

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



please ask for Sandra Hobbs
direct line 0300 300 5257
date 3 May 2012

NOTICE OF MEETING

EXECUTIVE

Date & Time

Tuesday, 15 May 2012 at 9.30 a.m.

Venue

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the EXECUTIVE:

Cllrs	J Jamieson	– Chairman and Leader of the Council
	M Jones	– Deputy Leader and Executive Member for Corporate Resources
	M Versallion	– Executive Member for Children's Services
	Mrs C Hegley	– Executive Member for Social Care, Health and Housing
	N Young	– Executive Member for Sustainable Communities – Strategic Planning and Economic Development
	B Spurr	– Executive Member for Sustainable Communities – Services
	Mrs P Turner MBE	– Executive Member – Economic Partnerships
	R Stay	– Executive Member – External Affairs

All other Members of the Council - on request

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

Please will all Members keep these papers and bring them to the Council meeting on 14 June 2012 for the consideration of the Medium Term Plan and the Minerals and Waste Core Strategy.

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 27 March 2012.

3. **Members' Interests**

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

(a) personal interests in any agenda item

(b) personal and prejudicial interests in any agenda item.

4. **Chairman's Announcements**

To receive any matters of communication from the Chairman.

5. **Petitions**

To consider petitions received in accordance with the Scheme of Public Participation set out in Annex 2 of Part A4 of the Constitution.

6. **Public Participation**

To respond to general questions and statements from members of the public in accordance with the Scheme of Public Participation set out in Appendix A of Part A4 of the Constitution.

7. **Forward Plan of Key Decisions**

To receive the draft Forward Plan of Key Decisions for the period 1 June 2012 to 31 July 2013.

Decisions

Item	Subject	Page Nos.
8.	Medium Term Plan	21 - 40

The report proposes finalisation of the MTP prior to recommending its adoption by Council on 21 June 2012. It also includes comments resulting from consultation for consideration by the Executive.

- | | | |
|-----|--|-----------|
| 9. | Minerals and Waste Core Strategy | 41 - 60 |
| | <p>To recommend to Council to agree the recommended changes to the Minerals and Waste Core Strategy before submission to the Secretary of State. Please note that Appendix A has been circulated separately to Executive and Deputy Executive Members, further copies can be obtained from Sandra Hobbs, Committee Services Officer or at http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=577&MId=3723&Ver=4.</p> | |
| 10. | Brewers Hill Road Opportunity Sites Planning and Development Brief | 61 - 74 |
| | <p>To seek agreement to the adoption of the Planning and Development Brief as Technical Guidance for Development Management.</p> | |
| 11. | Passenger Transport Framework Agreement | 75 - 80 |
| | <p>To seek endorsement for the establishment of a Framework Agreement which facilitates the procurement of home-to-school transport, social care transport and supported public local and community transport services.</p> | |
| 12. | Empty Homes Strategy Review of Performance | 81 - 102 |
| | <p>To review the performance in tackling empty homes in Central Bedfordshire and approve the commencement of high level enforcement action for high priority empty homes.</p> | |
| 13. | Capital Expenditure Slippage from 2011/12 to 2012/13 | 103 - 114 |
| | <p>The report proposes the level of capital expenditure to be carried forward to 2012/13 on schemes included in the 2011/12 Capital Programme, which was approved in November 2011.</p> | |
| 14. | Extension of Leisure Facilities Management Contracts in North Central Bedfordshire | 115 - 124 |
| | <p>To consider a 6 month extension of the 'north' leisure management contracts which include Sandy Sport and Community Centre, Saxon Pool and Leisure Centre, Biggleswade and Flitwick Leisure Centre to run from 1 April 2013 to 30 September 2013 with an option to extend for a further 6 months until 31 March 2014.</p> | |

15. **Disposal of Russell House and Clevedon, Dunstable Street, Ampthill, and Downing View, 1-3 Loring Road, Dunstable**

125 - 134

The report proposes to seek consent to dispose of the above properties, previously used by Bedfordshire County Council. Russell House was used for offices, Clevedon was used as a children's care home and Downing View a care home.

**Central Bedfordshire Council
Forward Plan of Key Decisions
1 June 2012 to 31 May 2013**

- 1) During the period from **1 June 2012 to 31 May 2013**, 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:

Cllr James Jamieson	Leader of the Council and Chairman of the Executive
Cllr Maurice Jones	Deputy Leader and Executive Member for Corporate Resources
Cllr Mark Versallion	Executive Member for Children’s Services
Cllr Mrs Carole Hegley	Executive Member for Social Care, Health and Housing
Cllr Nigel Young	Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Cllr Brian Spurr	Executive Member for Sustainable Communities - Services
Cllr Mrs Tricia Turner MBE	Executive Member for Economic Partnerships
Cllr Richard Stay	Executive Member for External Affairs

- 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 Committee Services Manager, 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
15 May 2012	3 May 2012
3 July 2012	21 June 2012
21 August 2012	9 August 2012
2 October 2012	20 September 2012
6 November 2012	25 October 2012
4 December 2012	22 November 2012
8 January 2013	20 December 2012
5 February 2013	24 January 2013
19 March 2013	7 March 2013
7 May 2013	25 April 2013
25 June 2013	13 June 2013

Central Bedfordshire Council

Forward Plan of Key Decisions for the period 1 June 2012 to 31 May 2013

Key Decisions

Date of Publication: 15 May 2012

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
1.	The Approach to Central Bedfordshire Council Parking -	To consider how Central Bedfordshire Council manage parking across the district, recognising the needs of shoppers businesses, residents and new developments.	3 July 2012	The Strategy has been through a full public consultation before coming back to the Executive for approval.	Report	Executive Member for Sustainable Communities - Services Comments by 02/06/12 to Contact Officer: Basil Jackson, Assistant Director Highways & Transport Email: basil.jackson@centralbedfordshire.gov.uk Tel: 0300 300 6171
2.	Capital Investment for the Customer First Programme -	To approve the Capital Investment for the 'Construct and Implementation' phase of the Customer First Programme	3 July 2012		Full Business Case for the Channel Shift Programme	Deputy Leader and Executive Member for Corporate Resources Comments by 02/06/12 to Contact Officer: Trisha Chapman, Programme Manager Email: trisha.chapman@centralbedfordshire.gov.uk Tel: 0300 300 4657

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
3.	Revenue and Capital Provisional Outturn 2011/12 -	To consider the revenue and capital provisional outturn for 2011/12.	3 July 2012		Reports	Deputy Leader and Executive Member for Corporate Resources Comments by 02/06/12 to Contact Officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
4.	Social Care, Health and Housing Recovery Programme -	To advise the Executive of the successful completion of the adult social care recovery programme.	3 July 2012		Report Correspondence received from the Towards Excellence in Adult Social Care Board	Executive Member for Social Care, Health and Housing Comments by 02/06/12 to Contact Officer: Jackie Woods, Project Officer (Social Care, Health & Housing) Email: jackie.woods@centralbedfordshire.gov.uk Tel: 0300 300 5655
5.	Budget Strategy and Update on the Medium Term Financial Plan -	To receive the budget strategy and update on the Medium Term Financial Plan.	21 August 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 20/07/12 to Contact Officer: Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
6.	Development Brief for Site Allocations Policy MA5 - Land East of Biggleswade Road, Potton -	To adopt the Development Brief for Site Allocations Policy MA5 - land east of Biggleswade Road, Potton as technical guidance for development management purposes.	21 August 2012	<p>November 2011 – A Stakeholder Group comprising ward Members, Town Councillors, residents, local interest groups and developers has been established whose purpose is to inform the emerging Development Brief. In accordance with the signed Planning Performance Agreement, consultation will take place:-</p> <p>April 2012 – The Development Brief will require sign off by Director/Portfolio Holder in order to commence consultation. Members will also be notified.</p> <p>April/May 2012 – A four week public consultation exercise will be carried out that will include a public exhibition.</p> <p>June 2012 – A presentation on the Development Brief (together with consultation responses) will be given to the Sustainable Communities Overview and Scrutiny Committee seeking Members to endorse it before the Executive take a decision.</p>	Development Brief and Statement of Community Involvement	<p>Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 20/07/12 to Contact Officer: Mark Saccoccio, Local Planning and Housing Team Leader Email: mark.saccoccio@centralbedfordshire.gov.uk Tel: 0300 300 5510</p>

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
7.	Announced Inspection of Safeguarding and Looked After Children's Services -	To consider the response to the Ofsted Inspection which took place between 20 February and 3 March 2012 and the improvement strategy.	21 August 2012	Key strategic partners and agencies involved in developing the action plan between 23 April and 25 May 2012.	Ofsted inspection report published 10 April 2012	Executive Member for Children's Services Comments by 20/07/12 to Contact Officer: Sylvia Gibson, Health & Special Projects Co-ordinator Email: sylvia.gibson@centralbedfordshire.gov.uk Tel: 0300 300 5522
8.	Local Lettings Policy to Rural Exception Sites in Central Bedfordshire -	To agree the Local Lettings Policy to allocate affordable housing to Rural Exception Sites in Central Bedfordshire.	21 August 2012		Report	Executive Member for Social Care, Health and Housing Comments by 20/07/12 to Contact Officer: Hamid Khan, Head of Housing Needs Email: hamid.khan@centralbedfordshire.gov.uk Tel: 0300 300 5369
9.	Revenue and Capital Quarter 1 Budget Monitor Reports -	To consider the quarter 1 revenue and capital budget monitor reports.	21 August 2012		Reports	Deputy Leader and Executive Member for Corporate Resources Comments by 20/07/12 to Contact Officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
10.	Future of Crescent Court Sheltered Housing Scheme, Toddington -	To consider the results of the feasibility studies and consider a recommended way forward in relation to the development and the funding arrangements.	21 August 2012		Report	Executive Member for Social Care, Health and Housing Comments by 20/07/12 to Contact Officer: Sue Marsh, Housing Services Manager Email: sue.marsh@centralbedfordshire.gov.uk Tel: 0300 300 5662
11.	Determination of Statutory Proposals to Expand Shefford Lower, Fairfield Lower and the Leighton Buzzard Lower School -	Determination of statutory proposals to expand Shefford Lower, Fairfield Lower and the Leighton Buzzard Lower School as recommended to the Council's Executive on 27 March 2012 as the provider of lower school places on the new site known as Pratts Quarry.	21 August 2012	<ul style="list-style-type: none"> • The Local MP • Local Diocese Representatives • The Director of Children's Services, Luton Borough Council • The School Organisation Unit of the DfE • The Head teachers of all CBC schools and academies – via our publication 'Central Essentials' • All CBC ward members – via the CBC Members Information Bulletin <p>Statutory consultation period will be 11 June to 9 July.</p>	Report on the outcome of the statutory consultation on the proposals as originally reported to the Executive on 27 March 2012	Executive Member for Children's Services Comments by 20/07/12 to Contact Officer: Pete Dudley, Assistant Director Children's Services (Learning & Strategic Commissioning) Email: pete.dudley@centralbedfordshire.gov.uk Tel: 0300 300 4203

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
12.	Statement of Community Involvement -	To adopt the Statement of Community Involvement.	2 October 2012	Statutory consultation carried out in May/June 2012. Member consideration through the Sustainable Communities Overview and Scrutiny Committee.	Statement of Community Involvement Report of Consultation Responses	Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 01/09/12 to Contact Officer: Richard Fox, Head of Development Planning and Housing Strategy Email: richard.fox@centralbedfordshire.gov.uk Tel: 0300 300 4105
13.	Development Strategy -	The Development Strategy will set out the broad approach to new development across Central Bedfordshire to 2031, including new housing and employment targets and new large-scale development sites. The Executive will be requested to consider and agree the Central Bedfordshire Development Strategy for the purposes of Publication and subsequent Submission to the Secretary of State.)	6 November 2012	Consultation expected in May/June 2012, Member consideration through the Sustainable Communities Overview and Scrutiny Panel.	Draft Development Strategy (Pre-Submission version) Sustainability Appraisal Report of consultation and other technical/evidence reports	Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 05/10/12 to Contact Officer: Richard Fox, Head of Development Planning and Housing Strategy Email: richard.fox@centralbedfordshire.gov.uk Tel: 0300 300 4105

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
14.	Outdoor Access Improvement Plan -	To endorse the Outdoor Access Improvement Plan.	6 November 2012	The Central Bedfordshire and Luton Local Access Forum has established a sub group input into the development of the plan this will be followed by a full 13 week public consultation with both stakeholder and public engagement activities during period.	Report	Executive Member for Sustainable Communities - Services Comments by 05/10/12 to Contact Officer: Paul Cook, Head of Transport Strategy and Countryside Access Email: paul.cook@centralbedfordshire.gov.uk Tel: 0300 300 6999
15.	Revenue and Capital Quarter 2 Budget Monitor Reports -	To consider the revenue and capital quarter 2 budget monitor reports.	4 December 2012		Reports	Deputy Leader and Executive Member for Corporate Resources Comments by 03/11/12 to Contact Officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
16.	Community Safety Partnership Plan and Priorities 2013 - 2014 -	To recommend to Council to approve the Community Safety Partnership Plan and Priorities 2013 - 2014	8 January 2013	Strategic Assessment & Partnership Plan will be considered by the Community Safety Partnership Executive, the relevant Overview and Scrutiny Committee and the Local Strategic Partnership.	Strategic Assessment Priorities & Community Safety Partnership Plan 2013-2014	Executive Member for Sustainable Communities - Services Comments by 07/12/12 to Contact Officer: Joy Craven, CSP Manager Email: joy.craven@centralbedfordshire.gov.uk Tel: 0300 300 4649

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
17.	Treasury Management Policy and the Treasury Management Strategy -	To recommend to Council the adoption of the Treasury Management Policy and the Treasury Management Strategy.	8 January 2013		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 07/12/12 to Contact Officer: Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
18.	Budget 2013/14 -	To recommend to Council the proposed budget for 2013/14: <ul style="list-style-type: none"> • Revenue budget • Capital budget • Fees and Charges 	5 February 2013		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 04/01/13 to Contact Officer: Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
19.	Housing Revenue Account 2013/14 -	To recommend to Council the Housing Revenue Account budget 2013/14 for approval.	5 February 2013		Report	Deputy Leader and Executive Member for Corporate Resources and Director of Social Care, Health and Housing Comments by 04/01/13 to Contact Officer: Chief Finance Officer and/or Tony Keaveney, Assistant Director Housing Services Email: charles.warboys@centralbedfordshire.gov.uk and/or tony.keaveney@centralbedfordshire.gov.uk Tel: 0300 300 6147 and/or 0300 300 5210
20.	Revenue and Capital Quarter 3 Budget Monitor Reports -	To consider the revenue and capital quarter 3 budget monitor reports.	19 March 2013		Reports	Deputy Leader and Executive Member for Corporate Resources Comments by 18/02/13 to Contact Officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
21.	Community Infrastructure Levy -	To approve the consultation process for the Community Infrastructure Levy document.	19 March 2013		Report	Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 18/02/13 to Contact Officer: Mark Saccoccio, Local Planning and Housing Team Leader Email: mark.saccoccio@centralbedfordshire.gov.uk Email: 0300 300 5510
22.	Revenue and Capital Provisional Outturn 2012/13 -	To consider the revenue and capital provisional outturn 2012/13.	25 June 2013		Reports	Deputy Leader and Executive Member for Corporate Resources Comments by 24/05/13 to Contact Officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
NON KEY DECISIONS						
23.	Localisation of Council Tax Support -	To consider the localisation of Council Tax support.	3 July 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 02/06/12 to contact officer: Charles Warboys, Chief Finance Officer & Section 151 Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
24.	Quarter 4 Performance Report -	To receive quarter 4 performance report.	3 July 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 02/06/12 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
25.	Quarter 1 Performance Report -	To consider the quarter 1 performance report.	21 August 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 20/07/12 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517
26.	Budget Consultation Policy -	To consider the budget consultation policy.	6 November 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 05/10/12 to Contact Officer: Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
27.	Quarter 2 Performance Report -	To consider quarter 2 performance report.	4 December 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 03/11/12 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
28.	Draft Revenue Budget 2013/14 -	To consider the first draft of the revenue budget for 2013/14.	4 December 2012		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 03/11/12 to Contact Officer: Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
29.	Quarter 3 Performance Report -	To consider quarter 3 performance report.	19 March 2013		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 18/02/13 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

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**

For the Municipal Year 2012/13 the Forward Plan will be published on the fifteenth day of each month or, where the fifteenth day is not a working day, the working day immediately proceeding the fifteenth day, or in February 2013 when the plan will be published on the fourteenth day:

Date of Publication	Period of Plan
13.04.12	1 May 2012 – 30 April 2013
15.05.12	1 June 2012 – 31 May 2013
15.06.12	1 July 2012 – 30 June 2013
13.07.12	1 August 2012 – 31 July 2013
15.08.12	1 September 2012 – 31 August 2013
14.09.12	1 October 2012 – 30 September 2013
15.10.12	1 November 2012 – 31 October 2013
15.11.12	1 December 2012 – 30 November 2013
14.12.12	1 January 2013 – 31 December 2013
15.01.13	1 February 2013 – 31 January 2014
14.02.13	1 March 2013 – 28 February 2014
15.03.13	1 April 2013 – 31 March 2014

Meeting: Executive
Date: 15 May 2012
Subject: Medium Term Plan (MTP)
Report of: Cllr James Jamieson, Leader and Cllr Maurice Jones, Deputy Leader and Executive Member, Corporate Resources
Summary: The report proposes finalisation of the MTP prior to recommending its adoption by Council on 21 June 2012. It also includes comments resulting from consultation for consideration by the Executive.

Advising Officer: Richard Carr, Chief Executive
Contact Officer: Gillian Dent, Programme Manager ext 74656
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision No
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The MTP 2012-2016 sets out the councils priorities for the next 4 years. If adopted by Council in June, it will replace the existing priorities, the proposed MTP priorities are:

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Improved educational attainment.
- Promote health and wellbeing and protecting the vulnerable.
- Better infrastructure – improved roads, broadband reach and transport.
- Great universal services – bins, leisure and libraries.
- Value for money – freezing council tax.

