessible advice and support;

- Targeted initiatives to reduce the **incidence of skin disease** in the hairdressing and beauty sectors;
- Targeted initiatives to reduce the **incidence of occupational asthma** in the manufacture, woodworking, and health services;
- Introducing new **Vibration Regulations and Noise Regulations**;
- Raising awareness on duty to manage asbestos in the workplace.

The programmes of work will include a mix of interventions, ranging from the innovative and original to the well tried and proven. HSE and LA inspectors have worked closely in these proactive interventions (as well as maintaining reactive investigations) to reach target groups in more user-friendly ways.

Improvement Notices

Where the breach of health and safety law is more serious, the inspector may issue an improvement notice to tell the duty holder to do something to comply with the law. The inspector will discuss the improvement notice and, if possible, resolve points of difference before serving it. The notice will say what needs to be done, why, and by when. The time period within which to take the remedial action will be at least 21 days, to allow the duty holder time to appeal to an Industrial Tribunal if they so wish. The inspector can take further legal action if the notice is not complied with within the specified time period.

Prohibition Notices

Where an activity involves, or will involve, an imminent risk of serious personal injury, the inspector may serve a prohibition notice prohibiting the activity immediately or after a specified time period, and not allowing it to be resumed until remedial action has been taken. The notice will explain why the action is necessary. The duty holders are told in writing about the right of appeal to an Industrial Tribunal. Failure to comply with an Improvement or Prohibition notice carries a fine up to £20,000, or 6 months imprisonment or

Simple Caution

Simple cautions may be considered as an alternative to prosecution. They will not be used as an alternative where it is thought that insufficient evidence is available to prosecute.

The purpose of simple cautions is:

- To deal quickly and simply with less serious offences;
- To divert less serious offences away from the Courts;
- To reduce the chances of repeat offences.

The following conditions must be fulfilled before a caution is administered.

- There must be evidence of the suspected offender's guilt sufficient to give a realistic prospect of conviction.
 - The suspected offender must admit the offence.
 - The suspected offender must understand the significance of a formal caution and give an informed consent to being cautioned.
-

Agenda Item: 12

Meeting: Executive

Date: 23rd June 2009

Subject: Business Transformation Programme– Progress Report

Report of: Portfolio holder for Business Transformation

Summary: To report on the Business Improvement Plan progress, (formerly know as the Consolidation Plan) requested at the Executive of the 12th May 2009

Advising Officer: Richard Ellis, Director of Business Transformation

Contact Officer: Sue Nelson, Head of Business Transformation

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision No

Reason for urgency/
Exemption from call-in
(if appropriate) None

RECOMMENDATIONS:

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

Reason for Recommendations: So that Executive can understand the scope and development of the Business Transformation Plan and monitor the progress on Business Improvement activities

Introduction

1. Since vesting day the Business Transformation Team have been working towards the development of a Business Transformation Programme for the authority.
2. The initial priority has been to establish the appropriate governance for the monitoring and management of transformation projects.
3. An emerging set of steps are now forming that will take the authority towards a fully developed Business Transformation Programme later this year. This report clarifies those steps and seeks Executive agreement to these Business Transformation Programme planning activities.

Progress to date

4. At the 17th February Executive 2009, the Business Transformation Framework was presented, (See Appendix 1 attached). This identified the two key strands to Business Transformation planning to be:
 - The development of a medium term Business Improvement Plan
 - The development of a longer term Business Transformation Programme
5. At the 14th April 2009 Executive, the principle of a Business Improvement Plan, defining the key improvement activities being undertaken in the first few months was accepted.
6. In the Budget announcement Central Bedfordshire was identified as one of 13 pilot projects nationally in the "Total Place" initiative, part of the Operational Efficiency Programme (OEP).

Key Elements of the Business Transformation Programme

A) Business Improvement Plan

7. The work of the Programme Management Office has now clearly defined the key activities within the Business Improvement Plan (BIP), and enabled the Directorate teams to accommodate the outstanding "transition" activities within their ongoing service delivery plans (i.e. as business as usual activity).
8. A Project Management Toolkit has been developed and issued to staff setting out a standard methodology for all improvement projects (including highlighting projects that will tackle inequality and promote greater equality of opportunity). Governance arrangements for the management of these projects has been agreed by the Central Bedfordshire Management Team.

All projects in the BIP require a Project Initiation Document and Business Case showing at least a return on investment over five years of 2:1 before any Invest to Save budget is allocated.

9. The BIP will enable the authority to track the progress on the considerable amount of work that is being undertaken to consolidate the authority's base position in readiness for wider transformation.
10. The key strands of activity within the BIP are as follows:-
 - a. Business Improvement activities identified as quick wins for the authority to implement.
 - b. Migration of non-specialist services into the contact centre.
 - c. Already identified District services harmonisation projects.
 - d. Cross cutting activity that requires invest to save funding to realise efficiency savings.

