

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Offices, High Street North, Dunstable on Tuesday, 21 July 2009.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllrs Mrs R J Drinkwater
Mrs C Hegley
M R Jones
Mrs A M Lewis

Cllrs S F Male
K C Matthews
D McVicar
T Nicols

Apologies for Absence: Cllr R Stay

Members in Attendance: Cllrs P N Aldis
P A Blaine
D Bowater
Mrs C F Chapman MBE
Dr R Egan
A Fahn
M Gibson
Mrs S Goodchild

Cllrs Ms A M W Graham
Ms J Nunn
A A J Rogers
P Snelling
B J Spurr
Mrs C Turner
B Wells

Officers in Attendance:

Mr G Alderson	– Director of Sustainable Communities
Mr M Bowmer	– Assistant Director Financial Services
Mrs C Carruthers	– Assistant Director Property & ICT
Mr B Finlayson	– BEaR Project Manager
Mr P Frazer	– Head of Partnerships & Community Engagement
Mrs E Grant	– Deputy Chief Executive/ Director of Children, Families and Learning
Mr C Heaphy	– Director of Corporate Resources
Mrs K John	– Democratic Services Manager, MBDC
Ms D Lester	– Senior Democratic Services Officer
Mrs B Morris	– Assistant Director Legal & Democratic Services and Monitoring Officer
Mrs J Ogley	– Director of Social Care, Health & Housing
Mrs J Salisbury	– Interim Chief Executive
Mrs L Wade	– Assistant Director Economic Growth and Regeneration

E/09/16 **Chairman's Announcements**

The Chairman announced that she was going to take Agenda Item 14 – Office Accommodation - Update on Intermediate Solution as the last item of business.

E/09/17 **Minutes**

RESOLVED:

The minutes of the meeting held on 23 June were confirmed as a correct record subject to the inclusion of Councillor Mrs A M Lewis in attendance and an amendment to minute E/09/04 – Petitions, page 3, 5th line of (ii) Condition of Footpaths and Roads around the Townfield Road and Vicarage Hill, Flitwick - 'all' residents considered the footpaths to be in a terrible state.

E/09/18 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

E/09/19 **Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part 4 of the Constitution the Executive received 13 petitions relating to road traffic regulation orders or other highway matters.

The Executive agreed that in order that due consideration could be given to each petition, the petitions should be referred for more detailed deliberation to future public meetings of the Safer and Stronger Communities Portfolio Holder where the lead petitioners would be invited to attend and have a right to speak. Members acknowledged that whilst some of the petitions could be readily resolved, some would require more detailed investigation and may not be easy to resolve. It was noted that petitioners and ward councillors would be notified of the arrangements for the public meetings at least two weeks in advance.

RESOLVED:

That the following petitions be referred for detailed consideration to future public meetings of the Portfolio Holder for Safer and Stronger Communities:

- 1. Speeding Traffic in Northwood End Road, Haynes – Petition received from residents of Northwood End Road, Haynes asking that the matter be looked into with a view to applying speed restrictions in the village.**
- 2. Concern over the amount and speed of HGV's using Poynters Road, Dunstable – Petition from residents in Poynters Road asking that something is done to improve the situation.**
- 3. Footpath/cycleway and footbridges, Leighton/Woburn Road, Hockcliffe (A4012) – A petition has been received from the Hockcliffe Residents Association asking for a footpath/cycleway and footbridge along Leighton/Woburn Road, Hockcliffe.**
- 4. Condition of Skimpot Lane on access to Caddington Park – Petition received from Caddington Park Residents Association about the condition of the road.**
- 5. Commuter Parking in Southcourt Avenue, Leighton Buzzard - Petition received from residents in Southcourt Avenue requesting the introduction of a resident permit scheme.**
- 6. Traffic Calming and footpath along Mount Pleasant, Aspley Guise - Petition from the parents and teachers of Aspley Guise Pre-School and Lower school asking for the introduction of traffic calming measures.**
- 7. Resurfacing of footpath between Church View Avenue and Hillside Close, Shillington - Petition received from residents asking that the footpath be resurfaced.**
- 8. Request for residents parking permits, Albion Street/Matthew Street, Dunstable, Mis-Use of parking and Illegal Taxi Office - Petition from residents requesting the matter be looked into.**
- 9. Residents Parking, Burr Street, Dunstable - Petition requesting the introduction of a residents parking scheme.**
- 10. Installation of a Vehicle Activated Sign (VAS) on the A600 Deadmans Cross - Petition received from residents requesting the installation of a VAS.**
- 11. Road Safety on Richmond Road, Leighton Buzzard - Petition received from residents asking that the road become a one way street.**
- 12. Prioritised Width Restrictions in Billington Road, Leighton Buzzard - Petition received from residents requesting width restrictions along the road to reduce the speed of vehicles.**

13. Traffic Calming Measures along Union Street, Dunstable - Petition received from residents requesting the installation of traffic calming along the road.