Financial:

1. Once the MTP is adopted, the future Medium Term Financial Plan (MTFP) will become the financial expression of what the Council aspires to achieve through the priorities and targets set out in the MTP.

Legal:

2. There are no legal implications in adopting the MTP.

Risk Management:

3. If the MTP is adopted by Council in June 2012, the Strategic Risk Register will be reviewed to ensure it takes account of the Plan.

Staffing (including Trades Unions):

4. Delivering the Plan may have staffing implications and appropriate consultation will take place with the trade unions and affected staff in accordance with the Council's Managing Change policy.

Equalities/Human Rights:

5. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

As part of the development of the strategies which underpin the Medium Term Plan, Equality Impact Assessments have been undertaken and a variety of specific objectives designed to promote equality have been approved and recently published as the Council's Equality objectives.

Public Health:

6. There are a significant number of priorities and targets that will have an impact and will make a difference to the wider determinants of health.

Community Safety:

7. There are some targets within the MTP which are relevant to Community Safety. The targets under the priority of Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow are:
 - To reduce the levels of crime e.g. burglary, robbery, vehicle crime and theft from 3312 in 2010/11 by 10% to 2980 by 2016.
 - To decrease the levels of anti social behaviour from the 2011/12 recorded incident figures by 10%.

These will be delivered by working with the new Police and Crime Commissioner and Bedfordshire Police and through our Community Safety Partnership.

Sustainability:

8. There are a number of targets where sustainability is relevant e.g:
Enhancing Central Bedfordshire - creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
The Council's emerging Development Strategy will address issues of sustainability.

Procurement:

9. The Council's procurement processes will be relevant for achieving the priority – Value for Money.

We are improving our procurement to ensure that all our requirements for contracted goods, services and works are exposed to fair competition and are fully and fairly evaluated using a balanced approach to price and quality which will demonstrate value for money.

During the life of a contract we will monitor performance regularly and check that the agreement is being upheld and that it meets the requirements of the service user.

Overview and Scrutiny:

10. Comments have been received from each of the Council's Overview and Scrutiny Committees, a full list is appended for consideration (Appendix A). The comments have been incorporated into the final document and shown as tracked changes, for the Executive to consider before making a recommendation for Council to adopt the MTP.

RECOMMENDATIONS:

The Executive is asked to:

- 1 recommend to Council to adopt the Medium Term Plan – Delivering Your Priorities at Appendix B, in the light of the outcome of the consultation process; and**
- 2. agree to launch the MTP to partners, staff and residents following adoption by Council.**

Executive Summary

11. Since the election of a new Administration in 2011, a review of the Council's existing priorities has been undertaken. As a result it was agreed to develop a Medium Term Plan (MTP) for the Council for the next four years setting out priorities which matter most to residents. Consultation has taken place on the priorities with key partners and each of the Council's Overview and Scrutiny Committees (OSCs).

The consultation responses are summarised in Appendix A.

The proposed changes as a result of this process have been included as tracked changes, for consideration by the Executive. (Appendix B).

Once agreed the MTP will be launched to the public, staff and partners in the most appropriate format.

The Medium Term Plan – Delivering your Priorities

12. The Council agreed, in late 2011, to develop a Medium Term Plan to articulate its priorities from 2012-2016 with targets and plans for delivery. The MTP was developed to reflect the needs and views of residents.
13. Consultation has been undertaken with the OSCs and with key partners from Central Bedfordshire Together and the Shadow Health and Wellbeing Board. Comments ranged from changes to text and clarifications to changes which might impact on the delivery of a priority.

Conclusion

14. The revised MTP can now be recommended for adoption by Council.

Appendices:

Appendix A – Report and Recommendations from OSCs.

Appendix B – Delivering your Priorities – Our Plan for Central Bedfordshire 2012-2016.

Appendix A

Meeting: Executive
Date: 15 June 2012
Subject: Response of the Overview and Scrutiny Committees to the Medium Term Plan Consultation Document

Background

1. At their meetings in April 2012 each of the Overview and Scrutiny Committees (OSCs) received the Medium Term Plan consultation document. The following provides the views and comments of each of the OSCs:-

2. Children's Services OSC

2.1 In particular, Members discussed the Council's ability to achieve its educational attainment targets when set against its diminishing influence as a result of the increasing prevalence of academy schools. The Executive Member for Children's Services acknowledged the issue but assured the Committee that new models of partnership working, peer to peer support and the teaching school concept, amongst other initiatives, would help ensure the Council met this ambitious target. Members also discussed the Council's ambitions relating to NEETs and education & training opportunities and expressed some concern regarding the lack of any quantifiable targets to measure these ambitions.

RECOMMENDATION

2.2 That the Children's Services Overview and Scrutiny Committee endorses the approach for adopting the Medium Term Plan 2012-16.

3. Corporate Resources OSC (former Customer and Central Services OSC)

3.1 In addition to the recommendation below the former Customer and Central Services OSC commented on the following during their discussion but did not feel it necessary to make a recommendation:-

- The Woodside Link should be included in the list of schemes identified under "Better Infrastructure – Improved roads, broadband reach and transport";
- References to the "Luton – Dunstable Guided Bus Way" should be amended to state "Luton – Dunstable – Houghton Regis Guided Bus Way"; and
- References to the Council endeavouring to freeze council tax should be clarified to make it clear whether this target covers the next three or four years.

RECOMMENDED

3.2 That the Customer and Central Services Overview and Scrutiny Committee agrees to the approach for adopting the Medium Term Plan 2012-16, subject to consideration of the above observations by the Executive at its meeting on 15 May 2012.

4. Social Care, Health and Housing OSC

4.1 In addition to the recommendations below the Committee commented on the following during their discussion but did not feel it necessary to make a recommendation:-

- whether targets should be included in relation to public health; and
- whether the 100% coverage target for the operation of Village Care schemes by 2014 was appropriate.

RECOMMENDED

4.2 That the Social Care, Health and Housing Overview and Scrutiny Committee agrees to the approach for adopting the Medium Term Plan 2012-16.

4.3 That the Social Care, Health and Housing Overview and Scrutiny Committee has considered the emerging priorities and targets in within the Medium Term Plan and commented that the Council needed to ensure that the focus on customer experience still provided appropriate opportunities for customers who wished to engage with the Council by phone or face to face as well as by other means. In developing a consolidated customer service team the Council needed to ensure that officers maintained an awareness of a wide number of areas and did not become de-skilled.

5. Sustainable Communities OSC

RECOMMENDED

5.1 That the Sustainable Communities Overview and Scrutiny Committee agrees to the approach for adopting the Medium Term Plan 2012-16.

5.2 That the Sustainable Communities Overview and Scrutiny Committee has considered the emerging priorities and targets within the Medium Term Plan and recommends the following changes to be reflected in the Medium Term Plan prior to its adoption:-

- The addition of the Woodside Link in the list of schemes identified under “Better Infrastructure – Improved roads, broadband reach and transport.”
- The addition of a reference to the provision of affordable housing.
- Clarification in relation to the period of time over which council tax will be frozen.
- The addition of an explanation of the numbers of children requiring a child protection plan.

Appendix B

Delivering your Priorities

Our Plan for Central Bedfordshire
2012-2016



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Our ambitions for Central Bedfordshire

I chose to become a Councillor because I felt passionately about the community in which I lived. I'm not a native Bedfordian, I moved here about 25 years ago with my wife because of its proximity to London. We've stayed, raised our family and have enjoyed the advantages of Bedfordshire life. We love it here and I know my friends and neighbours share this view. I was delighted to be elected as the Leader of Central Bedfordshire last year, and since then have been reflecting on how we as a council can make sure that we are able to Keep - Central Bedfordshire as a great place to live and work.

We've been listening to the public, getting feedback about what matters most and what needs to be improved. We've also been reviewing our finances. In the context of cuts in our resources and increasing demands on our services, we've been considering how we can balance our spending and savings to maintain critical services without putting additional financial pressures on residents.

This document, together with our medium term financial strategy, represents the culmination of the work we've done. We now have clear and explicit ambitions for Central Bedfordshire, informed by residents' views. We're committed to a series of priorities, which collectively will help our communities to progress and prosper.

This will not happen without the co-ordinated effort of all of us who work in and for the Council. This document is designed to clarify exactly what we are seeking to achieve, our approach and, crucially, our plan of action.

We will be rightly held to account by the public of Central Bedfordshire if we fail to deliver our priorities, but with our focus and shared commitment, I'm confident we'll succeed.

James Jamieson, Leader of the Council

Central Bedfordshire – Key facts and challenges for the area

The Facts

Central Bedfordshire is a unitary authority serving a growing population of around 255,000. It is a largely rural area with over half the population living in the countryside and the rest in a number of market towns. The largest of these are Leighton Buzzard, Dunstable, Houghton Regis, Biggleswade, Flitwick, Sandy and Ampthill.

The area is generally prosperous, with above average levels of employment. This could mask the few areas where we do have pockets of deprivation and, greater need (some households in Dunstable and Houghton Regis for example).

The area has excellent transport links with the A1 and M1 running through it, three main rail lines and two international airports, Luton and Stansted, on our doorstep.

It is in the centre of an academic 'golden triangle' between Oxford, Cambridge and London Universities and also benefits from its own academic institutions at Cranfield University, the University of Bedfordshire and other further education colleges.

It is a great place to live and work. It is a relatively safe, green and affluent area which has attracted major investment. People living in Central Bedfordshire earn more than the national average; this is in part influenced by some residents commuting out of the area – primarily to London, Luton, Milton Keynes and Hertfordshire.

The Challenges

There are significant challenges to the Council and our residents which will impact on the way we deliver our services in the future:

- We anticipate continued reductions in Government grant to the Council over the coming years.
- We predict further economic difficulties as the national economic climate is driven by excessive Government debt and weak recovery from recession.

Demographic Pressures

As our population is set to grow (from 255,000 to 276,500 by 2016) we need to ensure we are able to provide for this 8.5% increase by supporting affordable housing developments and working with businesses to help them to create local jobs.

- As our residents are enjoying longer lives, rising numbers of older people will need our services.
- As a result of better recognition of children needing protection, in line with national trends, we have had a significant increase in the numbers of children requiring a child protection plan.
- Technology is transforming the way that our customers want to access services, 73% of our households already have access to the web and this will increase as the area becomes a hub for faster broadband.
- And there are significant changes to the services the Council will manage now and in the future.
 - Over 50% of pupils will be educated in schools that are Academies by September 2012 with more moving to this new model. The overall aim will be for most schools to become Academies during the lifetime of this plan.

Deleted: 65%

Deleted: by March 2013, resulting in . 90% being educated in an Academy at some stage in their school education in . Central Bedfordshire.

- The implications of the Health and Social Care Bill, which will see responsibility for public health transferring from NHS Bedfordshire to the Council by March 2013.

The Customer Perspective:

In developing this plan, the views and priorities of the public have been central. More than 2,000 residents took part in market research which included a survey and workshops in the autumn of 2011. We asked for their feedback on the area, what is important to them and what needs improving. We also asked for their views on the Council and its services.

Feedback from this exercise demonstrated that there are high levels of satisfaction with the area as a place to live, with 81% responding positively.

Residents do have strong views about areas for improvement:

- 49% believe that more road and pavement repairs are necessary,
- almost twice as many residents expressed a need for improved job prospects compared to respondents to the last survey in 2008,
- satisfaction levels with the Council are improving,
- value for money remains a concern and a majority of residents (76%) would prefer Council Tax to be frozen, with any savings being found from the costs of running the Council rather than front line services,
- the importance of tackling crime and anti social behaviour was a priority,
- there was a strongly held view that services for vulnerable people should be protected from reductions.

Respondents were supportive of proposals to change the way the Council delivers services, such as combining services with other public sector organisations, outsourcing and inviting Town and Parish Councils to provide local services.

Responding to these challenges

The Council's response to the economic and service challenges is set out in this plan. This document explains how our resources and our services must be aligned to deliver the priorities that matter most to you.

We intend to build on our strong track record of delivering efficiency savings as we have done year on year since the Council was created. Since 2009 the Council has saved £42m and we plan to save a further £36m by 2016.

Our Priorities

Our residents have given the Council clear and consistent feedback about their attitudes to the authority and the area.

In response to this, Central Bedfordshire Council is committed to six key priorities which are:

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Improved educational attainment.
- Promote health and wellbeing and protecting the vulnerable.
- Better infrastructure – improved roads, broadband reach and transport.
- Great universal services – bins, leisure and libraries.
- Value for money – freezing council tax.

Our Approach

To deliver our priorities with fewer resources we need to change – both what we do and how we do it. A series of principles underpin how we will manage change at Central Bedfordshire.

As a Council we will

- Be focused on customer experience
- Be open and transparent
- Value our people
- Work as one organisation
- Excel at partnerships
- Focus on efficiency and value
- Adopt a "can do" culture
- Recognise the impact of our work on others

Working with our partners

Central Bedfordshire Council recognises that we will not be able to deliver our priorities unless we work collaboratively with other organisations with an interest in our communities.

So whilst this plan is explicit about how Central Bedfordshire Council will deliver its priorities, we recognise that it doesn't stand in isolation.

Our Plan

The Council already operates a wide range of plans and strategies, many of which will contribute to the delivery of the priorities.

However, this document brings all such existing strategies together.

It explains:

- how the plans work together to support the delivery of the priorities
- how the success of the plans will be measured
- what targets we are aiming to achieve
- timescales for delivery.

A new operating model is also proposed which will see the shape of the Council change considerably.

Public accountability at the front line is imperative so the Council will focus on direct management of the customer experience at their initial point of contact. As we transform our online services, more and more customers will be incentivised to do business with us online and will experience a seamless service, based on our knowledge of our residents and the area.

At the core of the Council, a streamlined team of officers will enable delivery of our priorities and key services.

Services will be delivered in the way which is most fit for purpose and appropriate to deliver value for money and quality, with a focus on innovation.

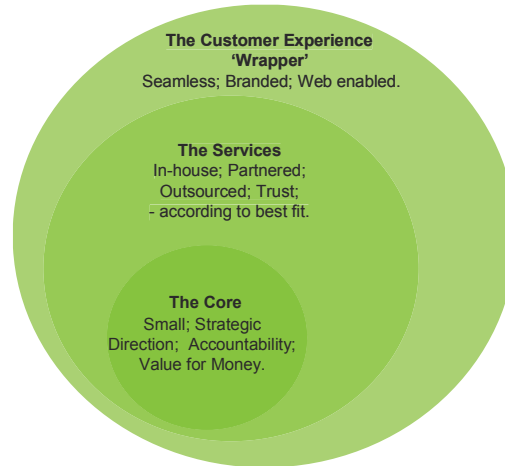
The following pages present our priorities with the targets we will be seeking to achieve over the next four years and the impact you will see.

If you want further information on any of the priorities or on the plans for delivery please contact us:

By telephone: 0300 300 4656

By email: customer.services@centralbedfordshire.gov.uk

Full contact details are included at the end of this document.



Enhancing your local community – creating jobs, managing growth, protecting our countryside and enabling businesses to grow:

Targets:

- To increase the percentage of residents who find Central Bedfordshire a nice place to live. Currently 81%, we want 85% of you to be satisfied with the area by 2016.
- To ensure the current employment rate of Central Bedfordshire remains 5% higher than the national average (currently 72.6%).
- To ensure the availability of high quality, appropriate housing [including affordable](#), supported by suitable infrastructure.
- To ensure 100% of approved applications for residential developments of 10 or more units have excellent design (measured against the Commission for Architecture and the Built Environment (CABE) building for life design criteria).
- To reduce the levels of crime e.g. burglary, robbery, vehicle crime and theft from 3,312 in 2010/2011 by 10% to 2,980 by 2016.
- To decrease the levels of anti social behaviour from the 2011/12 recorded incident figures by 10%.

The difference you will see over the next 4 years

We increase satisfaction with the area as a nice place to live year on year and we will continue our programme of enhancements to the area.

We maintain the current rate of employment by working with local businesses.

Our developing Economic Development Plan will outline our strategy for growth in the area.

Our planning policy quality standards will ensure that no applications will go forward for 10 or more houses which don't meet the CABE design criteria.

We work with the new Police and Crime Commissioner and Bedfordshire Police to deliver our Community Safety Partnership priorities to:

- Reduce anti social behaviour year on year until we reach our target.
- Reduce reoffending through the sustainability of the Integrated Management Offender Programme, which will lead to a reduction of crime and reoffending of prolific offenders.
- Increase support given to Domestic Abuse victims and ensuring there is an increase of cases presented at the Multi Agency Risk Assessment Conference.

Improved Educational Attainment

Targets:

- To be in the top 25% nationally of key stage 4 results for the measure 5 x A* - C outcomes including English and Maths at GCSE.
- To limit the number of young people on a year by year basis who are not in education or employment (NEET).

Deleted: To make public annually the number of education and training opportunities made available by our partners during the crucial autumn period, and the number of young people actively accessing them.]

The difference you will see over the next 4 years

We have a robust Children and Young People's Plan 2011-2014 (CYPP) that was the subject of consultation with all schools, governors and over 4,000 young people. The targets in that plan are challenging to the Council and its partners and we aim to achieve them.

We have schools that are making the transfer to become academies to reflect local and national political ambitions and we will offer those schools support to make the conversion.

We continue to work alongside schools to ensure that we meet our priority of being in the top 25% nationally for 5 x A* - C GCSE including English and Maths for the next 4 years.

We agreed an education vision with Central Bedfordshire schools to drive improvement. This involves:

- The development of a teaching school to lead good practice in the Central Bedfordshire area.
- School to school support through groups of academy chains, learning partnerships and federations and a talent map of support on our Council website that schools can commission.
- Development of an alternative provision school led by headteachers for those middle and upper school age pupils who find the school environment difficult, which helps these pupils, find alternative pathways to learning, training and employment and reduce permanent exclusions.
- The role of the Council as a champion for vulnerable pupils will be strongly supported.
- The role of school governors as school and community leaders will be developed.

We have agreed our All Age Skills Strategy which will see us increase the opportunities for learning for young people.

[Annually publish the number of education and training opportunities made available by our partners during the crucial autumn period, and the number of young people actively accessing them.](#)

Through the implementation of our strategy from Poverty to Prosperity we work with local businesses to increase the number of apprenticeships available for young people which enable us to continue to keep our NEETs below the national average.