B) "Total Place" pilot project

11. In parallel to the BIP, the "Total Place" programme is currently being developed. Central Bedfordshire has been selected to work with Luton Borough Council and its key partners, as one of thirteen pilot programmes nationally, supported by the Department for Communities & Local Government and the Treasury. The project is designed to encourage collaboration and pooling of resources between key public service partners in an area to deliver significant efficiency savings, as well as customer centred service improvements. There are two key strands to the work:-
 - "Counting methodology" – this seeks to identify all public service funds being applied to a particular area, and in support of key themes. Opportunities are then identified for more efficient allocation of this funding based on sharing of resources and cutting out duplication across agencies
 - "Culture methodology" – this seeks to review service delivery from the customer perspective, understanding where significant complexity and duplication of effort and resource across a number of agencies, delivers a very poor customer experience through overly bureaucratic processes and structures
12. This is a great opportunity for Central Bedfordshire to benefit from Central Government funding and an increased profile on the national stage. Similarly, because this initiative is "sponsored" by the Treasury, there is significant encouragement for key Whitehall departments to support the programme through their regional agencies. Hence, the PCT, Department for Work and Pensions (DWP), the Police and Fire Authorities are aware of this project and willing to participate.

13. This pilot will also potentially establish the framework and methodology by which many other collaboration projects may be identified with partners in the future.

C) Visioning & Strategic Planning

14. The development of the longer term Business Transformation Programme will commence with a strategic planning workshop in July, involving the new Executive and the Management Team. This will set the direction for the authority, upon which the Transformation Plan will be developed, the key goals of which are as follows:-

- Changing people’s quality of life by delivering high quality, joined up public service solutions
- Increased value for money through improved efficiency in service delivery

Summary

15. The key strands within the Business Transformation Programme can therefore, be summarised as:-

- Development and implementation of the Business Improvement Plan
- Development of the “Total Place” Programme
- A review of the Strategic Vision of the authority
- Development of the Transformation Plan.

CORPORATE IMPLICATIONS
Council Priorities: Enabling all of the 5 Council priorities to happen:- a) Supporting and caring for an ageing population. b) Educating, protecting and providing opportunities for children and young people. c) Managing growth effectively. d) Creating safer communities. e) Promoting healthier lifestyles.
Financial: All activities in the BIP will be funded from the already agreed £1.7M Invest to Save budget.

Legal:

None.

Risk Management:

Risk management will continue to be progressed by the Programme Management Office.

Staffing (including Trades Unions):

None.

Equalities/Human Rights:

The Business Improvement Project Management toolkit will require managers to highlight projects that will tackle inequality and promote greater equality of opportunity.

Community Development/Safety:

None.

Sustainability:

All activities in the BIP will be;

Better for customers, better for taxpayers, better for staff and better for partners.

