

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Offices, High Street North, Dunstable on Tuesday, 15 September 2009.

### PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr R Stay (Vice-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

Members in Attendance:

Cllrs P N Aldis  
A R Bastable  
P A Blaine  
A Fahn  
Ms A M W Graham  
P Snelling

Cllrs B J Spurr  
J Street  
Mrs C Turner  
A M Turner  
B Wells

#### E/09/50 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor D Bowater and Edwina Grant, Deputy Chief Executive/ Director of Children, Families and Learning.

#### E/09/51 **Chairman's Announcements**

The Chairman announced that she was going to take Agenda Item No 9 Central Bedfordshire Children's and Young People's Plan 2009 – 2010 as the first main item of business.

#### E/09/52 **Minutes**

##### **RESOLVED:**

**That the minutes of the meeting held on 18 August 2009 were confirmed as a correct record.**

#### E/09/53 **Members' Interests**

##### (a) **Personal Interests:-**

None.

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

None.

E/09/54 **Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part 4 of the Constitution the Executive received 2 petitions relating to highway matters.

In order that due consideration could be given to each petition, the Executive agreed that the petitions should be referred for more detailed deliberation to future public meetings of the Traffic Management Meetings with the Safer and Stronger Communities Portfolio Holder where the lead petitioners would be invited to attend and have a right to speak.

**RESOLVED:**

**That the following petitions be referred for detailed consideration to future Traffic Management Meetings with the Portfolio Holder for Safer and Stronger Communities:**

- 1. A petition seeking to curb speeding traffic on St Neots Road, Sandy from residents in Banks Drive, Windsor Way and St Neots Road, Sandy.**
- 2. A petition seeking to reduce the speed limit in Everton Road, The Heath from local residents asking the Council to support an application to reduce the speed limit in Everton Road, The Heath to 40mph.**

E/09/55 **Public Participation**

There were no questions received in accordance with the Scheme of Public Participation.

E/09/56 **Central Bedfordshire Children's and Young Peoples Plan 2009 - 2010**

The Executive considered a report from Councillor Mrs Anita Lewis, Portfolio Holder for Children's Services seeking endorsement of the Central Bedfordshire Children and Young People's Plan.

The Children and Young People's Plan, produced by the Central Bedfordshire Children and Young People's Trust and a requirement under the Children's Act 2004, was the single, statutory, strategic overarching plan for all services which directly affect children and young people in the area. It shows how all relevant partners will integrate provision to improve well-being across all five Every Child Matters outcomes and focuses on specific challenges and priorities.

The Executive was advised that Children and Young People's Plans are key in setting out an area's strategic intentions for children, young people and families and provide the basis against which local authorities and partners will be inspected and assessed. The Central Bedfordshire Children and Young People's Trust agreed that the plan would be in place for eighteen months so

that emerging guidance and legislation expected later in 2010 could inform the new plan that is likely to need to be published in 2011.

The Portfolio Holder for Children's Services in moving the recommendation congratulated the Children's Trust, formed in March 2009, for its hard work in developing the plan.

During consideration of the plan and in receiving the comments from the Children, Families and Learning Overview and Scrutiny Committee from its meeting on 11 August, members noted the Trust's response to the Committee's comments and subsequent amendments that it had made to the plan.

In response to a number of questions and comments raised by members the Portfolio Holder for Children's Services advised that the Children and Young People's Plan would be reviewed on an annual basis. As the plan was an overarching document, delivery plans were required for each of the priorities which would be considered at the next meeting of the Children's Trust in October 2009.

Reason for decision: To ensure that Central Bedfordshire Council meets its statutory duty as set out in the Children Act 2004 to co-operate with partners to produce a Children and Young People's Plan for all local services for children and young people. To meet the duty this plan is written in partnership with other agencies.