We work with our partners to increase the number of apprenticeships and support school and college governors to meet their responsibilities to provide careers advice to young people.

Promote health and well being and protect the vulnerable.

Targets:

- We are committed to a zero tolerance approach to those who abuse vulnerable adults and we will continue to report our involvement in safeguarding activity.
- Provide an additional 50 extra care flats by 2014.
- Maintain the decent homes standard at 100% for the Council's landlord service.
- All 40 - 74 year olds will have been offered a health check by 2017.
- 30 (100% coverage) Village Care schemes in operation by 2014.
- 60% of Council commissioned dementia care should be of 'good' or 'excellent' by 2014,
- To offer everyone the choice of a personal budget for adult social care support (100%)
- Statutory performance indicators on children's safeguarding are consistently in the upper quartile compared to national statistics
- Proposed new Government targets to be introduced in 2012 on speed of adoption procedures are met.
- Actions identified in the Ofsted Report published in April (2012) are subject to an action plan, agreed with the Children's Trust, the Central Bedfordshire Children's Safeguarding Board and relevant health organisations for the re-inspection of children's safeguarding late 2013.
- The annual report of the Local Safeguarding Board will be presented as required in the soon to be published 'Working Together' national guidance on children's safeguarding.

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The difference you will see over the next 4 years

We develop accommodation and care strategies for older people to provide a wider range of support services, such as extra care schemes, and a focus on dementia support.

We work with our partners in health to improve the health and well being of our local communities.

There is an expanded adult social care market that provides choice for local people in how their care and support needs are met.

We have addressed the concerns raised in the Ofsted Report on Looked After Children and Safeguarding of 2012 via an action plan in 2012/13.

We will have had an improved Children's Services re-inspection of safeguarding in autumn 2013. This inspection will have criteria linked to impact and outcomes and will be different to the criteria used in 2012 to assess the Council and its partners.

We have met any additional performance indicators issued by the Government and have measured the impact of our activities and published progress on outcomes for our children, young people and their families.

The Safeguarding Board of both adults and children continue with their programmes of work.

Better infrastructure - improved roads, broadband reach and transport

Targets:

- By 2016 to complete the delivery of a series of infrastructure projects and set out aspirations for further significant transport improvements.
 - Luton – Dunstable Guided bus way to be in service by Spring 2013.
 - Biggleswade South roundabout and feeder roads completed by end 2013.
 - M1- A5 link construction commenced Spring 2014 and completed by 2016. (subject to planning enquiry).
 - [Progress development of Woodside link.](#)
- To complete the production of all Town Centre Master Plans and demonstrate progress on all 5.
- To achieve above national average satisfaction with road and pavement repairs from 26% to 36% by 2016.
- To achieve 90% access to superfast broadband by 2015/16.
- To achieve 100% access to at least 2MB broadband by 2015/16.

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The difference you will see over the next 4 years

Works are already underway on the Luton – Dunstable Guided bus way to enable it to be in service by April 2013.

By 2015 there will be significant improvements as a result of the implementation of Town Centre Plans. Including:

- Dunstable - development of a new health centre.
- Biggleswade - completion of street improvements. New transport interchange at the station and Market Street.
- Leighton Buzzard - development at land south of High Street.
- Flitwick - development underway on land at Steppingley Road.
- Houghton Regis - completion of High Street improvements.

We will have invested heavily in our roads over the next 4 years. We have agreed to invest an additional £4m each year until 2016.

Plans are in place to implement broadband to achieve our targets.

Great Universal Services – bins, leisure and libraries

Targets:

- To fully deliver our BEaR project which will include the renovation and rebuilding of all Household Waste Recycling Centres (HWRC) by 2016.
- To maintain high rate of recycling and make progress towards 60% target by 2020.
- To ensure the number of adults in Central Bedfordshire taking part in sport and physical activity remains above the national average (Active people Survey CBC 22.6% and national 22%).
- Maintain 93% satisfaction of adults with the library service.
- Increase the usage of libraries by 20%.

The difference you will see over the next 4 years

To deliver the top two targets we have a programme for our HRWC sites at Ampthill, Biggleswade, Dunstable and Leighton Buzzard by 2016. We are in the process of appointing a contractor and will be seeking planning permission in 2013 ready to begin building works in 2014.

We are developing a leisure strategy to help increase take up in sport and physical recreation focussing on our leisure facilities, greater use of our countryside, participation in the arts, supporting active lifestyles and improving public health.

An £8 million investment in leisure facilities (on an invest to save basis) and activities over the next 4 years.

We have programmes in place to increase participation including walking and cycling.

We have just completed the “Big Library debate” with the public and have agreed a programme of improvements which should help us to meet our targets. We will be changing the way we provide services including:

- moving to self service;
- undertaking a programme of remodelling of our libraries in the next two years to improve the standard of our service and to meet your expectations;
- in the next 3 years we will be looking to relocate some of our libraries in Dunstable, Flitwick and Biggleswade.

Value for Money – freezing council tax

Targets:

- We will endeavour not raise council tax for the next three years
- We will work hard with our staff to ensure they provide high quality services and are proud of the organisation they work for.

The difference you will see over the next 4 years

Council payments will be the same for all Central Bedfordshire residents.

You will see an improvement in the value for money delivered by Central Bedfordshire Council.

Deleted: No increase in your council tax payments levied by the Council

We will continue to work on making efficiency savings, limiting impact on existing services by exploring different ways of providing services.

Planning Assumptions

The ambitions expressed through the priorities and targets in this plan have been developed on the basis of some planning assumptions. In other words, we've based the plan of what we expect to happen over the next four years in the economy, in our own finances and in society.

On the economy, we have assumed that interest rates will remain low with growth limited to between 1% and 2%. We also anticipate inflation to be pegged at 2% on our supplies, services and income.

On our own resources, we have assumed that government will continue with its grant to support local authorities to freeze council tax until 2015/16 and that it will not reduce further other grants or put additional responsibilities on us.

Beyond this, we have based the plan on current predictions about the nature of our population, in terms of size and nature.

Should our projections turn out to be inaccurate or the government change its plans, the nature of our targets may also need to change.

Contact us...

by telephone: 0300 300 4656
by email: customer.services@centralbedfordshire.gov.uk
on the web: www.centralbedfordshire.gov.uk

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

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Meeting: Executive
Date: 15 May 2012
Subject: Minerals and Waste Core Strategy
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Summary: The report proposes that the Council:

- approve the 'Focussed Changes' to the Minerals and Waste Core Strategy for consultation; and
- approve the Submission of the published Minerals and Waste Core Strategy, and the 'Focussed Changes' document, to the Secretary of State.

Advising Officer: Richard Fox, Head of Development Planning and Housing Strategy

Contact Officer: Roy Romans, Minerals and Waste Team Leader

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

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

CORPORATE IMPLICATIONS

Council Priorities:

The recommendations of this report support and contribute to achieving the Council priority of managing growth effectively.

Financial:

1. The cost implications of the Plan are within the revenue budget agreed for the Minerals and Waste Planning Shared Service. The revenue budget is part funded by contributions from Bedford Borough Council and Luton Borough Council, with Central Bedfordshire Council being the administrating authority. The three authorities are required to jointly meet the statutory costs associated with the Core Strategy and the appropriate level of budget has been set accordingly.

Legal:

2. All local planning authorities (of which Central Bedfordshire is one in respect of minerals and waste developments) are required by law to have up to date local development frameworks. The report will progress the Minerals and Waste Core Strategy further towards its submission to the Secretary of State, and eventual adoption, following an Examination in Public.

Risk Management:

3. The following risks have been identified:
 - Failure to discharge statutory responsibilities – Councils are required by law to have up to date Local Development Frameworks.
 - Reputational Risks – Waste strategies are the subject of public interest.
 - Uncertainty at a national level, as the Core Strategy has been published against the backdrop of the implementation of the Localism Act, and the publication of the National Planning Policy Framework.
 - Joint working risks, as the Core Strategy is being prepared for three Councils, who have their own timetable for decision making.
4. Contact with Department for Communities and Local Government (DCLG) and the Planning Inspectorate has provided confidence that the Core Strategy and its supporting documents will be sound when submitted, subject to the changes proposed.

Staffing (including Trades Unions):

5. The preparation of the Plan will be met from existing resources.

Equalities/Human Rights:

6. The Minerals and Waste Core Strategy is accompanied by Equality Impact Reports for each of the three Councils. There are no significant equalities issues arising from them.

Public Health:

7. The Minerals and Waste Core Strategy impacts upon public health and well being, in particular by directing waste recovery processes to locations which are more remote from centres of population. In addition, traffic is directed onto the primary road network, reducing the scope for disturbance to occupants of the more rural areas. Mineral extraction can only occur where the resource is located, and is therefore far more constrained. Nevertheless the Saved General and Environmental Policies provide a sufficient framework for considering applications so as to protect human health and amenity.

Community Safety:

8. Not applicable.

Sustainability:

9. The Minerals and Waste Core promotes the more sustainable management of waste, and encourages and enables its diversion away from landfilling, (which has greater impacts on the environment and leads to more carbon dioxide emissions), and towards greater use of recovery technologies, which are broadly less harmful to the environment. It also encourages and enables the more sustainable production of minerals, and the reclamation of mineral workings to a range of beneficial after uses.

Procurement:

10. The Strategic waste sites for recovery processes are the ones to which the waste industry will hopefully focus their attention when responding to procurement for a waste contract by the Councils. At present Central Bedfordshire is undertaking its procurement of a new waste management contract.

Overview and Scrutiny:

11. This matter has been considered by Overview and Scrutiny at their meeting on 10 April 2012. The Committee received the proposed Minerals and Waste Core Strategy in light of a recent consultation. The Committee were informed of the consultation and key changes to the strategy as a result. A further set of Focused Changes was also circulated to Members of the Committee at the meeting as a response to the recently published National Planning Policy Framework. In light of their discussion the Committee noted the representations made on soundness of the recently published Minerals and Waste Core Strategy as amended for submission and **recommended to the Executive** the following:

“That the proposed responses to the representations received be accepted and that the proposed Focused Changes contained in both the main report and the later addition be approved for public consultation and then submission to the Secretary of State.”

RECOMMENDATIONS:

The Executive is asked to:

1. **approve the responses to the representations received on the consultation on soundness, as set out in Appendix A to this report;**
2. **approve the proposed Focussed Changes document for public consultation, as set out in Appendix B to this report; and**
3. **make any additional comments on the Minerals and Waste Core Strategy and recommend that full Council approves the submission of the Core Strategy (as amended by the focused changes) to the Secretary of State for Examination.**

Reason for Recommendations: So that the Minerals and Waste Local Development Framework set of policy documents can be progressed without undue delay.

Executive Summary

12. The Minerals and Waste Core Strategy is a planning policy document concerning the control of waste management and mineral extraction developments. It has been developed from several preceding documents, and was 'published' in December 2011.
13. Further changes to the Visions, Objectives and Core Policies are proposed in response to consultation responses, and they merit a further public consultation, which is called a 'Focussed Changes' consultation, prior to the submission of the Core Strategy to the Secretary of State, and later Examination in Public.

The Minerals and Waste Core Strategy Plan for Submission

14. The Minerals and Waste Core Strategy Plan for Submission (MWCS) was published for consultation on soundness from 5 December 2011 until midnight on 5 February 2012. The MWCS was developed from several preceding consultation documents:
 - the Minerals Core Strategy;
 - the Minerals Site Allocations document;
 - the Waste Core Strategy;
 - the Waste Site Allocations document; and
 - the Minerals Safeguarding Areas consultation document.
15. 241 representations were received from 33 organisations and individuals. Of note in those representations was that the landowner of the land at Elstow South (in Bedford Borough) is now indicating that a much reduced area of that site is available for non-hazardous waste landfill, and that part of the site could be developed for a waste recovery use. This in itself would require a further consultation as a 'Focused Change', since the present allocation of the entirety of that site for non-hazardous waste landfilling is not capable of being maintained in the Core Strategy. There are other matters arising from consultation which deserve further changes, they key changes are set out below:

- The Waste Vision is proposed to be amended in its wording, so as to include a reference to the environment and its inhabitants. The Waste Objectives make clear that additional waste management capacity is to be provided consistent with the protection of the environment and local population.
- One additional target for recovery of Municipal Solid Wastes is quoted in the Waste Strategy 2007, and it is appropriate to include it in Policy WCP 1.
- The landowner and potential operator of the land at Elstow South has indicated that a reduced area of that site is available for landfilling of non-hazardous waste. This would mean that there would only be void capacity for some 2M tonnes rather than 3M tonnes of non hazardous waste at the site. Their putative proposals include a mechanical biological treatment recovery plant which would manage waste received, prior to the residue being landfilled in the adjacent void. Rather than reconsider the potential use of the Elstow South site in Waste Core Policy WCP2, (i.e. whether it should be a recovery or a landfill site), it is suggested that amendments be made to Policies WCP 8 and WCP 10, such that these kinds of recovery operations could occur on strategic sites identified for landfilling. This would have the benefit of enabling and promoting what is known as “pre-treatment”, in that waste would be subject to recovery processes prior to being landfilled, and therefore the volume and organic content of waste would be likely to be substantially reduced. This is highly beneficial as it would reduce the volume of waste and make it more innocuous.
- WCP 5 on Climate Change is to be amended by:
 - adding wording to the first paragraph;
 - moving bullet points 1 - 6 to the supporting text and using as examples;
 - include a reference to mentoring and reducing the carbon footprint; and
 - examples from the policy in the published Plan will move into the supporting text.
- Policy WCP6 Catchment Area Restrictions is to be reworded so as to include reference to the use of planning conditions and/or section 106 agreements, (rather than “legally binding agreements”) which is consistent with the practice of the Secretary of State (as well as a number of local planning authorities.
- Policy WCP12: Landfilling of Waste is to be made shorter, so as to emphasise that disposal to landfill will be considered only as a last resort, and for waste which cannot be managed or managed further by recovery processes. The existing end to the published Policy will be added to the supporting text.

- Changes to the **Vision for Minerals** to be made including:
 - river basin management' to '**water cycle management**' to broaden its focus.
 - Objective 3 – delete the word 'permanent'.
 - Objective 4 – add '**and operator best practice**' after 'planning control.
 - Objective 5 – delete 'any' and add '**leisure and social activities**' after 'employment'.
 - Objective 7 – add after 'mineral workings' '**protect and enhance the biodiversity and landscape fabric of the Plan Area**', change 'River Basin Management Plans' to 'Water Cycle Management Plans' and delete 'informal access'.

- Policy MCP2 is to be amended so as to read: "The Mineral Planning Authorities will monitor the permitted reserves of aggregate minerals, so as to seek to maintain a landbank sufficient for at least seven years....". This gives a firmer commitment to providing sufficient reserves of aggregate minerals.

- An amendment is proposed to add 'and/or benefit' after 'overriding need' to facilitate sites coming forward for extraction, that are not identified as strategic sites where there is an identified economic or environmental benefit for this. This would address concerns that have been raised in consultation responses and allow more flexibility.

- Policy MCP 9 on Borrow Pits: The 5th bullet point is to be amended to read: "The borrow pit will be restored within a similar timescale...". The 6th bullet point to be amended to read: "There would be no importation of waste materials other than from the project itself unless the restoration offers environmental benefit".

- Policy MCP 10: Climate Change is to be amended by:
 - reviewing bullets 1 and 2 to ensure they relate to mineral sites;
 - moving bullet points 1 - 6 to the text and using as examples; and
 - so as to read and incorporate in supporting text: "Restoration schemes will be encouraged which will contribute to climate change adaptation. This includes the incorporation of flood water storage and biodiversity schemes which act as wildlife corridors and create living sinks. The use of low emission vehicles and vehicles with greater fuel efficiency should also be considered. Operational plant should be selected to ensure maximum efficiency and should be well maintained. Where there are buildings located on quarries for other than short term use opportunities for reducing climate change impacts should be considered and incorporated within the development."

- Minerals Core Policy MCP 13 concerning surface development within Mineral Safeguarding Areas is to be amended, poor quality material can be of economic value.

- Finally, there are to be two discrete areas of land where the Mineral Safeguarding Areas will be reduced (south of Leighton Buzzard, and east of Bromham, Bedford) due to the recent receipt of better information.

16. The context for this decision includes the implementation of the Localism Act, which among other matters, will lead to the abolition of the Regional Spatial Strategies. In addition, the new National Planning Policy Framework, replaces existing planning policy guidance for all matters except waste. The NPPF considers most forms of development, including minerals, with the exception of waste, which instead will be the subject of a national waste management plan to be published for consultation in the late summer or autumn of 2012. In addition, an appeal against the refusal of permission for a gasification plant on land at the Twinwoods Industrial Estate near Bedford, was recently dismissed by the Secretary of State. Finally, the Infrastructure Planning Commission has recommended that a Development Consent Order be issued for the energy from waste facility proposed at Rookery Pit South, southwest of Bedford.

Next Stages

17. The representations received and the recommended responses to them, as well as the proposed Focused Changes, are attached to this report. It is considered necessary that a further public consultation takes place on the Focused Changes document, before the Minerals and Waste Core Strategy is submitted to the Secretary of State in the autumn of 2012. Approval to submit the Core Strategy will need to be given by full Council.

Appendices:

Appendix A – Representations received and recommended responses (Circulated separately to Executive and Deputy Executive Members only – further copies can be viewed at:
<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?Clid=577&Mid=3723&Ver=4>
or a hard copy can be obtained from Sandra Hobbs, Committee Services Officer Tel: 0300 300 5257 or Email: sandra.hobbs@centralbedfordshire.gov.uk)

Appendix B – Minerals and Waste Core Strategy Focused and Editorial Changes document

Background Papers: (open to public inspection)

None.