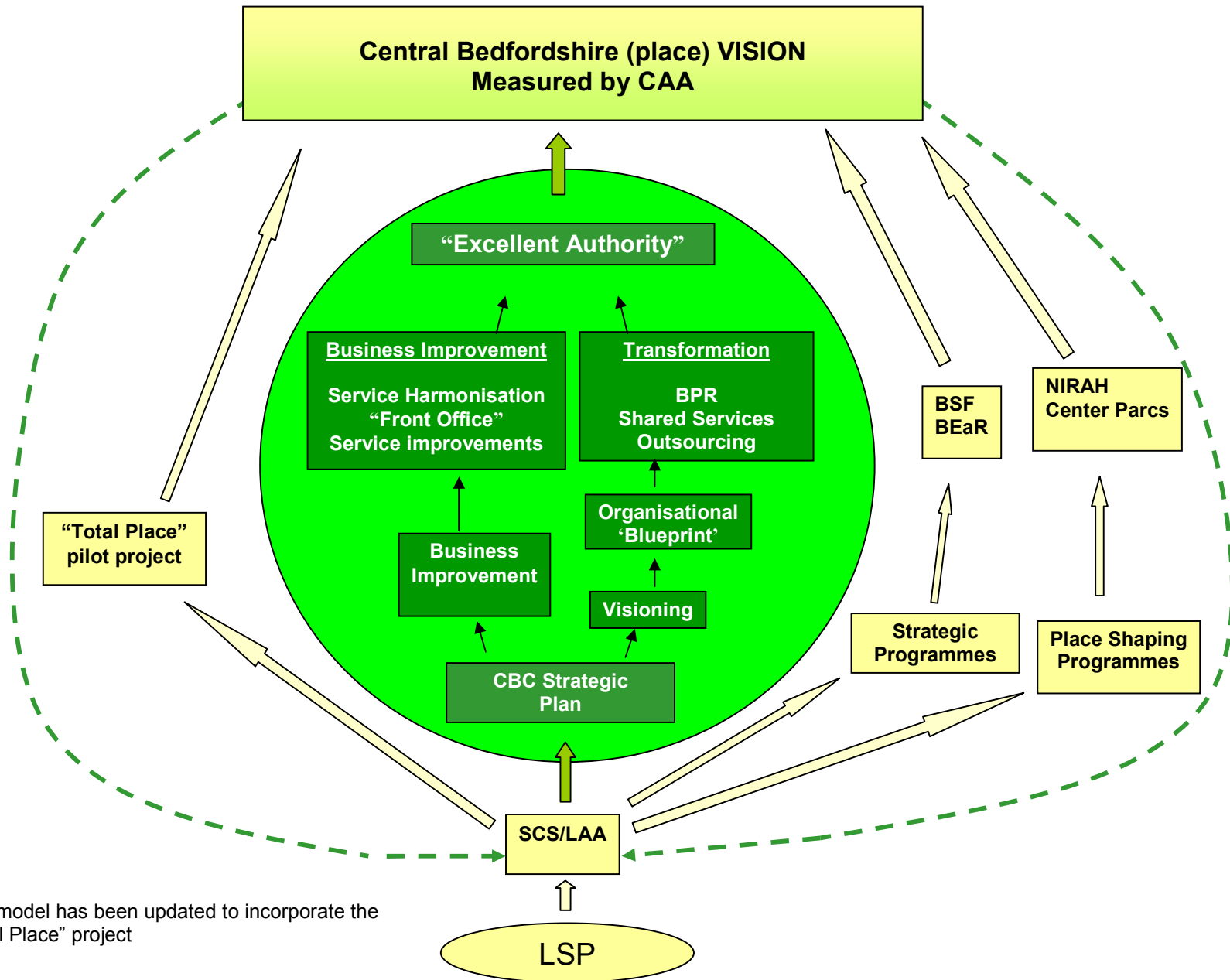
Appendices:

Appendix 1 – Business Transformation Framework

Background Papers

None

Appendix 1 - Business Transformation Framework



NB. This model has been updated to incorporate the "Total Place" project

Denotes partnership activity

Agenda Item: 13

Meeting: Executive

Date: 23 June 2009

Subject: Developing Ultra Low Carbon Vehicles in Central Bedfordshire

Report of: Portfolio Holder for Sustainable Development

Summary: The report responds to the Executive for information and approaches to develop electric vehicles in Central Bedfordshire and suggests how the Sustainable Communities Act could facilitate the growth and delivery of this technology at local level.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Liz Wade, Assistant Director Economic Growth & Regeneration
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision: No
Reason for urgency/
exemption from
call-in
(if appropriate): Not applicable

RECOMMENDATIONS:

- 1. That the Executive notes the information provided on the activities across Central Bedfordshire engaged in developing ultra low carbon vehicle technologies including electric cars.**
- 2. That the Executive provide comment on the actions being undertaken to support the development of ultra low carbon vehicle technologies, including those possible under the Sustainable Communities Act.**

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

National Background

1. The Government has already put into place a strategy for the development of ultra low carbon vehicles in the UK. This includes £250m of funding, the majority of it will be used to support consumers purchasing electric or plug in hybrid cars, with £20m used to provide financial support for cities to invest in

infrastructure. The Technology Strategy Board has already run a competition (Dec 08 – Jan 09) to invite consortia to demonstrate ultra low carbon cars. This will put around 200 ultra low carbon demonstrator cars on Britain's roads over the next 18 months.

2. The Department for Transport's low carbon vehicle procurement programme is a £20m programme to support the demonstration and use of lower carbon vehicles in the public sector. The programme, which is managed by Cenex, is initially focussed on vans. Cenex is the Centre of Excellence for low carbon and fuel cell technologies. The 10 companies short listed to bid to supply both lower carbon (more fuel efficient) and all-electric vans to the public sector are
 - a. lower carbon van: Ford; Mercedes Benz; Citroen; Ashwoods; Land Rover
 - b. all electric van: Modec; Smiths; electric Vehicles; LDV; Nissan; Allied Vehicles
3. Local authorities in Liverpool, Newcastle & Gateshead, Coventry, Leeds and Glasgow have been selected by DBERR (Department of Business, Regulation and Reform) to participate in the first phase of the programme. All have been selected following a fully competitive UK-wide process. These local authorities are added to the existing six initial public sector organisations involved in the programme which have already been announced and are: Royal Mail; HM Revenue & Customs; Metropolitan Police; Transport for London; Environment Agency; Government Car and Despatch Agency.