E/09/20

Public Participation

The Chairman announced that there were was one request to speak in accordance with the Scheme of Public Participation to be dealt with at the start of the following agenda item:

Item 7 – CAA Area Assessment Key Questions

E/09/21

CAA Area Assessment Key Questions

Prior to consideration of the report and in accordance with the Scheme of Public Participation the Executive received the following questions from Mr Blackman from Leighton Buzzard.

Question 1 – Can the voluntary bodies dealing with homelessness be acknowledged in the Background section and supported in the planning sections of the CAA Re Assessment.

Question 2 – Can the Council confirm funding for voluntary bodies dealing with homelessness in their areas.

Responding to the questions the Leader of the Council explained that the CCA self-evaluation was a very high-level response to the issues and proposed actions in Central Bedfordshire. Whilst the excellent work of the voluntary bodies dealing with homelessness was acknowledged the document was not intended to individually highlight all of the work of the 150 plus partners involved with the Local Strategic Partnership (LSP). However, the work of all the partners (particularly from the voluntary sector) would be vital as the first Sustainable Community Strategy for Central Bedfordshire was developed. In response to the question about future funding the Leader of the Council explained that the Council would be considering carefully all its funding commitments as it sets its 2010/11 budget and ensuring alignment with its key priorities.

The Executive then considered the report of the Leader of the Council proposing that the Executive endorses (as the Accountable Body) the draft self-evaluation CAA Area Assessment questions conducted by the Local Strategic Partnership (LSP) through the Thematic / Strategic Partnerships

Introducing the report the Leader of the Council drew attention to the following amendments that would be picked up in the final document to be submitted to the Audit Commission on 31 July 2009:

- Page 31 of the draft self evaluation document; under the Transport Section - second bullet point to state that a new Local Transport Plan would be developed in accordance with recently published national guidance.
- On the second line of the third bullet point of the first page of the document about the Central Bedfordshire Area, the statement that in total 137,00 people live in the towns be changed to 137,00 people in Leighton Buzzard.
- On the Environment and Economy Theme, Marston Vale forest being added as a real benefit to the area, and something that had also been driven by local government.

During the ensuing discussion the Executive agreed that the following matters also be included in the final document:

- Page 28 – Climate Change – Inclusion of carbon reduction work and adaptation to climate change/business resilience work
- Page 31 – Transport – expansion of the last bullet point to improve access for disabled people
- Page 33 – Economy – Inclusion of the overarching objective to increase wealth.

Reason for decisions: So that the self-evaluation CAA Area Assessment questions can be completed and submitted to the Audit Commission on 31 July.

RESOLVED:

- 1. That, subject to the inclusion of minor amendments requested by the Executive as detailed above, the draft self-evaluation CAA Area Assessment questions be approved for submission to the Audit Commission on 31 July 2009.**
- 2. That the Theme Leads be given delegated authority to work with partners to complete the self-evaluation before submission to the Audit Commission on 31 July 2009.**

E/09/22

Bedfordshire County Council Final Outturn 2008/09

The Executive considered a report from the Portfolio Holder for Corporate Resources detailing Bedfordshire County Council's revenue and capital outturn position for 2008-09, including reserves, provision and debt and treasury management performance.

Reason for decisions: To review Bedfordshire County Council's Final Outturn position and consider any implications this may have for Central Bedfordshire's financial position for 2009/10 and beyond.

RESOLVED:

That the outturn position for Bedfordshire County Council for 2008/09 as set out in the submitted report be noted.

E/09/23

Mid Bedfordshire District Council Financial Outturn 2008/09

The Executive considered a report from the Portfolio Holder for Corporate Resources setting out the anticipated financial outturns in 2008/09 for Mid Bedfordshire District Council's General Fund and Capital Programme including transition costs associated with implementing Central Bedfordshire Council.