[Note - Members can view a copy of the draft Minerals and Waste Core Strategy via the following link in Citrix:

P:\M&W\Focused Change Doc\MW Core Strategy May 2012]

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Appendix B

Briefing Note for Portfolio Holders Minerals and Waste Core Strategy A Summary of the proposed Focussed Changes intended for further pre-submission consultation

Following the publication of the Minerals and Waste Core Strategy Plan for Submission it underwent a period for public consultation on soundness between 5th December 2011 and 5th February 2012. This resulted in 241 representations being made from 32 respondents on a range of issues. These have now been considered, and a number of changes are suggested. The vast majority of the changes to the Minerals and Waste Core Strategy are editorial, in that they improve the clarity of the Plan, improve how it expresses its messages to the reader, and update where more recent information/data is available. However there are also a discrete number of alterations to Policies which deserve further public consultation, directly before the Core Strategy is submitted to the Secretary of State for examination in public. The publication of the National Planning Policy Framework (NPPF) has also required a review of the Plan and has resulted in some minor changes being proposed to policy. These changes to Policy and to the Vision/Objectives (shown as additions in bold italics or deletions by 'strikethroughs') address the following issues:

Waste Management

1. The **Waste Vision** is proposed to be amended in its wording, so as to include a reference to the environment and its occupants. The Waste Objectives make clear that additional waste management capacity is to be provided consistent with the protection of the environment and local populations.

The Vision for Waste

*By 2028 the Plan area will have a sustainable materials resources economy, **in which waste is managed with the least possible harm to the environment of the Plan area and its occupants.** The Plan area will have sufficient waste management capacity for most kinds of waste arising within its area plus an apportionment of pre-treated wastes from London, but will rely upon facilities elsewhere for some specialist wastes (such as Hazardous, Clinical and Low Level Radioactive Waste).*

Specifically the Plan area will maximise the reuse and recycling of wastes, and minimise the need for disposal. Consequently the amount of Municipal Solid Waste (MSW) and Commercial and Industrial waste (C&I) sent to landfill will be significantly lower than at the beginning of the Plan period. Value will be recovered through reuse, recycling and composting processes, and through the recovery of energy and/or materials from waste. Consequently the amount of MSW and C&I wastes going to landfill will be highly limited in both quantity and in biodegradable content. Facilities for the collection and storage of waste will be fully integrated into the design of all developments, with waste management facilities located

as close as possible to urban areas. Transport of most waste within the Plan area will be via the local road network, and this will influence the siting of waste management facilities.

Waste Core Policy WCP1: The Provision of Recovery and Disposal Capacity

2. One additional target for recovery of Municipal Solid Wastes is quoted in the Waste Strategy 2007, and it is appropriate to include it in Policy WCP 1.

Policy WCP1 revised wording:

Sufficient capacity for the recovery of waste from the Plan area, and for the landfilling of wastes including pre-treated residual waste from London, will be provided in order to enable the following targets for diversion from landfill and recovery to be achieved:

- *Recovery of at least 50% Municipal Solid Wastes by 2013, 70% by 2015, and 75% by 2020*
- *Recovery of at least 72% of Commercial and Industrial wastes by 2013, and 75% by 2015.*

Waste Core Policy WCP 5: Climate Change

This is to be amended by:

- Adding wording to the first paragraph
- moving bullet points 1 -6 to the supporting text and using examples
- including a reference to monitoring and reducing carbon footprint
- moving examples from the policy to the text

Policy WCP 5 revised wording:

Waste Management Development proposals, including operational practices and restoration proposals must take account of climate change for the lifetime of the development through measures to reduce greenhouse gas emissions and to adapt to future climate change. The proposed measures and the means of monitoring shall be specified.

Waste Core Policy WCP6: Catchment Area Restrictions

This Policy is reworded so as to include reference to the use of planning conditions (rather than 'legally binding agreement') which is consistent with the practice of the Secretary of State (for example, he accepted the principle of their use in the recent Biogen decision, while refusing permission for the development), as well as a number of Local Planning Authorities.

Policy WCP 6 *revised wording*

*Disposal and recovery capacity will be provided for the volume of waste that will arise from within the Plan area, as well as an apportionment of post-treatment residual waste from London. In order to ensure that any facility permitted receives waste for which it is intended, developers of new strategic facilities will be subject to **planning conditions** ~~restrictions~~ to control the origin of waste that they receive so as to ensure that any facility permitted will meet the needs of the Plan area.*

Waste Core Policies WCP 8: Non-hazardous waste transfer and materials recovery and WCP10: Anaerobic Digestion

The landowner and potential operator of the land at Elstow South has indicated that a reduced area of that site is available for landfilling on non-hazardous waste. This would mean that there would only be void capacity for some 2M tonnes rather than 3M tonnes of non hazardous waste at the site. Their putative proposals include a mechanical biological treatment recovery plant which would manage waste received, prior to the residue being landfilled in the adjacent void. Rather than reconsider the potential use of the Elstow South site in Waste Core Policy WCP2, (i.e. whether it should be a recovery or a landfill site), it is suggested that amendments be made to Policies WCP 8 and WCP 10, such that these kinds of recovery operations could occur on Strategic sites identified for landfilling. This would have the benefit of enabling and promoting what is known as “pre-treatment”, in that waste would be subject to recovery processes prior to being landfilled, and therefore the volume and organic content of waste would be likely to be substantially reduced. This is highly beneficial as it would reduce the volume of waste and make it more innocuous.

Policy WCP 8 *revised wording:*

Proposals for waste transfer and materials recovery operations will be directed towards:

- *A Strategic ~~recovery~~ site set out in WCP 2; or*
- *an existing employment site of similar uses; or*
- *within the area of land and for the duration of an existing planning permission for a waste related use; or*
- *within the area of, and for the duration of an existing planning permission for minerals extraction; or*
- *within areas of despoiled, contaminated or derelict land.*

Proposals for waste transfer/materials recovery operations in locations other than those listed above will only be permitted if it can be demonstrated that:

- *they serve an identified local need which can only be met by existing facilities, and;*
- *no land in the above categories is available, or that use of such land would be contrary to the proximity principle with regard to the anticipated source of waste.*

Policy WCP10 *revised wording:*

Proposals for anaerobic digestion will be permitted:

- *within a Strategic ~~recovery~~ site set out in WCP 2, or*
- *within the area of an existing planning permission for a waste management related use (including sewage treatment works); or*
- *on an existing employment area or similar uses; or*
- *within areas of previously despoiled, contaminated or derelict land; or*
- *on agricultural land.*

Waste Core Policy WCP12: Landfilling of Waste

The policy on the landfilling of waste is to be made shorter, so as to emphasise that disposal to landfill will be considered only as a last resort, and for waste which cannot be managed or managed further by recovery processes. The existing end to the published Policy will be added to the supporting text.

Policy WCP 12 *revised wording:*

Planning permission will only be granted for the landfilling of non-hazardous waste where it can be demonstrated that the provision of landfill capacity is required to meet an identified need which cannot be met by the management of waste higher up the Waste Hierarchy. ~~or there is a need to reprofile an existing landfill site to address safety and /or pollution issues~~

Waste Core Policy WCP 16: Inert waste

Insert 'will not be permitted' as previously omitted. Also add 'processing' to mineral extraction for clarification.

Policy WCP 16 *revised wording:*

Planning permission will be granted for the recycling of inert waste at sites that are either:

- *an existing employment area of similar uses; or*
- *within the area of and for the duration of an existing planning permission for a waste related use; or*
- *within the area of, and for the duration of an existing planning permission for minerals extraction **or processing**; or*

- *within areas of despoiled, contaminated or derelict land.*

*Proposals for the landfilling or other disposal to land of inert wastes **will not be permitted** except where they would contribute to the reclamation of former mineral working voids, or give rise to an environmental benefit.*

Waste Core Policy WCP17: New Waste Management Facilities

Add the words 'where appropriate' before 'New applications will only be granted..'

Policy WCP17 *revised wording:*

*All new waste management development facilities will be required to confirm to the adopted Freight Strategies and Policies for its area in respect of the management of traffic to and from the site. The locations of new waste facilities will only be permitted where they can easily access the designated Road Freight Network of the Councils within the Plan area. **Where appropriate** new applications will only be granted where they are accompanied by legal agreements to ensure that waste traffic follows an agreed route to/from the Designated Road freight Network.*

Minerals

The Vision for Minerals

This has been changed to refer to 'water cycle management ' rather than 'river basin management' to broaden its focus.

revised wording:

*There will be a steady and adequate supply of minerals in the Plan area sufficient to meet the needs of national and regional supply policy, and the local development needs arising from the Sustainable Communities programme. Minerals will be obtained from the most sustainable sources, and extraction sites will be planned, located and operated so as to protect the environment. Over the full life cycle of a mineral extraction operation environmental improvements will be realised, particularly in terms of biodiversity, green infrastructure, outdoor access **and ~~river basin~~ water cycle management.***

Changes to Strategic Objectives for Minerals

Objective 1. – replace 'identify' with 'provide'

Objective 2 – replace the word 'specify' with 'identify'

Objective 7 – add after 'mineral; workings' 'and protect and enhance biodiversity and the green infrastructure , including heritage assets, of the Plan Area', change 'River basin' to 'Water Cycle Management Plans'

These changes are to more closely accord with wording in national and sub-regional guidance and to broaden the focus of the objectives.

Revised wording:

Objective 1 -

To **provide** ~~identify~~ for appropriate reserves for aggregates and specialist (silica) sands in line with national and sub-regional guidelines.

Objective 2.

To **identify** ~~specify~~ strategic sites for the supply of identified mineral needs, and to ensure that these sites represent the most sustainable options.

Objective 7:

To ensure the appropriate restoration and after-use of mineral workings **and protect and enhance biodiversity and the green infrastructure, including heritage assets, of the Plan Area**, taking particular account of the potential to make contributions to the aims of Biodiversity Action Plans, Green Infrastructure Plans, Outdoor Access Improvement Plans, and ~~River basin~~ **Water Cycle** Management Plans.

Minerals Core Policy Policy MCP 2: The Provision of Aggregates

This is to be amended to provide a firmer commitment to providing sufficient reserves of aggregate minerals.

Policy MCP 2 *revised wording*

*The Mineral Planning Authorities will monitor the permitted reserves of aggregate minerals, ~~and endeavour~~ **so as to seek to maintain a landbank sufficient for at least seven years the Mineral Planning Authorities will take appropriate action in order to identify the need, and where appropriate, grant planning permission for the release of additional reserves.***

...

Mineral Core Policy MCP 3: Substitute, Secondary and Recycled Aggregates

The wording is revised to accord with the requirements of the National Planning Policy Framework (NPPF) to additionally refer to substitute and recycled aggregates and to provide safeguarding of sites.:

Policy MCP3 *revised wording*

The Mineral Planning Authority will give priority to the production and supply of substitute/recycled/secondary aggregates to be used in preference to land won aggregates.

All facilities permitted within the Plan Area for the handling, processing and distribution of substitute, recycled and secondary aggregate will be safeguarded and there will be a presumption against any development that could prejudice such facilities.

Existing facilities within the Plan Area benefiting from this safeguarding are listed in the appendix.

Minerals Core Policy MCP4: Safeguarding Concrete Batching, Asphalt and Stone Coating Plants

This is a new policy included to accord with the requirements of the NPPF to safeguard asphalt and stone coating plants:

New Policy MCP4 *wording*

All concrete batching, asphalt and stone coating plants permitted within the Plan area will be safeguarded and there will be a presumption against development that could prejudice the ongoing operation of such facilities.

Existing facilities within the Plan Area benefiting from this safeguarding are listed in the appendix.

Minerals Core Policy MCP5 now MCP 6: Mineral Extraction outside Allocated Sites

An amendment is proposed to add 'and/or benefit' after 'overriding need' to facilitate sites coming forward for extraction, that are not identified as Strategic Sites where there is an identified economic or environmental benefit for this. This would address concerns that have been raised in consultation responses and allow more flexibility.

Policy MCP 6 *revised wording:*

*Mineral extraction outside of the identified Strategic sites will not be permitted unless it can be demonstrated that there is an overriding need **and/or benefit** for an exception to this Policy.*

Minerals Core Policy MCP 9 now MCP 10: Borrow Pits

Minor revisions to text to add clarity and address concerns raised in representations.

Policy MCP10 *revised wording:*

Borrow Pits will be permitted where they substantially meet the following criteria:

- *The site is required to supply minerals to a specific major construction works;*
- *The site is well related geographically to the project it is intended to supply;*
- *The borrow pit will serve the related project only, and will not provide material for the wider market or be retained beyond the life of the project it serves;*
- *The borrow pit will bring about the removal of mineral and/or waste traffic movements from the public highway and/or from passing local communities;*
- *The borrow pit will be restored within a ~~same~~ **similar** timescale as the project to which it relates, and restoration can be achieved to an approved scheme in the event that it is only partly worked;*
- *There would be no importation of **waste** materials other than from the project itself unless required to achieve beneficial restoration as set out in an approved scheme;*

- *There is an overall environmental benefit as a result of the proposal and appropriate mitigation measures will be put in place to minimise any adverse environmental impacts.*

Minerals Core Policy MCP 10 now MCP 11: Climate Change

The wording has been revised by reviewing bullet points 1 and 2 to ensure they relate to mineral sites and moving bullet points 3 – 6 to move the measures for mitigating climate change into the text and using them as examples of what could be done.

Policy MCP11 *revised wording:*

*Minerals Development proposals, including operational practices and restoration proposals must take account of climate change for the lifetime of the development. This will be through measures to reduce greenhouse gas emissions and by measures to adapt to future climate changes. **The proposed measures and the means of monitoring shall be specified.***

Such measures may include:

- ~~Quantifying the reduction in carbon dioxide and relevant greenhouse gases and means of their monitoring and how they will be monitored in the future~~
- ~~Demonstrating how the design, location and transportation related to the development will limit greenhouse gas emissions~~

~~Proposals should also set out how they are resilient to the changing climate and may therefore include:~~

- ~~Incorporation of sustainable drainage schemes to minimise flood impacts~~
- ~~Measures to enhance water efficiency~~
- ~~Measures to adapt to the potential impacts of excess heat and drought~~
- ~~How restoration schemes which will contribute to climate change adaptation will be encouraged (such as flood water storage and biodiversity schemes which create habitats which act as wildlife corridors and living carbon sinks~~

Minerals Core Policy MCP 13 now MCP 14: Surface development within Mineral Safeguarding Areas

The wording has been revised as it is acknowledged that poor quality mineral can have an economic value

Policy MCP14 *revised wording:*

Surface development will only be permitted within a Mineral Safeguarding Area where it has been demonstrated that:

- *The mineral concerned is proven to be of ~~poor quality~~ **no economic value** via the undertaking of the Mineral Resource Assessment; or*
- *The development will not inhibit extraction if required in the future; or*
- *There is an overriding need for the development and prior extraction cannot reasonably be undertaken; or*
- *The mineral can be extracted prior to the development taking place.*

The following classes of surface development are considered to be of a nature unlikely to lead to the long term sterilisation of minerals and therefore MCPs 12 and 13 would not apply:

- *Extensions of existing buildings within their curtilage;*
- *Infilling development except for proposals within 250 metres of an existing permission for mineral extraction/waste disposal;*
- *Minor development (such as walls, gates, accesses);*
- *Individual residential caravans for a period of less than 5 years;*
- *Amendments to previously approved developments;*
- *Applications for Listed Building Consent;*
- *Reserved matters;*
- *Changes of use (except where further built development is proposed).*

Where a development is applied for which is of a form not exempt under this policy and within the area of a designated Mineral Safeguarding Area, then Minerals Core Policy MCP13 will apply.

Please note also that concerning the Mineral Safeguarding Areas which are the subject of Policies MCP 13 and MCP 14 (revised numbering), minor amendments are proposed which will make reduce the extent of the two discrete areas to be safeguarded, at Bromham, (near Bedford), and near Leighton Buzzard. These are shown on the Plans attached to the Minerals and Waste Core Strategy. .

The Focussed Changes are to be reported to Executives and full Councils in the next few months to seek authority for a further consultation to take place in June-July 2012. Following this consultation The Minerals and Waste Core StrategyPlan for Submission, Focussed Changes documents, and their respective sets of representations, will then be submitted to the Secretary of State for Examination.

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Meeting: Executive
Date: 15 May 2012
Subject: **Brewers Hill Road Opportunity Sites Planning and Development Brief**
Report of: **Cllr Nigel Young – Executive Member for Sustainable Communities Strategic Planning and Economic Development**
Summary: The report proposes to seek agreement to the adoption of the Planning and Development Brief as Technical Guidance for Development Management.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Jon Cliff, Head of Economic Development and Physical Regeneration
Public/Exempt: Public
Wards Affected: Northfields, Dunstable
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

1. The vision of the Sustainable Community Strategy is “To ensure Central Bedfordshire is Globally Connected, Delivering Sustainable Growth to ensure a Green Prosperous and Ambitious Place for the Benefit of All”. The Strategy will be delivered through two underpinning key themes of creating the conditions for economic success and community prosperity and raising standards and tackling inequality in order to deliver 26,000 new homes and 27,000 new jobs by 2026.
2. The implementation of the Planning and Development Brief is a fundamental part of the Council’s key priority to ‘manage growth effectively’. Dunstable and Houghton Regis are proposed to grow and the endorsed Core Strategy for Luton and South Bedfordshire plans for further growth. Regeneration of these sites will provide a number of development opportunities including for employment together with enhanced services for this part of Dunstable. Once endorsed, the Planning and Development Brief will form Technical Guidance for Development Management purposes and will form part of the Council’s Development Strategy.

Financial:

3. The preparation of the Planning and Development Brief has been funded from the Government's Growth Area Fund (GAF3). The Brief does not directly commit the Council to expenditure or income streams. However, the Council as a major landowner on a number of the sites is likely to be in a position to take a lead role in the regeneration of this area. Many of the proposals in the Brief will depend on private sector investment and development. The Brief outlines a number of proposals for the use of Council land. The financial implications of the proposed usage has been or will be the subject of Executive reports, for example:

- August 2011 (Incuba Centre project funded predominantly through a European Regional Development Fund Grant); and
- future Executive report for BEaR Project will include a section on the existing highways depot.

Legal:

4. It is a statutory requirement to produce a Development Plan. The planning and development brief cannot be adopted as formal policy at this stage but can be endorsed as Technical Guidance for Development Management purposes. However, it remains the intention to adopt the document as a Supplementary Planning Document (SPD) once Central Bedfordshire Council has adopted its emerging Development Strategy in 2014.