**RESOLVED:**

**That the Central Bedfordshire Children and Young People's Plan be endorsed.**

**RECOMMENDED:**

***That the Central Bedfordshire Children and Young People's Plan be adopted.***

E/09/57

**Transforming Learning in Central Bedfordshire**

The Executive considered a report from Councillor Anita Lewis, Portfolio Holder for Children's Services updating members on the progress made by the Learning Transformation Board since March 2009 and recommending outline principles for the development of an educational vision and principles for any future review of school organisation for Central Bedfordshire.

Councillor Mrs Lewis reminded members that the Shadow Executive on 17 March 2009 agreed a set of principles for the early preparation of planning for Central Bedfordshire's potential entry to the national Building Schools for the Future (BSF) programme. The submitted report provided an update on progress made since that meeting. As a result of a self assessment of the current governance and management arrangements, a structure had been developed for the next phase of the programme.

The Portfolio Holder stated that it was not certain that BSF funding would be available when Central Bedfordshire was able to bid for the funds. However, transforming learning and reviewing the place of schools in the community and the standards of school buildings would be a focus for the Council whether or not it was able to access substantial funding through the BSF scheme.

Members' attention was drawn to the four options that would be used for modelling purposes on the future structure of school provision in Central Bedfordshire:

- Maintaining the existing 3 tier system
- 3 to 2 tier reorganisation
- A mixed economy, local solutions for local areas. This would probably need to rely on taking a view of the curriculum across the 3 – 19 age range (3 – 19+ for those with significant special education needs)
- A blank sheet, how the authority would organise its schools if it were starting from scratch, i.e. any suggestion that stakeholders may come up with.

The Executive was advised that Dunstable and Houghton Regis had been identified as the priority areas of focus in the strategy for re-organisation. The Portfolio Holder proposed that this should start with an initial desktop review of school organisation in those areas. It was noted that the criteria used to prioritise these areas of focus was set out in the Chairman's briefing note.

The Chairman emphasised that much of the proposed work would have been carried out regardless of the BSF programme in order to bring about improvements.

The Portfolio Holder then drew attention to three recommendations relating to provision for pupils with Special Education Needs at Holmemead Middle School, approval of statutory proposals for a nursery unit at Shelton Lower School and changed early years provision at St Andrew's Lower School, as detailed in the submitted report.

The Executive in considering the proposals concurred that doing nothing to transform learning in Central Bedfordshire was not an option. Members recognised there were many factors in improving performance besides the 2 and 3 tier debate. The Portfolio Holder stressed that the Council was looking to achieve what is wanted, where reasonable to do so, and would be considering all options put forward. It was acknowledged, however, that there was potential that everyone's expectation would not be able to be met.

Concluding the discussion assurance was given that the indicative timetable for consultation as set out in the report was realistic and that a report would be brought back to the December meeting of the Executive on what structural options should be built into the strategy for change.

Reasons for decisions:

- (1) The Shadow Executive approved, at its meeting on the 17<sup>th</sup> March 2009, a set of principles for the early preparation of planning for Central Bedfordshire's potential entry to the national BSF programme. This report provides an update on progress made.
- (2) following a self assessment of the current governance and management arrangements, approval is sought to provide an effective structure for the next phase of this programme
- (3) further Member agreement is required to focus continuing work on a set of clear criteria by which school organisation in Central Bedfordshire should be reviewed,
- (4) Dunstable and Houghton Regis would be Central Bedfordshire's priority area of focus in any strategy for school re-organisation
- (5) this is the first time that the new Authority has considered statutory proposals for schools
- (6) following a period of statutory consultation, approval for the provision of a specialist Autistic Spectrum Disorder unit at Holmemead Middle School will be sought at the December Executive
- (7) statutory proposals to add a nursery unit to Shelton Lower School were published on 11 June, 2009. The objections/observations period has now expired and the proposals need to be considered. A modified implementation date, later than the date of this meeting, also needs to be agreed.
- (8) Statutory proposals to amend the early years provision at St Andrew's Lower School, Biggleswade, need to be referred onwards to the Schools' Adjudicator, for the reasons set out in the body of the report.
- (9) Clear arrangements, in line with this Council's constitution, need to be in place to enable future statutory proposals to be considered and determined in a timely manner