Reason for decisions: To report on the Revenue and Capital Outturn positions to facilitate the closure of the District Council's accounts. To optimise the medium-term revenue position of Central Bedfordshire Council by capital financing of ICT capital transition costs where appropriate, and by setting aside capital receipts so as to reduce the Minimum Revenue Provision (MRP) liability of the Council. To meet the requirements of the Council's Treasury Management Strategy and the CIPFA Code of Practice on Treasury Management in the Public Sector.

RESOLVED:

That the outturn position for Mid Bedfordshire District Council for 2008/09 as set out in the submitted report be noted.

E/09/24

South Bedfordshire District Council Outturn 2008/09

The Executive considered a report from the Portfolio Holder for Corporate Resources setting out the anticipated outturns in 2008/09 for South Bedfordshire District Council's General Fund, Housing Revenue Account (HRA) and Capital Programme.

Reason for decision: To report on the Revenue and Capital Outturn positions to facilitate the closure of the District Council's accounts. To meet the requirements of the Council's Treasury Management Strategy and the CIPFA Code of Practice on Treasury Management in the Public Sector.

RESOLVED:

That the outturn position for South Bedfordshire District Council for 2008/09 as set out in the submitted report be noted.

E/09/25

Implications of Legacy Outturn for Central Bedfordshire

The Executive considered a report from the Portfolio Holder for Corporate Resources detailing an assessment on the implications for Central Bedfordshire from the emerging outturn positions at the three legacy authorities that had been circulated with the Chairman's briefing notes and which replaced the report attached to the main agenda.

Reason for decisions: For Members to be aware of the impact that the 2008/09 outturn position of Mid Beds and South Beds Districts and Bedfordshire County Councils has on the finance of Central Bedfordshire Council and also to make them aware of the on going work.

RESOLVED:

- 1. That the implications for Central Bedfordshire from the emerging outturn positions at the three legacy authorities as set out in the submitted report be noted.**
- 2. That the proposed transfers to earmarked reserves as detailed in the submitted reports at Agenda Items 8, 9 and 10 be approved.**
- 3. That a review be undertaken of earmarked reserves.**
- 4. That an assessment be carried out of the impact of service under and overspends on Central Bedfordshire's revenue position.**
- 5. That ICT capital expenditure of £3.6m as set out in Agenda item 9 be approved.**
- 6. That the set aside of usable capital receipts as set out in the submitted report at Agenda item 9 be approved.**
- 7. That a review be undertaken of slippage on legacy capital programmes to assess the impact on Central Bedfordshire's Capital Programme.**

E/09/26

Change to Arrangements for 16-19 Education Training

The Executive considered a report from the Portfolio Holder for Culture and Skills providing information on proposed national changes to the commissioning of education and training provision for 16-19 year-olds. Agreement was also sought to the Council's participation in a formal sub-regional grouping (SRG) for the purposes of 16-19 commissioning.

Reason for decisions: To seek the approval of the Executive to participate in a formal sub-regional grouping (SRG) with Bedford Borough Council, Hertfordshire County Council and Luton Borough Council for the commissioning of education and training for 16-19 year olds in order to meet the Council's obligations when Central Bedfordshire assumes these responsibilities in April 2010.

RESOLVED:

- 1. That Central Bedfordshire Council joins a formal sub-regional grouping (SRG) with Hertfordshire County Council, Bedford Borough Council and Luton Borough Council for the purpose of joint commissioning of further education provision in the sub-region.**
- 2. That the stage 2 proposals made by the SRG for establishing readiness for 16-19 commissioning be approved.**
- 3. That the Deputy Chief Executive/Director of Children, Families and Learning be authorised, in consultation with the Portfolio Holder for Culture and Skills, and within the proposed governance arrangements for the SRG, to take forward detailed operational arrangements to ensure effective commissioning of education and training for 16-19 year olds, as outlined in the final stage 2 submission to the Department for Children, Schools and Families (DCSF) and attached to the submitted report.**

E/09/27

Forward Plan

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

E/09/28

Urgent Business

In accordance with Section 100B(4) of the Local Government Act 1972 the Chairman agreed to take the following items as business.

E/09/29

Nirah (National Institute for Research into Aquatic Habitats)

The Executive considered a report from the Portfolio Holder for Economic Growth and Regeneration setting out the decision of the Director of Sustainable Communities not to provide Council funding to NIRAH Holdings Ltd to support legal action being taken by the company.