Risk Management:

5. The following risks have been identified:

1. Failure to deliver development objectives/local needs/local requirements.
2. Failure to secure private sector investment.
3. Failure to discharge statutory duties under Section 17 of the Crime and Disorder Act.
4. Failure to deliver sustainable development.

6. The endorsement of the Planning and Development Brief, which sets out a framework for development of these sites together with development objectives and appropriate land uses, will help mitigate these recognised risks. The Planning and Development Brief seeks to guide investment and provide a framework for the evaluation of planning proposals and development as they come forward. This reduces the risk of new development and related improvements failing to meet local needs or requirements. They will therefore provide greater clarity and guidance for those planning new developments, investment and improvements in this part of Dunstable. The identified risks will be managed throughout the development.

Staffing (including Trades Unions):

7. Not Applicable.

Equalities/Human Rights:

8. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination harassment and victimisation and to foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. An equalities impact assessment has been carried out in respect of the proposals outlined in the Planning and Development Brief. The implementation of this brief will have a largely positive effect due to the redevelopment of this part of Dunstable and the opportunities in terms of the employment, further education, training and housing opportunities that this could bring. The accessibility of these services will be beneficial to particular groups.

Public Health:

9. Delivery of this brief can enable better access to open space by the proposed extension to the existing National Cycle Route 6. The proposed cycle route will also improve physical activity by providing greater opportunities for walking and cycling.

Community Safety:

10. Section 17 of the Crime and Disorder Act 1998 places a duty on councils to do all they reasonably can to reduce crime and disorder locally and improve people's quality of life as a result. The duty requires the Council to consider and do all that is reasonable to support the reduction of crime and disorder in our area.
11. The implementation of this planning and development brief, and the subsequent regeneration of these sites, would have a positive impact on community safety by regenerating areas of the town and increasing the opportunities for natural surveillance. The mixed use of development in this area will mean that there are different needs in terms of community safety e.g. those associated with older more vulnerable residents associated with care homes, the needs of the business community and those for residential areas. To meet its statutory duty the Council will need to further consider the community safety implications as applications are received and developments progress.

Sustainability:

12. The Planning and Development Brief promotes the principles of sustainable development. It is proposed that the Incuba Centre project will be built to the BREEAM (Building Research Establishment Environmental Assessment Method) Excellent standard to deliver sustainable development. The brief seeks to improve facilities within this part of Dunstable which is an accessible location and will improve access to services by walking, cycling and public transport by incorporating the extension of the National Cycle Route 6 through the site. Equally, the implementation of the brief will improve employment opportunities within this part of the town and will give more people the opportunity to work locally. The brief will in due course form part of the Council's new Development Strategy which will have sustainable development as its overarching aim and will be subject to a sustainability appraisal.

Procurement:

13. Not applicable.

Overview and Scrutiny:

14. The Sustainable Communities OSC received and considered the development brief at their meeting on 10 April 12. The Committee also received proposed changes to the draft planning and development brief as a result of consultation that have been included in the final version submitted to the Executive. The Committee unanimously supported the proposals and resolved as follows:-

RECOMMENDED to Executive that the Brewers Hill Road Opportunity Sites Planning and Development Brief be endorsed as technical guidance for development management purposes subject to the addition of the schedule of suggested changes as indicated in the consultation report.

RECOMMENDATION:

The Executive is asked to:

1. **to agree to endorse the Planning and Development Brief for the Brewers Hill Road sites in Dunstable as Technical Guidance for Development Management purposes.**

<i>Reason for Recommendation:</i>	<i>To enable regeneration of these sites to provide a range of uses which will create a number of employment opportunities together with enhanced services in this part of Dunstable for current and future residents and businesses.</i>
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Executive Summary

15. The report seeks the endorsement of the planning and development brief as Technical Guidance for Development Management purposes. This will guide and attract regeneration of the sites and will enable the sites to provide a range of improved facilities and employment opportunities for Dunstable.

Purpose of the Planning and Development Briefs

16. The main objective of the planning and development brief is to provide guidance on the land use framework and the future form of development on the sites, to steer and attract comprehensive development and regeneration. The brief is not a blueprint, but instead sets down appropriate uses and guiding principles and policies for redevelopment and retains flexibility so that market led solutions can come forward. The document seeks to secure positive benefits for this part of Dunstable, particularly the creation of employment opportunities and also to mitigate any negative impacts.
17. The planning and development brief cannot be adopted as formal policy at this stage however, it remains the intention to adopt the Brief as a Supplementary Planning Document (SPD) once Central Bedfordshire Council has adopted its emerging Development Strategy.

Background

18. The majority of the sites within the Brewers Hill Road Development Brief area have been vacant and undeveloped for some considerable period of time, despite them being allocated or having planning permission for a range of uses. In August 2010, Atkins Ltd were appointed by the Council to develop a Planning and Development Brief for these sites using Growth Area Funding (GAF).
19. The Brewers Hill Road Brief area which comprises approximately 6 hectares (15 acres) is within the ownership of three separate parties:
 - (a) **Central Bedfordshire Council (3.36 ha / 8.3 acres)** – the former Dunstable fire station site, the existing highways depot and gritter storage compound, and part of the Watling House car park, including the Beach Car Park, and part of the former railway line.
 - (b) **Pedrables (1.14 ha / 2.8 acres)** – vacant land which comprises part of the former Trico site.
 - (c) **National Grid (1.46 ha / 3.6 acres)** – part of the former Dunstable gas works site including the existing operational gas storage facility.
20. Atkins commenced their work with a local stakeholder workshop in September 2010 to present the information obtained from their baseline review undertaken, for verification and discussion. Concepts were produced at this workshop which resulted in two options being developed which, were subsequently presented to a second stakeholder workshop in June 2011. Ward members, land owners, representatives from the Town Council, local businesses and representatives from the local residents association attended these workshops. Following detailed discussions at this second workshop, preferred land uses were considered and agreed to be taken forward as a preferred Land Use Framework Option.

The Draft Planning and Development Brief

21. The brief sets out a Land Use Framework comprising a mixed use development for the area with a strong emphasis on employment generating uses. The brief does recognise and acknowledge the current economic climate and the need to suggest a mix of land uses which are both viable and deliverable. The proposed land use framework suggests the following uses for each specific site:
- (a) **Central Bedfordshire Council Land** - The Former Dunstable Fire Station site will be developed to provide the Incuba Centre, an exemplar business enterprise centre and training and demonstration facility supporting start-up and growing businesses with a particular focus on low carbon technologies and supporting skills relating to this sector.
 - (b) The 'Beach' car park has been allocated for employment purposes, either as a separate building for a sole occupier or a number of smaller units to be used possibly as grow-on space for occupiers of the Incuba Centre once they have become established and require larger premises.
 - (c) The former railway land adjacent to the existing Council's Highways Depot is proposed for car parking. This could provide replacement Council car parking provision lost as a result of the development of the Incuba Centre on the former fire station site.
 - (d) It is also proposed to continue the existing National Cycle Route 6 along the length of the former railway land, through the existing Watling House car park to the A5 close to the position of the original railway bridge, where the cycleway can then link to the Luton-Dunstable Busway where a dedicated cycleway/footpath is to be constructed as part of the Busway project.
 - (e) The Council's Highways Depot could be redeveloped as part of the adjoining Pedrables site (see (g) below), once this is relocated to a new site linked to the proposed BEaR project. Similarly, the adjoining highways gritter compound once relocated, could provide the opportunity as an extension to the Incuba Centre site.
 - (f) **Pedrables Land** – Part of this could be developed as an elderly persons care home with small scale retailing. Discussions have already taken place between the land owner and a care home provider with regard to the redevelopment of this site.
 - (g) Other potential uses for the site include a hotel. Residential development on this site, in the form of retirement/extra care/care home accommodation, would be an acceptable and compatible use adjacent to 'The Edge' residential development. However, it is important to note that traditional employment uses would not be discounted in any event and the Brief has a flexible approach to uses that would be acceptable in this part of Brewers Hill Road.

- (h) **National Grid Land** - The northern most part of the National Grid land has been allocated for housing (46 units) in the South Bedfordshire Local Plan and it remains in the housing supply (as defined in Policy H1(4) of the Local Plan). However, the abnormal costs associated with the development of this site (de-contamination, and removal of the gas storage facility) are likely to render this unviable in the current market. The brief considers that there should be some degree of flexibility in the number of units that could be accommodated on this site however, the design of the development would need to be acceptable to the local community and not create any adverse impacts either on the neighbouring properties or the local highway network. Alternative employment uses could be considered subject to viability, or short term uses such as car parking.
- (i) The southern section of the national Grid land, partly occupied by the existing gas storage facility, could be developed for light industrial employment purposes when the gas storage has been decommissioned.

- 22. Whilst the Brief is flexible in its approach to the proposed uses indicated, any proposed development will need to be of a high quality design and layout and should adhere to the principles provided.
- 23. The viability of the proposed uses is crucial to the delivery of the brief and therefore a number of viability appraisals have been undertaken as part of the development of the document. It is acknowledged in the brief however, that due to the current economic climate, the redevelopment of the individual sites will crucially depend upon occupier demand and commercial viability.
- 24. As the Council is a major landowner within the Brewers Hill Road area, this Planning and Development Brief presents an opportunity for the Council to take a lead role in the regeneration of this area, a large part of which has remained predominantly undeveloped for a considerable number of years.

Statutory Consultation

- 25. The Draft Brief was subject to a 'statutory consultation' process during January and February 2012 which included a staffed public exhibition at the Dunstable Community Fire Station, with the further display of the exhibition material in Dunstable Library until the end of the consultation period. Presentations to the Town Council, the local residents association and the nearby 'Greenacres' elderly persons care home also took place. Statutory consultees were formally consulted as well as local stakeholders and interest groups. A public notice was put in the local paper advertising the consultation process.
- 26. All residential and business properties in the Brewers Hill Road/High Street North vicinity were formally consulted on the proposals by letter, totalling some 250 and consultation questionnaires and information leaflets were made available during the public exhibition and at Dunstable Library and at Watling House. The draft Brief and the exhibition material were also displayed on the Council's website and the consultation questionnaire was available to be completed on-line.

27. In total, 28 questionnaire responses were received during the consultation process and of these, 22% of respondents were below the age of 45; 46% were between the ages of 45 and 64 and 32% of respondents were above the age of 65. The majority (55%) of those who completed the consultation questionnaire were residents of Dunstable with others from Eaton Bray, Houghton Regis, Linslade and Toddington. In addition to the questionnaire responses there were 13 formal written representations submitted as part of the statutory consultation process.
28. There was strong support for the use of the former fire station site for the Incuba Centre and 82% of the respondents agreed with the proposed use of the Beach car park area for employment purposes. The majority (82%) of the respondents agreed with the proposals for a care home facility and small retail store on the former Trico site with broad support (57%) in favour of a hotel. 82% of the respondents agreed with the use of the former gas works site (land currently occupied by the gas storage facility and land to the rear) for employment purposes with a number commenting that such a use could assist in supporting businesses who need to relocate and the creation of more jobs could only be good.
29. There was support for the allocated use of part of the former gas works site for residential however, some of the respondents stated that properties should not comprise high rise apartments but should be standard two-storey houses with gardens and/or a care home or sheltered accommodation.
30. There was strong support for the proposed extension to the existing National Cycle Route 6 cycleway and footpath, with a number of respondents commenting that the extension to the cycleway/footpath to the town centre and Busway was a good idea; that safe cycle ways will be greatly appreciated; will benefit the local and wider community; and provide a link to the countryside.
31. Full analysis of the findings of the statutory consultation process was carried out and the findings together with recommended amendments to the Brief were reported to the Overview & Scrutiny Committee on 10th April 2012.
32. In addition to changes as a result of the comments made by the Overview and Scrutiny Committee, a number of minor text edits, clarifications and corrections have been made to the document. All of these changes have been incorporated within the Final Planning and Development Brief which have been provided to Executive members.

Conclusion and Next Steps

33. The proposals contained within the Planning and Development Brief have been subject to considerable community consultation and engagement with key partners and landowners and all have secured broad support from the community. The regeneration of these sites will provide significant benefits, including employment and training opportunities for the local community of Dunstable and Houghton Regis.
34. It is recommended that the Planning and Development Brief for Brewers Hill Road is endorsed as Technical Guidance for Development Management purposes.

Appendices:

Appendix A – Plan showing the Brewers Hill Road, Dunstable, Planning and Development Brief Study Area

Appendix B – ‘Land Use Framework’ plan for the Brewers Hill Road, Dunstable, Planning and Development Brief

Background Papers: (open to public inspection)

- Brewers Hill Road, Dunstable, Planning and Development Brief
- Brewers Hill Road, Dunstable, Planning and Development Brief Consultation Report
- Brewers Hill Road, Dunstable, Planning and Development Brief Equality Impact Assessment

[Note – Members can view the Brewers Hill Road, Dunstable Development Brief via the following Citrix link P:\Economic Growth and Regeneration\BREWERS HILL ROAD BRIEF]

Location of Papers:

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

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BREWERS HILL ROAD, DUNSTABLE - PLANNING AND DEVELOPMENT BRIEF STUDY AREA



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Figure BH11. Illustrative Land Use Framework

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Meeting: Executive
Date: 15 May 2012
Subject: Passenger Transport Framework Agreement
Report of: Cllr Brian Spurr, Executive Member for Sustainable Communities – Services

Summary: The report proposes to:

- 1) obtain endorsement for the establishment of a Framework Agreement which facilitates the procurement of home-to-school transport, social care transport and supported public local and community transport services; and
- 2) gain delegated powers for the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities - Services, to award contracts called-off from the Framework Agreement on a case-by-case basis.

Advising Officer: Basil Jackson, Assistant Director, Highways and Transport
Contact Officer: Basil Jackson, Assistant Director, Highways and Transport
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The Council wishes to achieve value for money by conducting an efficient and flexible procurement process that allows route contracts to be awarded to operators with a proven price/quality rating whilst retaining the essential element of competition for changing needs.

The proposed Framework Agreement will also seek to ensure that relevant passenger safeguarding measures are enhanced.

Financial:

1. The potential annual value of contracts that could be used in the Framework Agreement is £10-15M (dependant on demand). The Framework Agreement will remain in place for four years (subject to requirement); however, some call-off contracts may extend beyond the duration of the Framework Agreement. The potential total value of contracts to be awarded under the Framework Agreement is £50M.
2. The Framework Agreement will include a pricing mechanism which accommodates short notice and/or urgent small vehicle (hackney carriage/private hire) services and ensures that these services obtain value for money by consolidating and simplifying various current disparate procurement processes for these services.
3. The funding for the call-off contracts is provided for in existing revenue budgets within Children's Services, Adult Social Care and Sustainable Communities.

Legal:

4. The procurement approach being used is compliant with public (EU and domestic) procurement regulations. A two-stage, restricted tendering procedure is being followed (i.e. pre-qualification and tender).

Risk Management:

5. The new Framework Agreement moves Central Bedfordshire Council on from using an authorised list of suppliers in the tendering process, to establishing a structured network of suppliers – pre-assessed as to their delivery capabilities based on value for money and service quality standards.

Staffing (including Trades Unions):

6. Not applicable.

Equalities/Human Rights:

7. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination and to foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
8. The provision of effective and good quality passenger transport is crucial in enabling certain sections of the population to access services and other opportunities. National research has highlighted that women, people from ethnic minority communities, disabled people, older and young people are all more likely to be dependent upon passenger transport services and consideration must be given to personal safety and support needs.

9. The framework is divided into different Lots which allow all types of transport providers to apply. All applicants are assessed to ensure that their equality policies comply with Council standards.

Public Health:

10. Not applicable.

Community Safety:

11. Not applicable.

Sustainability:

12. The proposed approach will ensure provision of passenger transport and reduce the need for use of private cars for the school run. This in turn will avoid congestion, increased air pollution etc that may occur if suitable passenger transport services were not easily available.

Procurement:

13. The process being used to establish the Framework is fully compliant with public procurement regulations.

Overview and Scrutiny:

14. Documentation relating to this matter has been viewed by the Chairman of Sustainable Communities Overview and Scrutiny Committee (SCOSC), who is satisfied that a specific item did not need to be considered by the SCOSC.

RECOMMENDATIONS:

The Executive is asked to:

1. **endorse the establishment of a Framework Agreement , and**
2. **grant delegated powers to the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities (Services), to award contracts called-off from the Framework Agreement on a case-by-case basis.**

Reason for Recommendations: To provide a more flexible and efficient approach to procuring passenger transport services and in order to allow call-off contracts to be awarded within time constraints.

Executive Summary

15. The Passenger Transport Review was set-up as a cross-cutting review of transport provision across the Council. It aimed to achieve efficiencies, improved processes, improved communication as well as capturing savings. Many of the aims and objectives were met last financial year, however a large amount of follow-on actions were made – resulting in Phase two of the review.

16. Passenger Transport Review (PTR) phase one highlighted a requirement for CBC to adopt a new approach to the procurement of transport services.
17. PTR phase two will deliver a Framework Agreement based on industry and sector best practise. In December 2011, a procurement exercise to establish the Framework Agreement was initiated.
18. The procurement process is currently at the tender stage i.e. the Framework Agreement has been advertised, the pre-qualification stage has been completed and suppliers have been invited to tender. The tender submission deadline is 1 May 2012. Estimated timescales for the remainder of the procurement process are set out at item 29-31 below.
19. Approval is sought to establish the new Framework Agreement as the primary methodology for transport procurement used by Central Bedfordshire Council.
20. The process for placing business under a Framework is referred to as a call-off. A number of different call-off processes (which may include tools such as direct award, quick quote or further competition) may be permitted depending on the Lot being used to purchase the service.
21. Delegated powers are sought in order to avoid repeated approaches to Executive for approval (due to the volume of expected call-offs) and to minimise delay in awarding contracts.

Framework Agreement

22. A Framework Agreement (Framework) is an 'umbrella' agreement that sets out terms between the Council and Operators under which individual contracts (call-offs) can be made throughout the duration of the agreement. Acceptance onto the Framework does not make any commitment or guarantee any future orders for Operators.
23. During the life of the Framework Agreement, historical spend suggests that there is likely to be a high volume of call-off contracts, the value of each call-off will differ in value and will need to be awarded within limited timescales.