Local Activities

4. The international Cenex annual event was hosted at Millbrook in November 2008. EEDA (East of England Development Agency) sponsored part of the event. Millbrook is an international asset, owned by General Motors, but operated at arms length as a separate unit. The future of the company is being challenged by the recent sale of GM Europe activities. Millbrook is an important anchor in our local economy and it is vital do all that is possible to offer support for the activity to remain in Central Bedfordshire.
5. The Millbrook open innovation and shared technology park already attracts a small presence from a range of the global vehicle manufacturers as well as the capacity both currently and future to expand this facility. This includes applications and testing of hydrogen fuels as well as electricity and the first production hydrogen fuelled London buses were tested at Millbrook. It is seeking to gain recognition from the Government as the Test Bed UK centre for electric and low carbon vehicles.
6. Cranfield already has a number of research connections to Millbrook and is a leader in research into ultra capacitors and other advanced technologies.
7. Cranfield University's Department of Automotive engineering has been working with innovators from across the country on alternative drive vehicles, in addition to being part of the UK consortium involved with the Lifecar, which also included Oxford University, OSCar Automotive and QinetiQ.

8. As well as offering testing facilities and capabilities applicable all the way through the design process, the Cranfield team – led by Prof Nick Vaughan and Dr James Marco – provides companies developing alternative-fuelled vehicles with a ‘power management strategy’, an interface between the driver and the powertrain hardware, or engine to the less engineering minded.
9. Cranfield has been doing work with the Advanced Lead Acid Battery Consortium – an umbrella organisation which looks after the interests of companies in the battery industry, trying to centralise and automate the research of a number of organisations throughout the world.
10. The University also launched a new Masters in Science (MS) programme last year in Auto Technology Management. The MS, which is a part-time programme geared toward mid and early mid-career engineers working in the industry, has been attracting quite a lot of interest.

Local Car Production

11. In Flitwick the Electric Car Corporation (ECC) is assembling the Citroen C1 ev'ie. David Martell is the ECC chief executive and founder of travel data firm Trafficmaster based at Cranfield. The Citroen C1 is the UK's first four-seater electric car.



The C1 ev'ie can be fully charged in 6-7 hours from a domestic 13 amp socket at a cost of around 90p and it has a range of 60-70 miles.

12. The electric Citroën expects to beat the rival Mitsubishi MiEV to the market by about six months. The compact four-seater electric Japanese car is expected to go on sale here in the autumn, costing about £20,000. Only 50 will be available in the UK in the first year.

Sustainable Communities Act – Actions and Options

13. The previous Executive paper of the 12th May outlined to members the process and function of the Sustainable Communities Act (Appendix A). The Local Strategic Partnership (LSP) network officers are seeking to convene a citizen's panel to debate the options for using the Sustainable Act to request Secretary of State to allow a policy change to stimulate low carbon vehicle development.

14. Under the Act any idea will need to be supported by a citizen panel and will be short listed initially by the LGA using the 2 criteria below:-
- (i) It must promote sustainable communities as defined in the Act (i.e. promotion of local economies, environmental protection, social inclusion and democratic participation)
 - (ii) It must be something that *central government* can do (and is not doing already) to help and assist communities and councils promote sustainable communities
15. The deadline for submissions of proposals from communities and councils is 31 July, a second round is expected begin in October 09.
16. Examples to the types of ideas from other areas that could be debated and investigated could include the following:-
- Introduce levy on long term car parking to invest in stimulating the public infrastructure that will be required to operate electric vehicles
 - Use of S106 to build and commit a local enterprise fund to support low carbon entrepreneurs and offer a bursary to masters qualifications to Bedfordshire residents
 - Request Secretary of State to enable Central Bedfordshire to offer discretionary business rate relief for a period of up to 5 years for those businesses engaged in low carbon technology
 - Seek Homes and Community Agency (HCA)/Developer interest to pilot new housing development to sell houses with an electric car in the garage or shared car pool.
17. Next Steps to support ultra low carbon vehicle technologies
- Take expert advice from leading partners including Millbrook, Cenex, DBERR, Cranfield University and Electric Car Corporation.
 - Write to the LGA to indicate our interest in taking forward the Sustainable Communities Act and convene with the leading representatives as a citizen panel in the area to discuss ideas to promote under the Sustainable Communities Act.
 - Explore the local businesses in the potential supply chain in advanced manufacturing and engineering that could or are supporting this type of development and actively seek to attract others to relocate.
 - Consider wider partnering with neighbouring authorities who could add to the development.
 - Formally engage EEDA and HCA in our development plans.
 - Investigate opportunities for European ERDF funds to support this agenda.

- Convene task group reporting to the existing LAA Carbon Reduction Group to lead and develop a business case and proposal for council.
- Increase public support for the retention and expansion of Millbrook facilities.
- Lobby politicians to promote Central Bedfordshire as a UK centre for this technology and establish the recognition of Millbrook as the Test Bed UK location.
- Be an early adopter of the technology by introducing and piloting cars/vans/buses into the public fleet.