**RESOLVED:**

- 1. That progress made in the development of an educational vision for Central Bedfordshire since the report to Shadow Executive in March 2009, as set out in the submitted report, be noted.**
- 2. That approval be given to the amended governance and management arrangements, as detailed in the submitted report.**
- 3. That approval be given to the principles to establish review criteria for school organisation in Central Bedfordshire and to confirm future reports to the Executive, as detailed in the submitted report.**

4. **That approval be given to an initial desktop review of school organisation in the Dunstable and Houghton Regis area of Central Bedfordshire.**
5. **That the statutory process for proposals for changes in school provision and the role that the Executive plays as decision makers, as outlined in the submitted report, be noted.**
6. **That the update provided on the proposal to provide specialist autistic provision at Holmemead Middle School, as set out in the submitted report, be noted and approval given to the issuing of replacement statutory notices.**
7. **That approval be given to the statutory proposals for the opening of a nursery class at Shelton Lower School, with a modified implementation date of 21 September 2009.**
8. **That the proposals to amend the early years provision at St Andrew's Lower School will be referred to the School's Adjudicator, for the reasons set out in the submitted report, be noted.**
9. **That the steps to regularise the consideration of future statutory proposals by Central Bedfordshire Council in its role as decision-maker, as set out in the submitted report, be noted.**

E/09/58

#### **Budget Management Report 2009/10 as at 31 July 2009**

The Executive considered a report by Councillor Maurice Jones, Portfolio Holder for Corporate Resources on the budget position as at 31 July 2009 and the forecast position at year end.

The report set out the revenue and capital positions along with detailed revenue analysis by directorate and key management actions put in place to bring the overall budget for 2009/10 back in line.

Councillor Jones in presenting his report to the Executive stressed that action needed to be taken to reverse a potential overspend of £9.2M and to balance the 2009/10 budget. In view of this the Portfolio Holder proposed a number of additional recommendations to those contained in his report; Portfolio Holders should meet with relevant officers and Finance Business Partners on a monthly basis to challenge their budget and bring about change; there needed to be a focus on projecting staff costs, Directors to be required to produce statements setting out staffing within their Directorate against their agreed establishment and that such information should be incorporated into the October Budget Management report and included as part of the on-going budget monitoring reports to the Executive; a review should be carried out of all agency staff within Central Bedfordshire with a view to transferring contracts (where possible) to the Carlisle Contract and identifying those suitable for early

termination; there should be a moratorium on the creation of all new posts, except in exceptional circumstances and that the approval of a relevant Director should be required to fill vacant posts; and a review should be undertaken of existing contracts with the objective of reducing or minimising the scope of the contract work.

During the ensuing discussion it was acknowledged that to achieve a balanced budget there needed to be a thorough understanding of the current position; this understanding would be achieved through the introduction of monthly budget monitoring reports to the Executive, systems and work already put in place to make this happen as well as the proposed recommendations.

The Director of Corporate Resources responding to comments from members updated the Executive on the current position. He referred to the fact that the authority's first budget for 2009/10 had been put together with a lack of operational history; the challenge for the new Council was to continue to deliver quality services within that agreed budget. The Council's systems and processes would continue to be embedded and developed over the next 12 months helping to build up vital operational history. The Director explained that early work to the end of August showed that the projected overspend had halted indicating that actions already put in place were taking effect. This work was being analysed and would be reported to the next meeting of the Executive in October.

Reason for decisions: Council members asked that robust monitoring took place from day one so that corrective action could be taken. This was not only to ensure that spend was delivered to budget but also to ensure that the resources have been allocated appropriately.