Passenger Transport Review

24. Passenger Transport Review (PTR) phase one reported in January 2011. A major recommendation was that CBC reviews the transport procurement process to enable better contract management, greater efficiency/value-for-money and to drive up quality.
25. PTR1 reported that the development of a Framework Agreement divided into various Lots (for different categories of transport) reflected industry and sector best practise.
26. PTR phase two continues the review and will deliver the revised procurement process.

Estimated Timescales

- 27. Publication of the Contract Notice: 20/01/12
- 28. Pre-Qualification submission deadline: 23/02/12
- 29. Tender submission deadline: 01/05/12
- 30. Suppliers notified of the award of a place on the Framework: 26/06/12
- 31. First contracts commence: 01/09/12

Appendices:

None

Background Papers:

Documentation relating to the Framework Agreement is commercially sensitive whilst the procurement process is ongoing and therefore is not publicly available at this time.

The tender process does not end until 26th June, but can be viewed on request by contacting Tracey Cook after this date.

Direct Dial: 0300 300 6173

Internal: 76173

Email: tracey.cook@centralbedfordshire.gov.uk

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Meeting: Executive
Date: 15 May 2012
Subject: Empty Homes Strategy Review of Performance
Report of: Cllr Carole Hegley, Executive Member for Social Care Health and Housing
Summary: The report proposes that Executive review and note performance in tackling empty homes in Central Bedfordshire and approve the commencement of high level enforcement action for high priority empty homes.

Advising Officer: Julie Ogle, Director of Social Care Health and Housing
Contact Officer: Nick Costin, Head of Private Sector Housing
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The report supports the Council Priorities;

- Supporting and caring for an ageing population
- Managing growth effectively
- Creating safer communities

Financial:

1. The capital programme includes a budget of £160K net for 2012/13. The business model for Empty Dwelling Management Orders (EDMO's) includes repayment of the capital renovation costs through rent collected during the lifetime of the EDMO (maximum 7 years). Genesis Housing Association will invest £20K per property under the current framework agreement, which is also recoverable through rent collected. The Council received notification on 5 March 2012 that a bid for £200K Government empty homes funding was successful. This funding will be used primarily for non enforcement solutions.

2. The harmonisation of Council tax policy for empty homes in April 2011 increased the potential for increased Council Tax income from empty home owners in the north of Central Bedfordshire. The anticipated increase in income is £432K.

Legal:

3. All high level enforcement action in respect of empty homes is undertaken with close liaison with Legal and Democratic Services.

Risk Management:

4. The following risks have been identified:
 - Risk of failing to Deliver Council Priorities.
 - Reputational risk, arising from dissatisfaction from the neighbouring residents of these properties.
 - Risk of challenge to Council by property owners.
 - Partnership risks resulting from the development of the partnership with Genesis Housing Association.
 - Risk of non delivery of the programme as a result of time needed to progress applications for enforcement action.
 - Financial risks arising from the programme slipping.
 - Failure to discharge statutory responsibilities.
5. These risks are minimised through joint working between Housing Services and Legal and Democratic Services, and through the learning from current experiences.
6. All potential risks associated with developing the partnership with Genesis Housing Association are being minimised through joint work on the current pilot properties agreed by Executive in September 2009.

Staffing (including Trades Unions):

7. Not Applicable.

Equalities/Human Rights:

8. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
9. The empty homes strategy is designed to help meet the needs of people needing accommodation in Central Bedfordshire. It is designed to increase availability of housing resources that are currently wasted through being empty and to tackle those homes that are blighting neighbourhoods as a priority. An equality impact assessment has been undertaken as part of the development of the strategy and has found that there is no current evidence that vulnerable groups are more likely to be affected by problem empty homes.

10. Much of the proposed enforcement activity is set out in statute. All Officers are trained to ensure compliance with the law and to recognise the different needs of communities and apply the law in a fair and consistent manner.
11. Bringing problematic empty homes back into use should have a positive impact for all members of the community.

Public Health:

12. Empty properties can be a source of distress to neighbours for fear of crime and problems associated with poor structural condition of neighbouring empty homes, particularly those who are older or vulnerable.

Community Safety:

13. The Council has a statutory duty to do all that it reasonably can to reduce crime and disorder in its area Empty properties are often a source of criminal or unsociable behaviour when they are visibly un-occupied, including the dumping of refuse, attempts to break in and cause damage, thefts etc. Consequently, the proposals of this report will progress action to bring these properties back into occupation and consequently improve community safety.

Sustainability:

14. Returning empty properties back into use has been shown to be a more sustainable approach to meeting housing need than new build housing, even where remedial works are required. It will also enhance the immediate residential environment and good management will help ensure that the initial improvements are maintained. Any improvements required will normally include energy efficiency works, resulting in a more affordable home for prospective tenants.

Procurement:

15. The current partnership agreement with Genesis Housing Association enables the Council to use the contractors who have successfully obtained the contract with Genesis. These contractors are currently being tested on the current EDMO properties. Market testing in December 2011 failed to identify any further Housing Associations willing to provide the Council with the same services as Genesis.

Overview and Scrutiny:

16. This matter was considered by Social Care, Health and Housing Overview and Scrutiny Committee on 12 April 2012, who noted the achievements obtained to date and noted the recommendations to present further empty homes for enforcement action to Executive.

RECOMMENDATIONS:

The Executive is asked to:

- 1. note the achievements obtained to date in respect of empty homes since April 2009, including the additional revenue the Council is likely to receive;**
- 2. approve the commencement of further high level enforcement action in respect of the properties identified in Appendix B; and**
- 3. consider the issue of empty public buildings and the approach that the Council should take in influencing partners to address the issues concerned.**

<i>Reason for Recommendations:</i>	<i>To enable the Council to progress further high level enforcement action in respect of the highest priority empty homes that are blighting neighbourhoods.</i>
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Executive Summary

17. Central Bedfordshire Council Empty Homes strategy was approved by Executive in November 2010. Prior to this, in September 2009, Executive agreed to progress high level enforcement action in respect of 5 long term empty homes. This report includes a summary of progress on those 5 homes.
18. The Housing service pro-actively targets long term and problematic empty homes, which are prioritised against certain criteria. From this, a priority list of properties is established, with a view to obtaining approval for further high level enforcement action.
19. The number of empty homes in Central Bedfordshire has fallen since 2009 but at April 2011 there were still approximately 2,000 empty homes, of which 1,000 were empty for 6 months or more.
20. The Council have been successful in an application for Government funding to tackle empty homes. This funding (£200K) is intended to bring a further 24 homes back into use between 2012 and 2015 and will complement the recommended high level enforcement action.
21. A report was presented to Overview and Scrutiny Committee on 12 April 2012. the achievements and details of properties being recommended to Executive for further high level enforcement action were noted.

BACKGROUND INFORMATION

22. Central Bedfordshire Council Empty Homes strategy was approved by Executive in November 2010. Prior to this, in September 2009, Executive agreed to progress high level enforcement action in respect of 5 long term empty homes. The final and most problematic application for Empty Dwelling Management Order (EDMO) was made in March 12

23. Empty Homes are a potential resource and have to be considered in the wider housing agenda, particularly around the potential use of private rented accommodation in discharging homelessness duty. Returning empty homes into occupation can help improve access to good quality accommodation and can help meet housing need.
24. The Private Sector Housing (PSH) service pro-actively targets long term and problematic empty homes, which are prioritised against certain criteria. From this, a priority list of properties is established, with a view to obtaining approval for further EDMO or other high level enforcement action.
25. Empty public buildings can also have a negative impact on the neighbouring community and may attract unwanted attention as well as being a wasted resource. Whilst Housing Act powers are not appropriate for non residential properties, the Council may consider use of non housing legislation where informal negotiation property owners/partners fails to progress the return of public buildings back into use.

REVIEW OF PERFORMANCE AND OUTCOMES

26. Empty homes (total and long term) in Central Bedfordshire have reduced since April 2009. The Council contacted owners of all properties empty for more than 1 year since November 2010 but more frequently contact owners of properties empty for 5 years or more, or those that have been the cause of complaint (Priority register). Appendix A indicates the number of empty homes in recent years. This represents approximately 1.95% of all homes in Central Bedfordshire.
27. PSH measures activity and number of long term empty homes returned to occupation within the performance management framework. In 2010/11, 20 long term empty homes were returned to occupation. In 2011/12, 23 long term empty properties have been returned to occupation.
28. The numbers of homes returned to occupation represents approximately 10% of the priority register each year and should be welcomed. There is no current benchmarking of this performance but it is proposed to initiate benchmarking within the Bedfordshire, Hertfordshire and Buckinghamshire Empty Homes Forum within the next 6 months (after April 2012 statistics are obtained). Potentially this could be extended to CIPFA family local authorities.
29. Executive previously agreed to the harmonisation of Council Tax discount policy for empty homes. This was implemented in April 2011. The Head of Revenues and Benefits states that the Council have raised additional charges of approximately £432K and that the Council normally receive more than 99% of Council Tax charges.
30. The Council have recently been successful in a bid for £200K Government empty homes funding. This funding will be used primarily for non enforcement solutions. The target is to return 24 empty homes back into use between 2012 and 2015, primarily as part of a leasing scheme with Genesis homes, which will help deliver good quality rented accommodation at affordable rents.

REVIEW OF EMPTY DWELLING MANAGEMENT ORDER ACTION

31. Executive approved the progression of action on 5 identified long term empty homes in the south of the area. The current situation is stated below for each property:
- (a) Totterhoe (Dunstable) – the owner died suddenly and the property was sold, renovated and re-occupied in late 2010.
 - (b) Hockliffe Road, Leighton Buzzard – Final EDMO's were approved and works began in partnership with Genesis Housing Association in January 2012. The solicitor acting as Executors have been co-operative and these properties have been a good first test of the EDMO process.
 - (c) Houghton Regis – an application for EDMO was made. The owner objected but at the same time the property became illegally occupied, which negated the ability to determine the EDMO (a squatted property is exempt).
 - (d) Caddington. This is the most problematic and costly. Significant evidence has now been obtained and an EDMO application was made in March 2012. If the EDMO application is unsuccessful, the Council can consider the use of Compulsory Purchase powers.
32. Lessons have been learned about the EDMO application, which is a lengthy process, and requires long lead in time. The application the Caddington property will be challenged, which will provide further learning for future applications, most of which will be challenged.
33. The Council is also testing the partnership agreement with Genesis housing association. This will help determine arrangements for future EDMO properties. In September 2009, Executive agreed to the partnership with Genesis (formally known as Pathmeads) on the basis of testing the partnership with the five properties above. Market testing in December 2011 failed to identify any further Housing Associations willing to provide the Council with the same services as Genesis.

PROPOSALS FOR FUTHER ENFORCEMENT ACTION

34. Empty homes on the priority register have been assessed and “scored” against certain criteria to provide a “top ten” for further action. The criteria mainly relate to the effect of the property on the neighbouring community, but also the length of time empty and the property condition. A detailed list of criteria and the top 10 scored properties against these criteria are contained in Appendix B, which also provides the 6 recommended properties for EDMO (or high level enforcement action).
35. A summary of the properties and some photo's are contained in Appendix C. This outlines that some of these high priority properties are not suitable/appropriate for higher level enforcement action but indicate the range of issues facing the Council.

36. The capital programme business plan includes a budget of £160K net for 2012/13. This will be used towards renovation costs of successful EDMO/CPO cases. The business model for EDMO's includes repayment of the capital renovation costs through rent collected during the lifetime of the EDMO lease (maximum 7 years). In addition, Genesis housing association will provide £20K per property under the current framework agreement.
37. A briefing note on the non enforcement, Government funded scheme for 2012/15 is attached as Appendix D. This scheme will be separate and additional to the proposed enforcement action.

Recommended Next Steps

38. It is recommended that the Council initiate high level enforcement action in respect of the properties identified in Appendix B below.

Appendices:

Appendix A – Number of empty homes Central Bedfordshire

Appendix B – Scoring criteria and “top ten” priority empty homes for action

Appendix C – Summary of top ten empty homes current situation

Appendix D – Briefing Note – Empty Homes Government Funding

Background papers and their location: (open to public inspection)

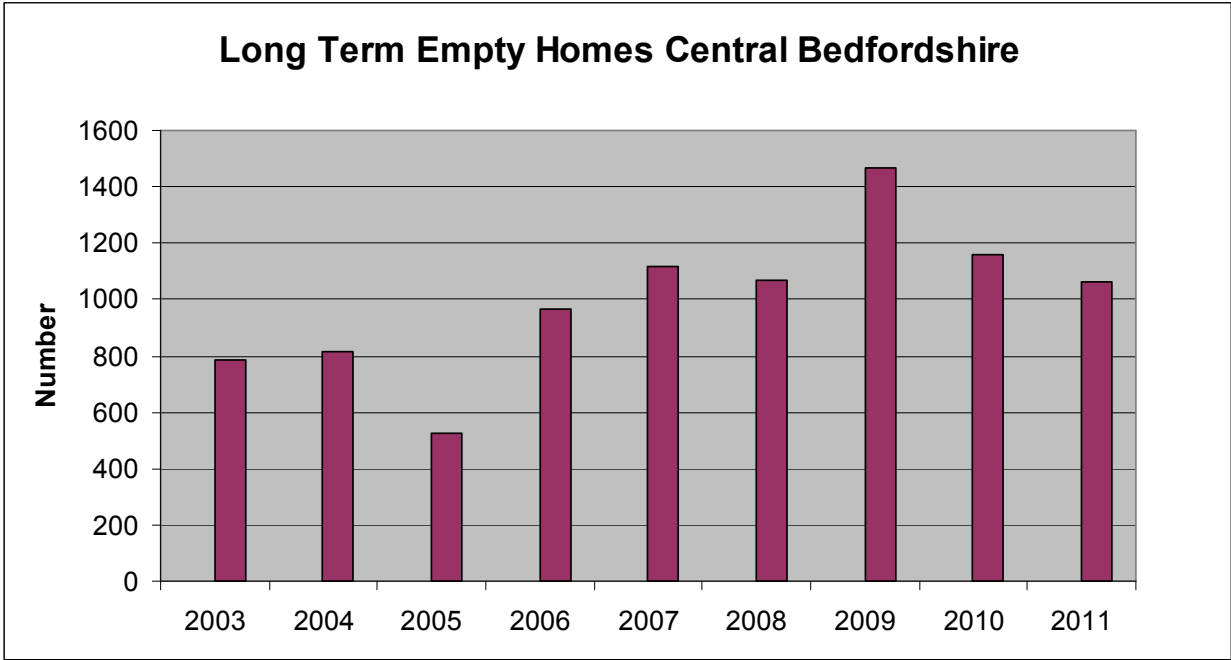
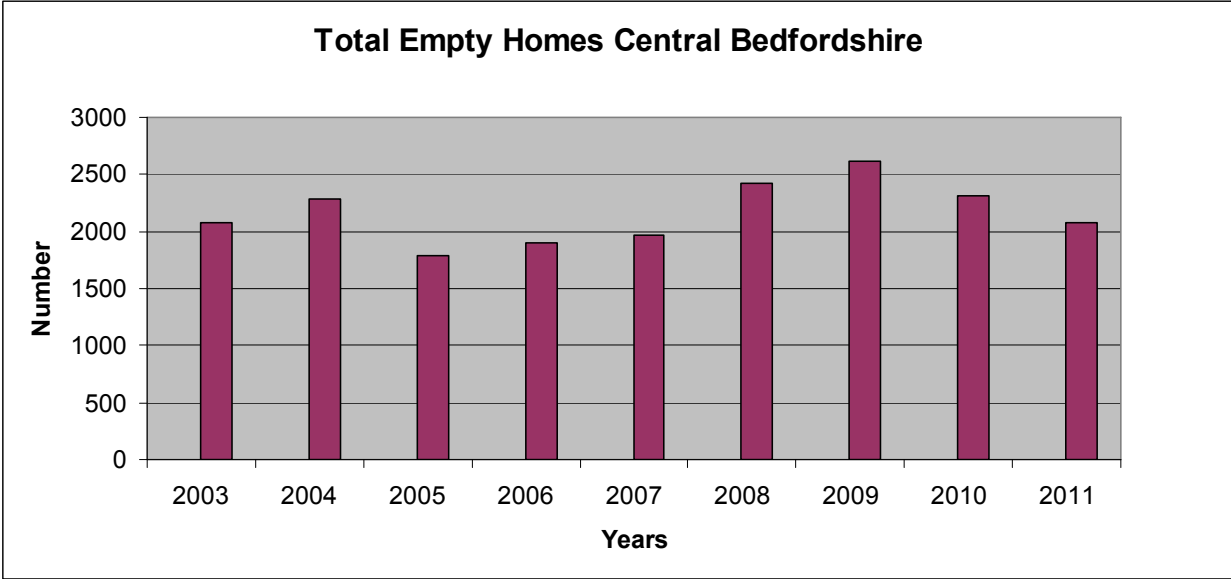
Empty Homes strategy 2010 – 15 (on Website)

Empty Homes strategy equalities impact assessment (Watling House)

Executive report 2 November 2010

Executive Report September 2009

Appendix A - Total Number of Empty homes



Appendix B Scoring criteria and “top ten” priority empty homes for action

Empty homes criteria for assessment

- a) length of time property has been empty
- b) Number of complaints received about the property
- c) Level of impact upon the surrounding neighbourhood
- d) State of disrepair to the property
- e) Likelihood of attracting environmental/anti social behavioural problems
- f) Local housing demand (confirmed with Housing Needs team)
- g) Potential to improve immediate area if brought back into use

Top ten scoring properties against above criteria

Property A, Houghton Regis – score 20
Property B, Potton – score 17
Property C, Shefford – score 16
Property D, Great Northern Road, Dunstable – score 16
Property E, Houghton Regis – score 16
Property F, Dunstable – score 16
Property G, Maulden – score 16
Property H, Dunstable – score 15
Property I, Cranfield (2 together) – score 15
Property J, Shillington – score 14

For reasons given below in appendix C, the following properties only are recommended for high level enforcement action (EDMO, CPO or Enforced sale) and will be presented as such.