18. Other incentives that could be considered include the following:-

- Allowing electric vehicles to use bus/taxi lanes.
- Allowing electric vehicles free park and ride facilities (install charging point at Park & Ride sites). Offer free short term shopping parking.
- As the large public employer we could introduce staff incentives to purchase and use electric vehicles – ‘Free charge-up? Enhanced mileage rates/car allowances for low carbon cars.
- Introduce car loan scheme match public GO subsidy (£5-6k per car) to purchase first say 50 cars.

CORPORATE IMPLICATIONS

Council Priorities:

This contributes to corporate priority 3, Managing Growth Effectively by boosting the local economic potential for job growth and directly reducing carbon emissions.

Financial:

Any further action will need to be resource neutral or income generating ideas by securing external funding.

Legal:

The proposal is considered under the well being powers of local authorities granted by the Local Government Act of 2000 and the Sustainable Communities Act that received royal assent on the 23rd October 2007. Any public sector support for a private company will need to consider State Aid rules and competition rules.

Risk Management:

Each proposal and project will be required to undertake a risk assessment as part of business plan

Staffing (including Trades Unions):

No extra staff anticipated at this stage.

Equalities/Human Rights:

The composition of any Citizen Panel needs to be representative of local people and should include people from 'under represented groups'.

Community Safety:

No crime or disorder implications are raised at this stage.

Sustainability:

This proposal seeks to positively contribute to reducing carbon usage in transport and develop the local economy through low carbon enterprises.

Appendices:

Appendix A – Briefing Note from Director of Sustainable Communities

Background Papers (open to public inspection)

None

Briefing Note from Gary Alderson, Director of Sustainable Communities

Sustainable Communities Act 2007

Background

The Sustainable Communities Act enables local authorities to make a case to Central Government for the acquisition of new powers or the taking on of activities previously provided by Central Government or another public body.

The Government has issued an invitation to all local authorities to put forward new ideas for policy and powers to deliver sustainable communities e.g. reduction in business rates for those businesses meeting recycling targets or provision of local public transport or broadband for training purposes to assist employers to employ local people, especially younger people who may move away from the area for work. All requests must be made by July 2009.

Any request must show that the outcome is as a result of engagement with local communities. Ideas will originate locally and must be agreed between councils and local panels. The Act leaves the exact composition of these panels open and does not specify how many there should be. Councils can use existing neighbourhood or consultative bodies, set up different panels for different issues or form a new one to deal with ideas that emerge. The hope is that such latitude will enable councils to prevent panels being captured by unrepresentative groups. Only the local authority can put ideas forward, town and parish councils can be included in the process by representation on a consultative group.

Agreed ideas will then go to the Local Government Association which will act as a 'selector' (a role defined by the Act) filtering and consolidating requests and deciding on which will go to CLG. Ministers will then accept, modify or reject bids and must explain their reasons for their decision.

There are four main limbs to the areas for consideration: -

Business
Environment
Social Exclusion
Accessible Services

Requests can come from a single authority or a region, but they must be able to show engagement with the local community, they can also be tied in to LAA's and LSP's.

Making use of the provisions of the Act

A local authority can use the Act to involve local communities in sustainability, quality of life and wellbeing.

Any request to the LGA must fall under one of the four main arms:

Local business
Environment
Social Inclusion
Democratic Input.

The LGA will initially evaluate and analyse submissions, they will consider, has the idea been identified as a local requirement or is there a need for decisions to be made locally? What will the impact of the change be? Is it something idiosyncratic to a local area or can it be rolled out nationwide and still meet local needs? Can consistency of provision be achieved by different local providers of a service currently being nationally provided?

Should Central Bedfordshire wish to take advantage of the provisions of the Act, before making any proposals Regulation 4 must be complied with that is:-

- Establish or recognise a panel.
- Consult the panel about any proposal
- Try to reach agreement with the panel about proposals.
- Representation on the panel must reflect the local community

Members should consider that there will be a short period of time to make a request having complied with Regulation 4 and that if we are successful in any request, resource will be transferred from the current provider, but will that require further resource from the authority to manage and will it be sustainable.

To ensure local communities are better informed about public spending in their area **Local Spending Reports** will be published by central government.

By the 23 April 2009 expenditure by all authorities exercising public functions will have to be reported to central government.

These returns will allow public spending to be mapped locally and provide information on the public spending flowing into a local area.

The purpose of these reports will be: -

- To better inform local communities on the overall pattern of public spending in their area, and
- To allow agencies and communities to take local decisions to promote sustainable communities

The area covered will broadly be a local authority area or a part thereof.