**RESOLVED:**

- 1. That both the report setting out the latest budget projections for the year and the requirement for further work to establish the likely out turn for 2009/10 be noted.**
- 2. That Directors be required to produce individual directorate Budget Action Plans (Recovery Plan in the case of Social care, Health and Housing) for the 2009/10 financial year.**
- 3. That Portfolio Holders in each Directorate be required to meet with relevant officers and Finance Business Partners to challenge budget reports at the earliest opportunity and, thereafter, to meet at least on a monthly basis.**
- 4. That Directors be required to produce statements setting out staffing within their Directorate against their agreed establishment and that this information be incorporated into the October Budget Management report and included as part of the on-going budget monitoring reports to the Executive.**

5. **That the Director of Corporate Resources be requested to conduct a review of all agency staff within Central Bedfordshire with a view to transferring contracts (where possible) to the Carlisle Contract and identifying those suitable for early termination.**
6. **That there be a moratorium on the creation of all new posts, except in exceptional circumstances and that the approval of a relevant Director is required to fill vacant posts.**
7. **That the Director of Corporate Resources be requested to conduct a review of existing contracts with the objective of reducing or minimising, where appropriate, the scope of the contract work.**

E/09/59

### **Energy Contracts**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing that Central Bedfordshire Council uses the Central Buying Consortiums flexible energy contract for electricity and gas supplies to Council buildings for the period 2009 – 2012.

In response to concern from a non Executive member that electricity on a green tariff would only be procured where there was no additional cost to the authority the Executive acknowledged that whilst the use of a green tariff was preferable, it was not prepared to pay a premium at this time given the need to balance the 2009/10 budget.

Reason for decisions: To ensure the Council procures gas and electricity supplies for Council buildings at competitive rates and according to recommended best practice for local government.

#### **RESOLVED:**

1. **That approval be given to Central Bedfordshire Council using the Central Buying Consortium's flexible energy contracts for electricity and gas supplies to Council buildings (including schools) for the period 2009-2012.**
2. **That endorsement be given to the procurement of electricity on a green tariff only where there is no additional cost to the Authority.**
3. **That a further review of the use of UK Green Tariffs energy be undertaken as part of the current budget process.**



E/09/60

## **Supported Local Bus Services - Budget Pressure 09/10**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities outlining a strategy to avoid overspending on supported local bus services in the current financial year.

The report provided background on the reasons for supporting various local bus services as set out in The Bedfordshire Local Transport Plan 2006/07 – 2010/11 (LTP 2). Also detailed was the vision statement of the Bedfordshire Bus Strategy. It was noted that the Strategy, inherited from the County Council, was based on a larger geographical boundary and was one of the reasons contributing to an analysis that had already started of existing service provision. It was noted that the review was a large piece of work and was not expected to be completed until summer 2010.

Also set out in the report were details of the projected overspend and the implications of failing to cut services that would lead to an overspend of at least £100,000 by the end of 2009/10.

The Executive's attention was drawn to the comments of the Sustainable Communities Overview & Scrutiny Committee where it considered proposals at its meeting on 1 September 2009. Whilst the Overview & Scrutiny Committee broadly supported the withdrawal of poor performing services it asked that a full review of all supported bus services be carried out and that this be done prior to cutting any services.

During consideration of the report a non Executive member, whilst welcoming the review referred to in the report, was sceptical about its outcome. The member referred to difficulties encountered by the County Council in reviewing its Public Transport Plan. Changes in circumstances and demands such as Stagecoach threatening to withdraw services without subsidies impacted on that Council's ability to carry out a thorough review of its public transport policy.

In response to a question the Executive was informed that there had been some discussion with neighbouring authorities also providing subsidy on the proposed withdrawal of funding and some concern had been expressed.

Some members whilst supportive of the withdrawal of poor performing services based on an objective criteria (Option D –urgent action required) were concerned about the impact on the community from the withdrawal of all supported bus services (Option C – plan for improvement) and for this reason recommended only supported services categorised as Option D should be withdrawn, including the third service listed at the bottom of page 69 of the submitted report being categorised as 'D' not 'C'. This recommendation on being put to the vote was lost.

The Executive in discussing the review suggested that the impact on the rural community needed to be looked at which led to a further recommendation being put forward that if cases of significant financial hardship are encountered as a result its actions that the Rural Transport Partnership, and other related bodies, should be asked to assist, where possible, with alternative modes of transport.