Property A, Houghton Regis
Property B, Potton
Potentially Property C, Shefford
Property E, Houghton Regis
Potentially Property F, Dunstable
Property G, Maulden
Potentially Property J, Shillington

Appendix C – summary of top ten empty homes current situation

Property A Houghton Regis



Property has been empty since at least 2004.

The condition of the property has significant negative impact on the immediate neighbourhood and is the subject of numerous complaints

The owner is abroad, last known address was in Cyprus now possibly in France in France.

Property in poor condition and has been subject of arson, vandalism and fly tipping

There are outstanding costs for environmental works undertaken by the Council of £3,695

Property B, Potton



This is a three bedroom end of terrace property situated in Potton.
It has been empty for 15 years.
The Council has received numerous complaints.
It is in a poor state of repair externally

Property C, Shefford.



The property is in poor state of repair and has been empty for more than 5 years.
It attracts rubbish and several complaints have been received
It was part of a failed planning app (part of a larger scheme)
Officers are currently trying to progress an Empty Homes Loan with owner, however it has been put on hold recently due to his ill health

Property D, Dunstable



This is a large ex bed and breakfast property, which became empty following a fire in 2007/2008

The property is semi derelict and is subject to anti social behaviour

The owner has been very ill and out of the country for several years

It is currently for sale and the extent of work required to what was a commercial property makes it unsuitable for EDMO action. However, other possible options need to be explored, such as possible CPO or development of a scheme with a Housing Association, due to its size.

Property E, Houghton Regis



Property empty since at least 2005

The owner is thought to be in residential care but her location is not known

The condition is deteriorating and likely to attract anti social behaviour and fly tipping as it worsens.

Property F, Dunstable



Property is in a block of four, two of which are empty.

This property is currently in probate.

Property G, Malden



Property is poor condition and attracting vandalism and refuse
Empty over 5 years
Owner not absent and occasionally still checks property
EDMO potentially suitable

Property H, Dunstable



Detached property

Garden is overgrown and is badly neglected.

Complaints received in the past, but not recently.

Property is part of a local redevelopment plan although no progress since June 2010.

This may make it unsuitable for EDMO or CPO action unless further period of inaction.

Property I, Cranfield (2 together)



Cranfield University owned properties. They are derelict and have been empty for more than 10 years

No complaints but they are very visible from the road

The University has recently secured LDF residential redevelopment for the site containing these 2 properties and is in the process of drawing up a scheme for planning permission. **For this reason the properties are not appropriate for EDMO action.**

Property J. Shillington



Empty for at least 15 years

Derelict but under a conservation order/grading

Currently second attempt to get planning permission for larger homes on site incorporating the structure

No complaints received

Due to its condition, not suitable for EDMO but possibly CPO if no progress with planning application

Appendix D - Briefing Note - Empty Homes Government Funding

Introduction

Tackling empty homes is one of the Coalition Government's policy priorities. As part of the Comprehensive Spending Review in October 2010, the Government announced a £100m fund to bring more empty homes back into use. Central Bedfordshire Council submitted a bid for £200,000 and on 2 March 2012 the Home Communities Agency confirmed they would like to enter into a contract with Central Bedfordshire Council for the full amount.

Empty Homes Funding scheme

The funding will be used towards bringing 20 empty homes back into occupation using a Lease & Repair Scheme. The Council will offer long-term empty property owners £8,000 per unit/property to be used for repair and refurbishment for a 10 year lease and the Council, on average, expects to contribute the same towards cost of works for refurbishment in the form of Empty Homes Loan Assistance. For 5 year leases, the proposal is for £6,000 per unit.

Central Bedfordshire Council has a partnership agreement with Genesis Housing Association, primarily to use their management services, where required. Several other Housing Associations were approached to test the market in this area of work but we were unable to find an alternative association will to be associated with the bid. The Council has an enabling role to bring together owners and Genesis.

Some of the funding will also be used towards the purchase and conversion of 2 non-residential empty units, which were previously used by Children's Services. Both properties are located in residential areas, and were previously used as office accommodation. The proposal is for Housing Services to acquire and refurbish them into a total of 4 self contained flats, two 2 bed and two 3 bed accommodation. £60,000 of the funding is allocated for this proposal, which equates to £15,000 per unit created.

Meeting Local Needs

The aim of the Empty Homes funding is to bring long-term empty homes back into use in the areas where properties are most in need. In 2009 Central Bedfordshire had approximately 500 households on its waiting list. By January 2012 this number has increased to 2,039.

The areas identified with the largest concentration of long-term empty properties, and a high number of bids on the last 'choice based lettings' cycle are Leighton Buzzard, Dunstable and Biggleswade. Houghton Regis was also included due to the Needs Assessment identifying a large number of applications for this area, and its proximity to Dunstable.

Summary of approach

Longer term empties can blight neighborhoods; they attract anti-social activities and can decrease the value of neighboring properties. The main priority is to tackle those that have been empty for 5 years or longer and currently 2 properties in Leighton Buzzard are being refurbished under final Empty Dwelling Management Orders (EDMO's). A third application for EDMO is currently being made. A further 6 properties have been

identified for priority action and possible EDMO applications in 2012 (report being presented to Overview and Scrutiny Members in April 2012).

With the Government funding the Council will look at 'intermediate' properties, those which are not dilapidated but require works in order to bring back into residential use. In the four areas proposed, the average length of time empty is 3 years and 6 months, so it is likely that a number of properties will meet the "intermediate" definition. The Government funded scheme will compliment the enforcement activity.

The Council will use Council Tax data and local knowledge from our Planning colleagues to identify properties and then more specifically identify 2 and 3 bed properties which are those most desired by Housing applicants within the 'Choice Based Lettings Scheme'.

Owners of empty homes will be contacted and advised about the potential funding available under the Empty Homes programme. The Council would undertake initial inspections, loan assistance applications, and refer to Genesis for Lease negotiations.

There will be 100% nomination rights for Central Bedfordshire Council.

The "deal" for empty home owners is that there is opportunity to completely renovate their properties at no capital cost to owners, in return to agreeing a 5 or 10 year lease with Genesis Housing Association. There may be a small rental income in circumstances where Genesis management costs are exceeded by rental income, which is to be set at Affordable Rent levels (up to 80% of market rent).

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Meeting: Executive
Date: 15 May 2012
Subject: Capital Expenditure Slippage from 2011/12 to 2012/13
Report of: Cllr Maurice Jones, Deputy Leader and Executive Member for Corporate Resources

Summary: The report proposes the level of capital expenditure to be carried forward to 2012/13 on schemes included in the 2011/12 Capital Programme, which was approved in November 2011.

Advising Officer: Charles Warboys, S151 Officer
Contact Officer: John Hays, Head of Financial Control
Public/Exempt: Public
Wards Affected: All
Function of: Council
Key Decision No

CORPORATE IMPLICATIONS

Council Priorities:

The schemes included in the proposed capital slippage cover all of the Council's service areas and support delivery of all of the Council's priorities.

Financial:

1. This report quantifies the financial underspend on the 2011/12 capital programme and proposes that it be carried forward to the 2012/13 financial year. There are significant financial impacts, particularly in the areas of budgeting, MRP and cash management arising from this proposal.
2. The financial implication of not allowing slippage on some or all of the uncompleted capital schemes is that significant amounts of expenditure currently accounted for as capital would have to be re-designated as revenue expenditure. This would materially change the 2011/12 financial outturn and delay the presentation of the draft accounts to the external auditors.

Legal:

3. There are contractual commitments involved in some of the schemes included in the overall slippage, which would need to be met if authorisation to slip the expenditure were not given.

Risk Management:

4. Some of the schemes included in the overall slippage involve the mitigation of existing or potential risks across the range of Council activities, which would not be achieved if authorisation to slip the expenditure were not given.
5. The following key risks have been identified:
 - a) failure to deliver the council's priorities;
 - b) financial risks, including a significant impact on the 2011/12 revenue outturn;
 - c) failure to discharge contractual commitments;
 - d) failure to maintain delivery of statutory services;
 - e) reputational risks associated with the above; and
 - f) failure to complete schemes in progress.

Staffing (including Trades Unions):

6. Not applicable.

Equalities/Human Rights:

7. All of the schemes included in the overall slippage received approval from the Executive on 15 November 2011. At this stage all Equalities/Human Rights issues were considered.

Public Health:

8. A number of the schemes facilitate the enhancement of public health and wellbeing, including Disabled Facilities Grant expenditure, contributing to the improvement of NHS provision and improving the sheltered housing stock.

Community Safety:

9. The Council has a statutory duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to reduce crime and disorder in exercising the functions of the Council. By ensuring that key capital projects contributing to the reduction of crime and disorder in our area are completed, the Council will fulfil its statutory duties.

Sustainability:

10. Not applicable.

Procurement:

11. Not applicable.

Overview and Scrutiny:

12. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to:

- 1. consider and comment on the proposal to transfer capital expenditure between the two financial years; and**
- 2. recommend that Council approves the proposal to transfer capital expenditure from 2011/12 to 2012/13.**

Reason for Recommendation(s): So that the proposal can be submitted to Council at the earliest possible opportunity in June, by which time the final figure will be available.

Executive Summary

13. Anticipated expenditure on a number of schemes included in the capital programme approved by the Executive on 15 November 2011 has not been spent as anticipated within the financial year.
14. The current estimate of the net underspend on capital expenditure in 2011/12 is £10.3m, based on the February forecast. The final figure for the year will not be available until the end of May, and this will then be subject to audit.
15. It is proposed that the unspent element of budgeted capital expenditure on the schemes approved in November is carried forward to the 2012/13 financial year to allow these schemes to be completed.

Introduction

16. A number of schemes included in the capital programme approved by the Executive on 15/11/2011 have either not been completed as anticipated within the financial year or were scheduled to run across financial years but the expenditure in 2011/12 differed from the approved budget.
17. The latest estimate of the net underspend on capital expenditure in 2011/12 is £10.3m, based on the February forecast. The final figure for the year will not be available until the end of May. This will then be subject to audit, although it is not anticipated that there will be any significant changes arising from the audit process.

Capital Position

18. There are 44 capital schemes which are fully or partially funded by Central Bedfordshire Council (CBC) where expenditure is proposed to slip into 2012/13. The total slippage on these projects is gross expenditure of £16.6m, of which the net CBC contribution is £10.3m. A summary position by Directorate and Service Area is shown in table A below. The detailed position by scheme is attached at Appendix A.

19. Table A: Capital Schemes Fully or Partially Funded by CBC

	Activity 2011/12 (Gross)				Slippage to 2012/13		
	Capital Programme (15/11/11)	2011/12 Forecast	Variance	CBC (Under) / Over Spend	Gross	External funding	CBC Funding
Directorate	£000	£000	£000	£000	£000	£000	£000
SCHH	4,745	3,430	1,315	0	1,363	679	684
Children's Services	19,408	14,551	4,857	0	4,857	4,857	0
Sus Comms	14,774	8,494	6,280	36	6,316	617	5,699
Resources	5,857	1,863	3,994	0	3,994	132	3,862
People	505	417	88	0	88	0	88
Corporate	0	0	0	0	0	0	0
TOTAL	45,622	29,345	16,277	36	16,618	6,285	10,333

20. The gross slippage in Social Care, Health and Housing reflects a level of ring-fenced Disabled Facilities Grants funding from Department for Communities and Local Government increased since the November 2011 approval, and decreased external funding on two other schemes.
21. The gross slippage in Sustainable Communities reflects additional expenditure on the Dunstable Town Centre Regeneration scheme, authorised since the November 2011 approval, and a change in the residual commitments on the completed Playbuilder scheme.
22. There are 9 capital schemes which are fully funded by External Contributions where expenditure is proposed to slip into 2012/13. The gross slippage on these projects is £3.9m; CBC has contributed £156k to one of these projects in advance of receipt of external funding. A summary position by directorate and Service Area is shown in table B below. The detailed position by scheme is attached at Appendix B.

23. Table B: Capital Schemes Fully Funded by External Contributions

	Activity 2011/12 (Gross)				Slippage to 2012/13		
	Capital Programme (15/11/11)	2011/12 Forecast	Variance	CBC (Under) / Over Spend	Gross	External funding	CBC Funding
Directorate	£000	£000	£000	£000	£000	£000	£000
SCHH	4,730	2,431	2,299	0	2,299	2,299	0
Children's Services	917	84	833	0	833	833	0
Sus Comms	744	102	642	0	642	798	(156)
Resources	0	0	0	0	0	0	0
People	0	0	0	0	0	0	0
Corporate	86	130	(44)	0	126	126	0
TOTAL	6,477	2,747	3,730	0	3,900	4,056	(156)

24. £156k of expenditure on a strategic transport infrastructure project has been contributed by CBC prior to the receipt of external funding. As the funding is Growth Area Funding, claims are submitted in arrears after the calendar quarter.

Background Information

25. There are a number of factors which have contributed to the slippage on capital schemes, including:
- a) delays in spend pending a comprehensive review of the capital programme in November 2011;
 - b) dependencies on third parties in approving grant and other applications;
 - c) extended consultation activity;
 - d) legal issues; and
 - e) extended procurement and tendering activity.
26. All of the schemes included in this report are included in the approved Capital Programme and work on most of them is in progress. To enable existing activity to continue and the schemes to be completed, it is proposed that the unspent £10.3m element of the capital budget is slipped to the new financial year.
27. If slippage of this Capital expenditure is not approved most of the £9.9m CBC expenditure already incurred on the uncompleted schemes could be unrecoverable and would be reclassified as Revenue expenditure.
28. Proposals are being developed to ensure rigorous monitoring of capital expenditure in 2012/13 that will lead to improved forecasting and early identification of potential slippage. This will enable consideration to be given to bringing forward other schemes within the capital programme to maintain the overall level of capital expenditure.

Appendices:

Appendix A – Capital Schemes Fully or Partially Funded by CBC

Appendix B – Capital Schemes Fully Funded by External Contributions

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Capital expenditure slippage from 2011/12 to 2012/13

Appendix A - Capital Schemes Fully or Partially Funded by CBC

Title and Description of the Scheme	Revised Capital Programme- Approved by Executive 15th November 2011			Full Year Forecast			Full Year Variance			Over / under spend			Slippage after the Capital Programme Review to 2012/13		
	Gross Expenditure	External Funding	Net Expenditure	Gross Expenditure	External Funding	Net Expenditure	Gross Expenditure	External Funding	Net Expenditure	Gross Expenditure	External Funding	Net Expenditure	Gross Expenditure	External Funding	Net Expenditure
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Disabled Facilities Grants Scheme The project is the provision of mandatory Disabled Facilities Grants (DFG's) funding, to adapt homes of people with disabilities to meet their specific needs.	3,370	(588)	2,782	3,200	(700)	2,500	(170)	(112)	(282)			0	(282)		(282)
Renewal Assistance The project is the provision of grant or loan assistance in accordance with Central Bedfordshire Council's Private Sector Housing Renewal Policy, to help the most vulnerable people in the area to repair or improve their homes to make them safe, warm and healthy.	244	(44)	200	150	(20)	130	(94)	24	(70)			0	(70)		(70)
Timberlands and Chiltem View Gypsy and Traveller Sites Timberlands is in poor condition; there are public health issues and refurbishment is long overdue resulting in tensions relating to site management. Grant has been secured for 75% of proposed costs.	931	(699)	232	30	(20)	10	(901)	679	(222)			0	(901)	679	(222)
Empty Homes The project is the provision of funding to undertake capital works to long term empty properties that are subject to enforcement action by the Council. The enforcement action would be compulsory purchase or empty dwelling management orders.	200	(40)	160	50	0	50	(150)	40	(110)			0	(110)		(110)
Total Social Care, Health and Housing:	4,745	(1,371)	3,374	3,430	(740)	2,690	(1,315)	631	(684)	0	0	0	(1,363)	679	(684)
Schools Capital Maintenance (Formerly New Deal for Schools Modernisation) Modernisation funding is currently the only funding available to address the highest priority Repair and Maintenance needs across the schools estate. It would also be expected to be used to address the highest priority.	7,804	(6,983)	811	5530	-4719	811	(2,274)	2,274	0			0	(2,274)	2,274	0
All Saints Academy The project includes the rebuild and refurbishment of buildings previously comprising of the former Nonfields Technology College, now All Saints' Academy, Dunstable, as part of the previous Government's Academy programme.	11,604	(11,456)	148	9,021	(8,873)	148	(2,583)	2,583	0			0	(2,583)	2,583	0
Total Children's Families and Learning-Schools	19,408	(18,449)	959	14,551	(13,592)	959	(4,857)	4,857	0	0	0	0	(4,857)	4,857	0

Cemeteries Grant to Town & Parish Councils Two applications received: Flitwick Town Council and Westoning Parish Council.	50	0	50	2	(48)	0	(48)	0	(48)		0	(48)		(48)
General Leisure Enhancement Contingency	100	0	100	20	(80)	0	(80)	0	(80)		0	(80)		(80)
Playbuilder Refurbishment of play areas - outstanding commitments only.	75	0	75	(11)	(86)	0	(86)	-11	(75)		(11)	(75)		(75)
Swiss Garden Heritage Lottery Fund Project To restore and develop Swiss Garden, a Regency Garden linked to the Shuttleworth Collection. Proposal funded by Heritage Lottery Fund.	389	(289)	100	100	(289)	289	0				0	(289)	289	0
Development Proposal Flitwick Town Centre Acquisition of land to enable redevelopment of town centre and procurement of a development partner.	3,411	(3,398)	13	3,284	(127)	119	(8)				0	(127)	119	(8)
Flitwick Land Purchase Further land assembly for the Town Centre Regeneration Scheme.	1,850	0	1,850	1,375	(475)	0	(475)				0	(475)		(475)
Dunstable Town Centre Regeneration Phase 1 The project will provide a land assembly solution which will greatly assist in the delivery of the Dunstable Town Centre Masterplan.	1,500	0	1,500	47	(1,453)	0	(1,453)	47			47	(1,500)		(1,500)
Dunstable Town Centre Regeneration Phase 2 The project will see the purchase of nine properties that will assist with the delivery of the Town Centre Masterplan.	700	0	700		(700)	0	(700)				0	(700)		(700)
Stratton Business Park Phase 4 Deliver 50,000 square meters of office and warehouse space. Facilitate creation of 1,067 jobs. Offsite drainage works, improved signage and other site improvements.	102	0	102	32	(70)	0	(70)				0	(70)		(70)
Fleet replacement programming Ensures that vehicles required to support services to the community are safe and reliable and that expenditure for maintenance is kept to a minimum.	435	0	435	86	(349)	0	(349)				0	(349)		(349)
Highways Integrated Schemes (R) The draft Local Transport Plan 3 sets out a programme of improvement works such as 'shared space' road layouts to deliver the Council's priorities for managing growth, reducing congestion, creating safer communities and promoting healthier lifestyles. Government grant is available to almost cover the entire cost of this programme.	1,474	(1,464)	10	1,265	(209)	209	0				0	(209)	209	0
Highways Structural Maintenance Additional Expenditure Schemes brought forward to 2011/12 from 2012/13 as agreed by Council November 2011.	3,000	0	3,000	1,500	(1,500)	0	(1,500)				0	(1,500)		(1,500)