The breakdown of expenditure will provide information to local communities about who is spending it; this will include defence, NHS, spending by a local authority on services outside their areas etc. So the breakdown may show

35% by local authorities
35% by Dept. Work & Pensions (20% benefits, 15% pensions)
20% Health expenditure
Grant expenditure (area based in a ring fence)
Dedicated schools grants

All government departments are required provide data. The requirement to provide information will be countrywide and not just subject to those authorities which choose to opt into the provisions of the Act.

This information will tie in with the information being collected by the audit Commission for CAA. It is unlikely that the information for 2009 will be complete and may initially be for pilot areas and this will then be expanded to all local areas.

Contact Officer:
Susan Childerhouse
Head of Public Protection (North)

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Agenda Item: 14

Meeting: Executive

Date: 23 June 2009

Subject: Decisions Taken by Directors on Grounds of Urgency

Report of: Leader of the Council

Summary: This report details a decision taken by the Director of Business Transformation on grounds of urgency following consultation with the Portfolio Holder for Business Transformation.

Advising Officer: Clive Heaphy, Director of Corporate Resources

Contact Officer: Rob Mills, Committee Services Manager

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision No

Reason for urgency/ exemption from call-in The reason for urgency is detailed below. Call-in provisions do not apply to non-key decisions taken by Directors.

RECOMMENDATIONS:

The Executive is asked to note the contents of this report.

Reason for Recommendations: The procedure for reporting decisions (including urgent decisions) taken by Directors following consultation with the appropriate Portfolio Holder is set out in the Council's Constitution (H3 Scheme of Delegation to Directors, paragraph 3.5 and Appendix A). The Code of Practice for taking such decisions requires details of the decisions taken by Directors to be reported to the appropriate Committee.

1. This report brings to the Executive for noting a decision taken by the Director of Business Transformation on urgency grounds following consultation with the Portfolio Holder for Business Transformation:-

Decision	Reason for Decision	Reason for Urgency	Result of Consultation
To increase fees by 5% for the Registration and Coroner Service in 2009/10	The Registration and Coroner Service is a shared Service with Bedford Borough Council. Bedford Borough Council raised their charges by 5% whereas Central Bedfordshire Council raised its fees by 3%. It is not practical to run a shared service with shared systems with two different charge rates.	The service is live from 1 April and customers need to know the costs of the service.	Portfolio Holder for Business Transformation agreed that Central Bedfordshire increase its fees for this service by 5%.

CORPORATE IMPLICATIONS

Council Priorities:

This report details an urgency decision taken by a Director as required by the Council's Constitution.

Financial:

This will increase income this year but will not have any significant impact on the budget.

Legal:

None.

Risk Management:

None.

Staffing (including Trades Unions):

None.

Equalities/Human Rights:

None.

Community Safety:

None.

Sustainability:

None.

Appendices:

None.

Background Papers (open to public inspection):
Decision form.

Location of papers: Priory House, Chicksands

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Central Bedfordshire Council
Forward Plan of Key Decisions
1 July 2009 to 30 June 2010

- 1) During the period from **1 July 2009 to 30 June 2010**, Central Bedfordshire Council plans to make key decisions on the issues set out below. “Key decisions” relate to those decisions of the Executive which are likely:
- to result in the incurring of expenditure which is, or the making of savings which are, significant (namely £200,000 or above per annum) having regard to the budget for the service or function to which the decision relates; or
 - to be significant in terms of their effects on communities living or working in an area comprising one or more wards in the area of Central Bedfordshire.
- 2) The Forward Plan is a general guide to the key decisions to be determined by the Executive and will be updated on a monthly basis. Key decisions will be taken by the Executive as a whole. The Members of the Executive are to be appointed at the Annual General Meeting on 18 June 2009.
- 3) Those items identified for decision more than one month in advance may change in forthcoming Plans. Each new Plan supersedes the previous Plan. Any person who wishes to make representations to the Executive about the matter in respect of which the decision is to be made should do so to the officer whose telephone number and e-mail address are shown in the Forward Plan. Any correspondence should be sent to the contact officer at the relevant address as shown below. General questions about the Plan such as specific dates, should be addressed to the Head of Democratic Services, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
- 4) The agendas for meetings of the Executive will be published as follows:

Meeting Date	Publication of Agenda
12 May 2009	01 May 2009
23 June 2009	15 June 2009
21 July 2009	13 July 2009
18 August 2009	10 August 2009

15 September 2009	7 September 2009
13 October 2009	5 October 2009
10 November 2009	2 November 2009
8 December 2009	30 November 2009
12 January 2010	4 January 2010
9 February 2010	1 February 2010
9 March 2010	1 March 2010
6 April 2010	25 March 2010