The Executive noted that any withdrawal of subsidised services would not take effect until 1 December 2009 as two months notice had to be given to the bus companies.

Reason for decisions: To agree a strategy for addressing an overspend on the supported public transport budget.

**RESOLVED:**

1. That support be withdrawn from a selected number of poorer performing bus services as set out on pages 69 to 71 of the submitted report in order to bring spending in line with the budget.
2. That the above services be cut with effect from 1 December 2009. (A saving of £60,000 in 2009/10 and a further saving of £120,000 in 2010/11).
3. That the outcome of the already started full review of existing service provision be reported to the Executive at the earliest opportunity.
4. If cases of significant financial hardship are identified as a result of these actions, that the Rural Transport Partnership, and other related bodies, be requested to assist, where possible, with alternative means of transport.

E/09/61

**Dog Warden and Pest Control Services**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Stronger and Safer Communities seeking agreement to the award of the Dog Warden and Pest Control Services.

As background the Executive noted that The Prevention of Damage by Pests Act 1949 imposes a statutory duty on Local Authorities to take such steps as are reasonably practicable to keep their district free from rats and mice. Where vermin are found on privately-owned land or premises, it is the responsibility of the owner to deal with them. However, it is possible for the Local Authority to carry out the work and recharge the costs to the landowner.

The Environmental Protection Act 1990 imposes a duty on the Local Authority and the Police to nominate a person to deal with Stray Dogs and the Local Authority has a duty to seize straying dogs in a public place. However, in 2005 the Clean Neighbourhoods and Environment Act 2005, terminated the responsibility of the police of this duty and transferred responsibility wholly to Local Authorities with effect from April 2006.

During the ensuing discussion a member questioned whether it was necessary to provide a pest control service that was over and above the Council's statutory obligations. The Executive was advised that the cost of

this demand led service was off-set by the fees and charges received for the service.

Reason for decision: Part I, Section 5 of the Constitution states that any contract with a value in excess of £200,000 shall be awarded by the Executive. That, following full evaluation, Tender B represents best value for the Council. This will be funded from the £181,000 existing approved revenue budget for Dog and Pest Control within the Sustainable Communities Directorate.

**RESOLVED:**

**That the contract for Dog Warden and Pest Control Services be awarded to Tenderer B, as detailed in the submitted report.**

**The Executive adjourned at 12.30 and re-convened at 12.37**

E/09/62 **Playbuilder Programme**

The Executive considered a report from Councillor Steven Male, Portfolio Holder for Culture and Skills seeking the appointment of a Contractor to carry out the design and building of play areas identified for development under the Playbuilder project funded by a £1,006,884 grant from the Department of Children, Schools and Families (DCSF). Approval was also sought for the additional annual revenue budget of £10,000 anticipated from 2010/11.

Reason for decision: So that year 1 of the DCSF Playbuilder Programme can meet the grant criteria of building up to 13 play sites by 31 March 2010.

**RESOLVED:**

1. (a) **That Proludic be appointed to design and build year 1 Playbuilder sites for Central Bedfordshire Council with an option to extend their appointment to deliver year 2 of the project subject to (b) below;**
- (b) **That the decision to extend the appointment to deliver year 2 of the project be delegated to the Deputy Chief Executive/ Director of Children, Families and Learning, in consultation with the Portfolio Holder for Culture and Skills, following satisfactory performance of the contractor in year 1.**
2. **That approval be given to an additional annual revenue contribution of up to £10,000 from 2010/11 for play site inspection, maintenance and repair.**

E/09/63

## **Leighton Buzzard Station Travel Plan**

The Executive considered a report from Councillor Tom Nicols, Portfolio Holder for Sustainable Development seeking approval and support for the Leighton Buzzard Station Travel Plan together with an addendum to the report making the financial implications of the Plan clearer and providing an update on the position of the Travel Plan.