Reason for decision: To bring the Executive's attention to a decision taken under the urgency procedures of the Constitution.

RESOLVED:

That the decision of the Director of Sustainable Communities, taken in accordance with the urgency procedures set out at item 3.5.1 of the Scheme of Delegation to officers, not to provide the further public finance requested by NIRAH Holdings Ltd in respect of legal action being pursued by the Company be noted.

E/09/30

BEaR Project Land Purchase Option Agreement

The Executive considered a report from the Portfolio Holder for Safer and Stronger Communities proposing the signing of an option agreement to secure a site for a waste treatment plant at Brogborough Landfill Site. In signing the option agreement and upon all conditions of the option being met, the capital investment to exercise the option would be committed.

The Portfolio Holder advised Members that because of delays being encountered with the Rookery site, permission was granted by the Executive in May 2009 to secure an option agreement at this site (minute E/08/135 refers), negotiations had progressed further with the Brogborough site. The signing of the option agreement on the Brogborough site would mean the Project could progress and go back to the Project Review Group for PFI funding approval without delay.

It was noted that negotiations would continue with the Rookery Pit South site with the aim of securing an option on the land. The Project Board would then take the decision whether to secure the option on the rookery site, thereby providing bidders with a choice of the two sites or one of their own that they may wish to put forward.

Reason for decisions: 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 will 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 will also provide clear evidence to the Project Review Group (PRG) that the Partnership has a secure piece of land to offer the market, enabling the project to attract PFI funding.

As outlined in Appendix C, an annual option fee is payable to the landowner upon signing the option which the Executive was requested to authorise.

Although negotiations on the site are nearly complete, 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. The Executive authorises the financial commitment associated with the option fee from the Council's capital programme over the years 2009/10 and 2010/11 as detailed in Appendix C of the submitted report.**

- 3. That delegated authority be given to the Directors of Sustainable Communities and Corporate Resources, in consultation with the Portfolio holders for Safer and Stronger Communities and Corporate Resources, 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.**

 - (b) continue dialogue with the other Partnership members to obtain agreement on the cost share for approval by members later in the procurement process.**

 - (c) continue dialogue with the landowner of the Rookery Pit South site in order to secure a second option agreement if required.**

NOTE: This decision is urgent and therefore exempt from call-in as any delay caused by the call-in process could result in the Council being unable to secure a site for a waste treatment solution at Brogborough Landfill Site and subsequently delay the Partnerships ability to present the Project to Project Review Group (PRG) for PFI funding approval. The Partnership aims to return to PRG as soon as possible to enable the Project to progress without any further delay.

In accordance with the provisions of Rule No.16 of the Access to Information Procedure Rules, the Chairman of the Sustainable Communities Overview & Scrutiny Committee gave his agreement that the taking of this decision could not be reasonably deferred.

E/09/31 **Exclusion of Press and Public**

RESOLVED:

That under section 100A of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following item of business on the grounds that the consideration of the item is likely to involve the disclosure of exempt information as defined in Paragraphs 3 & 5 of Part I of Schedule 12A of the Act.

E/09/32 **Office Accommodation - Update on Intermediate Solution**

The Executive considered a report by the Portfolio Holder for Corporate Resources recommending a solution to resolve intermediate accommodation and ICT issues. The report also detailed the approach for the development of the Medium Term Accommodation Plan.

The report recognised the need to address multiple accommodation in the intermediate term in order that staff morale and productivity were not lost and to ensure that the right service teams were in the right location. The need to rationalise property assets to bring about a cost benefit to the authority was also recognised. Improved use of accommodation would also facilitate the creation of a new CBC culture and accelerate the ICT harmonisation plan. Members received assurances that staff would be made aware that the intermediate accommodation would be for a period of four years followed by a move to permanent long term accommodation.

Reason for decision: That Executive can adopt policy related to the future management of CBC's corporately managed property and ICT assets and influence those assets for the wider benefit of CBC.

RESOLVED:

- 1. That approval be given to acquire office accommodation referred to in the exempt report now submitted.**
- 2. That approval be given to the recommendation to resolve intermediate accommodation for staff referred to in the exempt report now submitted.**
- 3. That approval be given to accelerate the migration of applications from legacy ICT platforms to a common Central Bedfordshire Council ICT platform.**
- 4. That the ongoing approach to developing the Medium Term Accommodation Plan set out in the submitted report be endorsed.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.02 a.m.)