Central Bedfordshire Council

Forward Plan of Key Decisions for the period 1 July 2009 to 30 June 2010

Key Decisions

Date of Publication: 15 June 2009

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
1.	Medium Term Financial Strategy 2010/11 to 2014/15 - To consider the Strategy.	21 July 2009		Report	Comments by 24/06/09 to Contact Officer: Matt Bowmer, Head of Financial Services (including Procurement) matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 4254

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
2.	<p>Mid Bedfordshire District Council Financial Outturn 2008/09 -</p> <p>To report on the General Fund and Capital Programme outturns; to determine the financing of the Capital Programme for 2008/09; to report on the Treasury Management activity for 2008/09 to meet the requirements of the Council's Treasury Management Strategy and the CIPFA Code of Practice on Treasury Management in the Public Sector.</p>	21 July 2009	Portfolio Holder (Corporate Resources)	Report	<p>Comments by 24/06/09 to Contact Officer: Brian Mew, Interim Financial Services Manager, MBDC brian.mew@centralbedfordshire.gov.uk Tel: 01462 611070</p>

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
3.	<p>Bedfordshire County Council Final Outturn 2008/09 -</p> <p>To note the Capital and Revenue Outturn positions for Bedfordshire County Council and to approve the setting up of specific earmarked revenue reserves, the level of general reserves to be shared between Central Bedfordshire and Bedford Borough Councils and any implications for successor authorities.</p>	21 July 2009	Portfolio Holder (Corporate Resources)	Report	<p>Comments by 24/06/09 to Contact Officer: Nyree Hone, Head of Corporate Finance nyree.hone@centralbedfordshire.gov.uk Tel: 01234 276359</p>

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
4.	<p>South Bedfordshire District Council Outturn 2008/09 - To report on the General Fund and Capital Programme outturns; to determine the financing of the Capital Programme for 2008/09; to report on the Treasury Management activity for 2008/09 to meet the requirements of the Council's Treasury Management Strategy and the CIPFA Code of Practice on Treasury Management in the Public Sector.</p>	21 July 2009		Report	<p>Comments by 24/06/09 to Contact Officer: Brian Mew, Interim Financial Services Manager, MBDC brian.mew@centralbedfordshire.gov.uk Tel: 01462 611070</p>
5.	<p>Change to arrangements for 16-19 Education Training - To advise of changes made.</p>	21 July 2009	SRG partners	Report	<p>Comments by 24/06/09 to Contact Officer: Sylvia Gibson, Interim Assistant Director, Policy, Planning and Commissioning sylvia.gibson@centralbedfordshire.gov.uk Tel: 0300 300 5522</p>

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
6.	Empty Dwelling Management Orders Review - To review the Orders.	21 July 2009		Report	Comments by 24/06/09 to Contact Officer: Mr T Keaveney, Assistant Director Housing Services tony.keaveney@centralbedfordshire.gov.uk Tel: 0300 300 5210
7.	Street Lighting & Bridge Maintenance Strategies - This paper is to gain a steer from Executive on how best to manage an ageing street lighting stock and to advise Members on how essential maintenance work will be carried out to ensure safe usage of the Council's bridge structures.	18 August 2009	Portfolio Holder (Sustainable Development) Director of Sustainable Communities Police Community Groups	Report	Comments by 02/08/09 to Contact Officer: Basil Jackson, Assistant Director Highways basil.jackson@centralbedfordshire.gov.uk Tel: 01234 228477
8.	Property Acquisitions and Disposals Monitoring - Standing item for key decisions and quarterly basis monitoring and reporting of all property transactions	18 August 2009	Items will have been reviewed and assessed by the CBC Capital Assets Management Group (CAMG).	Report	Comments by 22/07/09 to Contact Officer: Mark Basset, Specialist Advisor - Property mark.basset@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038105

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
9.	Medium Term Accommodation Plan - To review the strategy for CBC office accommodation.	18 August 2009	Management Team CAMG All Service Areas	Report	Comments by 22/07/09 to Contact Officer: Mark Bassett, Specialist Advisor - Property mark.bassett@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038015
10.	Community Engagement Strategy - To approve the Strategy for Central Bedfordshire Council.	15 September 2009	Portfolio Holder (Business Transformation) LSP Partners	Report	Comments by 21/08/09 to Contact Officer: Ian Porter, Assistant Director Service Policy, Partnerships & Performance ian.porter@centralbedfordshire.gov.uk Tel: 01234 276067
11.	Central Bedfordshire Children and Young People's Plan 2009 - 2010 - This is the first Children and Young People's Plan. Thereafter it will be refreshed annually.	15 September 2009	Consultation has already taken place with children and young people. Further stakeholder consultation will take place in May, June and July through a variety of mechanisms such as workshops, information published on our website and meetings with key partners.	Report	Comments by 21/08/09 to Contact Officer: Sylvia Gibson, Interim Assistant Director, Policy, Planning and Commissioning sylvia.gibson@centralbedfordshire.gov.uk Tel: 0845 849 6092