The report set out how the plan would seek to reduce the transport impacts of Leighton Buzzard station by encouraging station users to travel to the station by non-car modes of transport. This would be done through extensive marketing of such modes of transport, as well as making significant improvements to transport infrastructure at the station. The programme of works would be achieved within the existing budgets of the Council, plus an additional bid for Growth Area Funding. It was noted that Leighton Buzzard was one of 31 stations nationwide taking part in a government-supported National Pilot Station Travel Plan Programme.

In addition to the changes set out in the addendum £150,000 for installing a real time bus information screen in the ticket office (as part of the Station Forecourt remodelling) and £3,000,000 for Station Forecourt bus stop improvements had been removed from the Buses Category on page 150 of Appendix A.

The Portfolio Holder in moving the recommendations advised that the Plan as attached at Appendix A needed to be approved in aspirational terms and in specific terms as in figure 1 of the addendum to the report.

Reason for decisions: To obtain the Executive's endorsement and support of the Leighton Buzzard Station Travel Plan, and to ensure that changes can be made to the Station Travel Plan Action Plan throughout its implementation.

### **RESOLVED:**

- 1. That the Leighton Buzzard Station Travel Plan, as set out in aspirational terms in Appendix A and in specific terms in figure 1 of the addendum to the submitted report, be approved.**
- 2. That the Director of Sustainable Communities, in consultation with the Portfolio Holder for Sustainable Development, be given delegated authority to make appropriate changes to the Station Travel Plan Action Plan as deemed appropriate for achieving its aims and objectives until April 2012.**
- 3. The Executive notes that the funding of the Leighton Buzzard Station Travel Plan is in the LTP Programme and that the capital expenditure within this will follow the Capital Programme approvals process.**

E/09/64

## **Empty Homes in Central Bedfordshire - Use of Empty Dwelling Management Orders**

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing proposing the use of enforcement powers available to the Council in respect of problematic long term empty private sector homes in the district. In particular the report recommended the forming of a partnership with Pathmeads Housing Association to enable the Council to use Pathmeads expertise to manage any properties that could be subject to Empty Dwelling Management Orders.

The Portfolio Holder advised that the Social Care, Health and Housing Overview and Scrutiny Committee had considered the proposals at its meeting on 13 August 2009 and were supportive of the way forward.

Reason for decisions: So that the Council's Housing Service is able to effectively implement Empty Dwelling Management Orders and bring back into use identified long term empty homes in Central Bedfordshire. A decision is required to allow us to formally enter a partnership with Pathmeads Housing Association to provide these functions.

### **RESOLVED:**

- 1. That agreement be given to extend the Empty Homes Policy and Protocol (amended for Central Bedfordshire Council), previously adopted by South Bedfordshire District Council, to apply to all of the Central Bedfordshire Council area; and that in particular:-**
  - (a) that the general use of Empty Dwelling Management Orders (EDMO's) where the homes blight neighbourhoods and meet the selection criteria set out at Appendix B of the submitted report be approved;**
  - (b) that the use of selection criteria, as set out in Appendix B of the submitted report, to identify properties in the area suitable for Empty Dwellings Management Orders or where appropriate, Compulsory Purchases be approved;**
  - (c) that delegated authority be given to the Portfolio Holder for Housing, in consultation with the Director of Social Care, Health and Housing, to approve Empty Dwelling Management Orders, in respect of four empty home cases previously identified to South Bedfordshire District Council Executive in 2008 in order to develop a reliable process for the use of EDMO's.**
  
- 2. That delegated authority be given to the Portfolio Holder for Housing, in consultation with the Director of Social Care, Health and Housing, to sign the Pathmeads Framework Agreement, to provide management services for the Council in respect of 4 named empty home cases which are intended to be brought back**

into occupation through the use of EDMO's, and that officers additionally further test the market in respect of social housing providers to carry out this future role.

3. That the lessons learned from progressing these initial Empty Dwelling Management Orders be incorporated within Central Bedfordshire Council's Empty Homes Strategy, to be presented to the Executive in the summer of 2010.