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
12.	Customer Services Strategy - To approve the Strategy.	15 September 2009	Portfolio Holder (Business Transformation) Directors	Report	Comments by 21/08/09 to Contact Officer: Clive Jones, Assistant Director Business Transformation & Customer Services clive.jones@centralbedfordshire.gov.uk Tel: 01462 611168
13.	Licensing Policy and Framework - To approve the Policy and Framework.	15 September 2009	Licensing Trade Portfolio Holder (Safer and Stronger Communities) Chairman and Vice-Chairman of the Licensing Committee Three month period commencing 1 April 2009, meetings, publication on website and in other media	Report	Comments by 21/08/09 to Contact Officer: Susan Childerhouse, Head of Public Protection (North) susan.childerhouse@centralbedfordshire.gov.uk Tel: 01462 611394
14.	Property Services Review - To report on the process for reviewing future delivery of property services for CBC.	15 September 2009	Management Team CAMG All Service Areas Stakeholders	Report	Comments by 19/08/09 to Contact Officer: Mark Bassett, Specialist Advisor - Property mark.bassett@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038105

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
15.	Business Transformation Strategy - To approve the Strategy.	13 October 2009	Portfolio Holder (Business Transformation) Directors	Report	Comments by 22/09/09 to Contact Officer: Clive Jones, Assistant Director Business Transformation & Customer Services clive.jones@centralbedfordshire.gov.uk Tel: 01462 611168
16.	Medium Term Property Strategy Update - To report on the progress of the implementation of the strategy.	13 October 2009	Management Team	Report	Comments by 13/10/09 to Contact Officer: Mark Bassett, Specialist Advisor - Property mark.bassett@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038105
17.	Property Acquisitions and Disposals Monitoring - Standing item for key decisions and quarterly basis monitoring and reporting of all property transactions.	10 November 2009	Items will have been reviewed and assessed by the CBC Capital Assets Management Group (CAMG).	Report	Comments by 14/10/09 to Contact Officer: Mark Bassett, Specialist Advisor - Property mark.bassett@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038105

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
18.	Development of a Uniformed Presence for Central Bedfordshire - To consider the options available for Central Bedfordshire to undertake enforcement of a range of environmental and community safety legislation (including the Environmental Protection Act (EPA) and Clean Neighbourhoods and Environment Act (CNEA)) and exploring the role that a uniformed team has in that respect.	12 January 2010	Relevant Portfolio Holders	Report	Comments by 10/12/09 to Contact Officer: Jeanette Keyte, Community Safety Manager jeanette.keyte@centralbedfordshire.gov.uk Tel: 0845 849 6252
19.	CCTV Service Options - To consider options available to move to a common approach to the provision of a CCTV service within Central Bedfordshire.	9 February 2010	Portfolio Holder (Safer and Stronger Communities) Key Stakeholders	Report	Comments by 15/01/10 to Contact Officer: Jeanette Keyte, Community Safety Manager jeanette.keyte@centralbedfordshire.gov.uk Tel: 0845 849 6252

Ref No.	Issue for Key Decision by the Executive (and intended decision)	Indicative Meeting Date	Consultees and Date / Method	Documents which may be considered	Contact Members and Officer (Method of Comment and Closing Date)
20.	Property Acquisitions and Disposals Monitoring - Standing item for key decisions and quarterly basis monitoring and reporting of all property transactions.	9 February 2010	Items will have been reviewed and assessed by the CBC Capital Assets Management Group (CAMG)	Report	Comments by 13/01/10 to Contact Officer: Mark Bassett, Specialist Advisor - Property mark.bassett@centralbedfordshire.gov.uk Tel: 01234 276889 / 07939 038105

Postal address for Contact Officers: Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

Central Bedfordshire Council Forward Plan of Decisions on Key Issues

The following table sets out the dates on which the Central Bedfordshire Council Forward Plan will be published in 2009/10:

Date of Publication	Period of Plan
08.05.09	1 June 2009 – 31 May 2010
15.06.09	1 July 2009 – 30 June 2010
15.07.09	1 August 2009 – 31 July 2010
13.08.09	1 September 2009 – 31 August 2010
10.09.09	1 October 2009 – 30 September 2010
08.10.09	1 November 2009 – 31 October 2010
05.11.09	1 December 2009 – 30 November 2010
03.12.09	1 January – 31 December 2010
07.01.10	1 February 2010 – 31 January 2011
04.02.10	1 March 2010 – 28 February 2011
04.03.10	1 April 2010 – 31 March 2011
31.03.10	1 May 2010 – 30 April 2011

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