E/09/65 **Refurbishment of House 3 Houghton Lodge in to Office accommodation**

The Executive considered a report from Councillor Carole Hegley, Portfolio Holder for Adult Social Care and Health seeking approval to the refurbishment of House 3 at Houghton Lodge, Ampthill, a domestic dwelling, into an office.

Reason for decision: To enable 8 members of the commissioning team to be relocated along with the Assistant Director at House 3 at Houghton Lodge, Ampthill.

**RESOLVED:**

**That approval be given to the refurbishment of House 3 at Houghton Lodge, Ampthill, currently a domestic dwelling into an office, to allow 8 members of the commissioning team to be relocated along with the Assistant Director.**

E/09/66 **Decisions taken by Directors on Grounds of Urgency**

The Executive received a report from Councillor Richard Stay, Portfolio Holder for Business Transformation setting out details of a decision taken by the Director of Business Transformation on grounds of urgency.

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

**RESOLVED:**

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

E/09/67 **Forward Plan**

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

E/09/68 **Exclusion of the Press and Public**

**RESOLVED:**

**That under section 100A of the Local Government Act 1972 the Press and Public were excluded from the meeting for the following items of business on the grounds that consideration of the items were likely to involve the disclosure of exempt information as defined in Paragraphs 2 and 3 of Part I of Schedule 12A of the Act.**

E/09/69 **NHS Campus Closure - Capital Grant**

The Executive considered a report from Councillor Carol Hegley, Portfolio Holder for Social Care, Health and Housing seeking approval for spending of Department of Health capital grant allocation on Learning Disabilities NHS Campus Closure projects.

The Portfolio Holder in presenting her report to the Executive advised that the capital grant allocation money was NHS funding and as such there was no perceived financial risk to the Council.

Reason for decision: To enable the process of closure of NHS Campuses for people with Learning Disabilities in line with Government policy. So that housing and care can be arranged to enable a group of Learning Disabilities Service Users to benefit from increased independence and better standards of accommodation more cost effectively.

**RESOLVED:**

- 1. That retrospective permission be granted for the signing of the agreement under Section 257 of the National Health Service Act 2006 and transfer of £865,000 in relation to the project referred to in paragraph 5 of the submitted report.**
- 2. That subject to 3 below, approval be given to the transfer of:-**
  - (a) Stage 2 grant, as referred to in paragraph 1 in the submitted report, on a project by project basis in accordance with the Stage 2 Development Plan in Appendix A.**
  - (b) The Stage 3 grant from the PCT to Central Bedfordshire for administration purposes under a section 256 agreement of the National Health Service Act 2006.**
  - (c) Stage 3 grant, as referred to in paragraph 1 of the submitted report, on a project by project basis in accordance with the Stage 3 Development Plan in Appendix A.**

3. **That the Portfolio Holder for Social Care, Health and Housing in consultation with the Portfolio Holder for Corporate Resources and the Directors of Social Care, Health and Housing and Corporate Resources be given delegated authority to approve individual projects, in accordance with the criteria set out in paragraph 4 of the submitted report, subject to:-**
  - (a) **consideration of the detailed business cases for each project; and**
  - (b) **compliance with Rule 19 of the Access to Information Procedure Rules in respect of any key decision.**
  
4. **That the functions delegated to Executive Members and individual Portfolio Holders in part C3.3 of the Constitution be amended to reflect the delegation in 3 above and that the Constitution Advisory Group be advised accordingly.**

E/09/70

**Award of the decent homes (kitchen / bathroom refurbishment) contract**

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing proposing the award of the Decent Homes contract 2009 – 2014 (kitchens and bathrooms).

Reason for decision: To deliver the decent homes programme, achieve the Government's Decent Homes targets and protect the asset value of the Council's housing stock.

**RESOLVED:**

**That the Decent Homes contract 2009 – 2014 (kitchens and bathrooms) be awarded to Crispin and Borst Ltd, ROK Ltd and Enterprise PLC.**

(Note: The meeting commenced at 09.30 and concluded at 13.10)