<u>Integrated Transport Unit ICT System</u> Implement over multiple phases a passenger data and route management performance system. This will replace legacy databases created in different applications that are not linked and replicates data entry. The multiple phases is to increase automation and interfaces with other CBC systems progressively.	65	0	65	0	0	(65)	0	(65)	0	(65)	0	(65)	0	(65)	(65)
<u>Luton Dunsiable Busway</u> Dunstable Town Centre Bus Loop - Court Drive Strategic Infrastructure Projects <u>Outdoor Access and Greenspace</u> <u>Improvement Projects</u> To improve and enhance access to the countryside under the Countryside and Rights of Way Act 2000. The Council also has a statutory requirement to prepare and deliver an Outdoor Access Improvement Plan (OAIIP). The Council is currently responsible for managing (or managing in partnership) some 60 Countryside and Heritage sites.	450	0	450	0	0	(450)	0	(450)	0	(450)	0	(450)	0	(450)	(450)
<u>Rights of Way Network and Countryside and Heritage Sites - Structural Renewal and Improvement Works Option 1</u> To protect and maintain the public ROW network under the Highways Act 1980, and comply with DDA requirements. Funding is needed for critical works and to replace some of the 1400 bridges which form part of the network and for the structural renewal of paths themselves.	316	0	316	262	(100)	(180)	387	(180)	0	(180)	0	(180)	0	(180)	(180)
<u>Sundon J Bluewater Landfill Sites</u> To comply with statutory requirements in the restoration of the site.	190	0	190	45	0	(145)	45	(145)	0	(145)	0	(145)	0	(145)	(145)
Total Sustainable Communities	14,774	(5,251)	9,523	8,494	(4,634)	(6,280)	3,860	(6,280)	617	(5,663)	36	(6,316)	36	617	(5,699)

<u>CBC Corporate Property Rolling Programme (R)</u> includes Improvement and Development of the corporate estate and capital maintenance. The requirement for 2011/12 is calculated to be c. £3m, of which £1m will be covered by additional slippage from 2010/11.	1,456	0	1,456	400	0	(1,056)	400	(1,056)	0	(1,056)	0	(1,056)	0	(1,056)	(1,056)
<u>Amphill Court House - (Originally shown in the Corporate Property Block)</u>	150	0	150	0	0	(150)	0	(150)	0	(150)	0	(150)	0	(150)	(150)
<u>Priority House - (Originally shown in the Corporate Property Block)</u>	212	0	212	2	2	(210)	2	(210)	0	(210)	0	(210)	0	(210)	(210)
<u>Houghton Lodge/Regis - (Originally shown in the Corporate Property Block)</u>	74	0	74	41	41	(33)	41	(33)	0	(33)	0	(33)	0	(33)	(33)
<u>Libraries - (Originally shown in the Corporate Property Block)</u>	371	0	371	40	40	(331)	40	(331)	0	(331)	0	(331)	0	(331)	(331)
<u>Carbon Reduction Improvements (Originally shown in the Corporate Property Block)</u>	330	0	330	0	0	(330)	0	(330)	0	(330)	0	(330)	0	(330)	(330)

Walling House - (Originally shown in the Corporate Property Block)	171	0	171	10	10	(161)	0	(161)	0	(161)	(161)
Slisoe Horticultural Centre	66	0	66	10	10	(56)	0	(56)	0	(56)	(56)
Atlesey - (Originally shown in the Corporate Property Block)	123	0	123	50	50	(73)	0	(73)	0	(73)	(73)
Tiddenfoot Leisure Centre (Originally shown in the Corporate Property Block) - paths and car parking	176	0	176	0	0	(176)	0	(176)	0	(176)	(176)
Enterprise Content Management (KEY ECM) Implementation To deliver a single Enterprise Content Management (KEY ECM) system for Central Bedfordshire that will: • create a central secure records management storage repository for all business critical electronic (and paper) documents; • act as a central email archive underpinning compliance and regulatory requirements.	150	0	150	50	50	(100)	0	(100)	0	(100)	(100)
ICT Time Recording System(NEW) To enable effective project charging	66	0	66	0	0	(66)	0	(66)	0	(66)	(66)
SAP Optimisation- Financial Forecasting	200	0	200	0	0	(200)	0	(200)	0	(200)	(200)
Children's Case Management System(NEW) Integrated Asset Management System (NEW) - This single platform will be accessible cross service, resolving the current issues of multiple databases.	1,003	0	1,003	638	638	(365)	0	(365)	0	(365)	(365)
Total Place/ Points of Presence Performance / Complaints Management System: To introduce a corporate software system or systems which will allow us to: Effectively monitor, report and improve on our performance Analyse and plan for effective risk management	480	(215)	265	150	(83)	(330)	132	(198)	0	(330)	(198)
Clophill St Mary's Maintenance ICT Stabilisation	75	0	75	22	22	(53)	0	(53)	0	(53)	(53)
Total Assistant Chief Executive- Resources	5,857	(215)	5,642	1,863	(83)	(3,994)	132	(3,862)	0	(3,994)	(3,862)

Channel Shift (NEW)	358	0	358	330	330	(28)	0	(28)	0	(28)	(28)
Customer Relationship Management (CRM) - Combination of two capital projects from the 2010/11 programme: Mid and South Beds T-Government Partnership and Partnership of Beds District Councils (combined budget 2010/11 of £343k)	147	0	147	87	87	(60)	0	(60)	0	(60)	(60)
Total Assistant Chief Executive- People	505	0	505	417	0	(88)	0	(88)	0	(88)	(88)

Capital expenditure slippage from 2011/12 to 2012/13

Appendix B - Capital Schemes Fully Funded by External Contributions

Title and Description of the Scheme	Revised Capital Programme - Approved by Executive 15th November 2011			Full Year Forecast			Full Year Variance			Over / under spend			Slippage after the Capital Programme Review to 2012/13		
	Gross Expenditure £000s	External Funding £000s	Net Expenditure £000s	Gross Expenditure £000s	External Funding £000s	Net Expenditure £000s	Gross Expenditure £000s	External Funding £000s	Net Expenditure £000s	Gross Expenditure £000s	External Funding £000s	Net Expenditure £000s	Gross Expenditure £000s	External Funding £000s	Net Expenditure £000s
NHS Campus Closure The NHS Campus Closure Programme is backed with NHS Capital funding, to provide up to date and future proofed accommodation for people with severe Learning Disabilities care homes which were commissioned by the former Bedfordshire Health Authority in the early 1990's. Due to the limitations of these existing buildings to be adapted or refurbished, they are unable to provide a supported living model and alternative tenancy based accommodation is being developed. The programme was started in 2007 by the legacy authority - Bedfordshire County Council. CBC now acts as the agent for all 3 authorities - Bedford Borough, Luton Borough and Central Bedfordshire. The scheme is intended to provide much more individual living space, enabling personalised care and support to promote independence. The programme has achieved measurable increases in practical independence of individuals such as cooking, shopping and taking care of their own space within their flats with Support. Tenants who have moved to the new flats are free to sublet or visit and see their own flat.	4,430	(4,430)	0	2,311	(2,311)	0	(2,119)	2,119	0	(2,119)	2,119	0	(2,119)	2,119	0
Adult Social Care ICT Projects This project includes RP203, AIS/FACE, Web Site development & Electronic Social Care Record developments.	280	(280)	0	120	(120)	0	(160)	160	0	(160)	160	0	(160)	160	0
Sheltered Housing This capital grant will be used to improve the assets that support sheltered housing.	20	(20)	0	0	0	0	(20)	20	0	(20)	20	0	(20)	20	0
Total Social Care, Health and Housing:	4,730	(4,730)	0	2,431	(2,431)	0	(2,299)	2,299	0	(2,299)	2,299	0	(2,299)	2,299	0

Etobury Middle School additional places The project is to provide additional pupil places in response to recent housing developments in the area, utilising the approved S106 planning obligations funding.	167	(167)	0	82	-82	0	(85)	85	0	(85)	85	0	(85)	85	0
Basic Need The funding is given to enable us to manage the pressures of population growth by providing new permanent capacity in our growth areas.	750	(750)	0	2	-2	0	(748)	748	0	(748)	748	0	(748)	748	0

Total Children's Families and Learning-Schools	917	(917)	0	84	(84)	0	(833)	833	0	0	0	(833)	833	0
Cranfield Technology Park Acceleration														
Acquisition of land to enable off site highway improvements in advance of future phases of the Technology Park. 100% externally funded.	300	(300)	0			0	(300)	300	0			(300)	300	0
Cycle Route Luton-Harpenden	230	(230)	0	0	0	0	(230)	230	0			(230)	230	0
National cycle route Upper Lea Valley Greenway Connect2 scheme														
Woodside Connection Strategic Infrastructure Projects														
Road link from the proposed M1 J11a to Porz Avenue providing traffic relief to the town centres of Dunstable and Houghton Regis and enabling the development north of Houghton Regis.	214	(214)	0	102	54	156	(112)	288	156			(112)	268	156
Total Sustainable Communities	744	(744)	0	102	54	156	(642)	798	156	0	0	(642)	798	156

LPSA & LAA Grant payout	86	(86)	0	130	(130)	0	44	(44)	0	0	0	126	(126)	0
The funding is reward grant based on the achievement by partners of joint outcomes and targets agreed with central government via the regional office.	86	(86)	0	130	(130)	0	44	(44)	0	0	0	126	(126)	0
Total Corporate Costs	86	(86)	0	130	(130)	0	44	(44)	0	0	0	126	(126)	0

Meeting: Executive

Date: 15 May 2012

Subject: **Extension of Leisure Facilities Management Contracts in north Central Bedfordshire from 1 April 2013 until 30 September 2013 with an option to extend for up to a further 6 months until 31 March 2014.**

Report of: **Cllr Brian Spurr, Executive Member for Sustainable Communities - Services**

Summary: To consider a 6 month extension of the 'north' leisure management contracts which include Sandy Sport and Community Centre, Saxon Pool and Leisure Centre, Biggleswade and Flitwick Leisure Centre to run from 1 April 2013 to 30 September 2013 with an option to extend for up to a further 6 months until 31 March 2014.

Advising Officer: Jane Moakes, Assistant Director Community Safety, Public Protection, Waste and Leisure.

Contact Officer: Jill Dickinson, Head of Leisure Services

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

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

CORPORATE IMPLICATIONS

Council Priorities:

1. The extension of the 'north' leisure management contracts which include Sandy Sport and Community Centre, Saxon Pool and Leisure Centre, Biggleswade and Flitwick Leisure Centre to run from 1 April 2013 to 30 September 2013 with an option to extend for up to a further 6 months until 31 March 2014 followed by a procurement process for a 7 year contract period will allow the Council to continue to develop a strategic approach to the provision of leisure facilities, and consider its investment priorities across the area and balance this with other ways to support the community to access and undertake physical activity to improve their health and wellbeing.

Financial:

2. The Medium Term Financial Plan (MTFP) agreed by Council on 24 February 2011 included service reductions and efficiencies in respect of the leisure facilities at Sandy which is a subject of this report.
3. Savings relating to the Sandy facility were met by a combination of partner funding in 2011/12 and extending the 'north' contract for all 3 facilities to 31 March 2013 agreed by Executive on 23 August 2011.
4. The Sandy Centre is a dual use facility at Sandy Upper School for which the school receives a contribution of £53k per annum. The school (which is transferring to Academy status) supports the aim of keeping the facility open to the community but it requires a continuation of the financial contribution for maintaining and enabling use of the joint use areas. Therefore, this level of annual contribution would need to continue during an extension period.
5. With regard to capital expenditure, the approved Capital Programme for 2012/13 – 2015/16 includes planned expenditure for leisure facilities in the north contracts.
6. With regard to the financial arrangements within the management contracts concerned, an open book accounting profit sharing model enables the contractor to operate the centres within a fixed annually agreed budget. The budget determines the annual contract figure which is a guaranteed payment from or to the contractor, known as the 'contract fee'.
7. The contract fee includes contractor costs (central office, staffing, utility premise and marketing) and an agreed profit figure the contractor can take from the operation of the facilities. Any surplus above the contract fee is a profit share on an agreed percentage between the contractor and the Council, which is used for investment in the facilities.
8. A 6 month extension on the same contract terms will pose a financial challenge for the contractor. An implication may be that any profit share used for investment in the facilities for 2012/13 is reduced.

Legal:

9. The contracts have been extended before, firstly from 1 April 2011 to 31 March 2012, and then on 23 August 2011, Executive approved a 1 year extension from 1 April 2012 to 31 March 2013 to enable savings agreed in the MTFP with regard to the Sandy facility to be delivered and for the leisure strategy to be developed.
10. The current contracts do not provide specifically for the term to be extended. However, there is provision for the term to be varied by agreement in writing between the Council and the Provider. Approving the recommendation will require for a variation to the current contracts to be undertaken by Legal Services.

Risk Management:

11. The proposal to extend the 'north' contracts while the Leisure Strategy is being developed means that the Council is not committed to a longer term contract before it had agreed its strategic approach to future provision, therefore mitigating any potential reputational or financial risks. A 6 month extension with an option to extend for up to a further 6 months will require for the Leisure Strategy timetable to be revised so that the facilities part of the strategy can be concluded as quickly as possible. The issues and implication of entering a longer term contract before the Leisure facilities part of the Leisure Strategy is complete is set out in paragraph 24 of this report.
12. There is a risk of legal challenge as the contracts have been extended before, however there have not been any legal challenges to date.
13. Extending the current contracts does not test the contract price in the open market, and so any potential savings would not be realised.

Staffing (including Trades Unions):

14. The proposals contained in the report do not affect any Central Bedfordshire Council employees.

Equalities/Human Rights:

15. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
16. A decision to extend the contract aims to minimise disruption to the customers of the centres and ensure the facilities continue to provide fair access to the local community whilst the Leisure Strategy and the Council's investment priorities are being developed.

Public Health:

17. A decision to extend will enable the Council to consider its Public Health role in the management and operation of leisure facilities, and support the delivery of its priorities.

Community Safety:

18. Under section 17 of the Crime and Disorder Act the Council has a statutory duty to do all that it reasonably can to prevent crime and disorder within its area. Leisure Centres and the activities that they offer provide positive alternatives, particularly to young people, who may otherwise engage in activities that may be considered anti social. In addition there are perceptions within communities that there are insufficient activities for young people in communities and that this is contributing to crime and disorder.

19. Leisure Centres provide access to communal activities for many members of the community that may otherwise feel isolated. These activities provide not only health benefits but also provide reassurance and a network of support for more vulnerable members of communities. Agreeing to extend the contracts for the operation of leisure facilities makes a positive contribution to community safety and in so doing the council meets its statutory duties under Section 17 of the Crime and Disorder Act.

Sustainability:

20. A decision to extend the contracts will give the Council time to develop its Leisure strategy and specifically its strategic approach to leisure facilities and allow for a sustainable approach to decisions on future investment. Agreeing to extend the contracts makes a positive contribution to ensuring the continued provision of local leisure meaning that residents won't have to travel to other towns/areas to access similar facilities, avoiding increased private car use, emissions etc.

Procurement:

21. As set out in the financial implications of this report the facilities at Sandy were subject to efficiencies and savings in the MTFP. Subsequently, Executive on 23 August 2011 agreed to extend the leisure management contracts for the 'north' to 31 March 2013. This decision now enables the longer term future of Sandy to be considered, along with those facilities in Flitwick and Biggleswade.
22. In reaching the conclusion to recommend extending the contract for 6 months with an option to extend for up to a further 6 months, followed by a procurement process for a contract for 7 years, a number of other options have been considered and included;
23.
 - Do not retender. The practical implication of this is closure of the north contract facilities on 31 March 2013. This would not be consistent with the Council's Corporate Priorities, emerging Medium Term Plan 2012-2016 or Capital Programme, and is not recommended.

24.
 - Retender a contract for 7 years to start on 1 April 2013. Seven years is a standard contract period within the leisure industry, with an option to extend for up to an additional length of time similar to the original contract length. This allows a contractor time to make and recover their capital investment in the facilities and to receive a return on that investment. As the Council is not in a position to inform a contractor of the exact development plans and investment priorities for the future there is uncertainty and risk for contractors to price a contract which would limit the potential to get the best possible outcome on the contract price, capital investment and for customers. Once the contract had started, any negotiations regarding a return on our investment would be with the existing contractor rather than within a competitive environment, and any investment proposals made by the contractor would need to be scheduled for when the Council is clear about its priorities. It also poses a question with regard to the purpose of the Leisure Strategy. Leisure Strategy stakeholders and consultees will see that the Council is not using the Strategy to inform its facility investment priorities. Therefore given the time line for the Leisure Strategy and potential investment priorities, letting a 7 year contract at this time is not considered appropriate.
25. The proposed extension is outside the scope of the Council's Procurement Procedure Rules and so it will be necessary for the Executive to agree to waive the Procedure Rules to permit the contract to be extended.

Overview and Scrutiny:

26. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to:

1. **approve the proposal to extend the contract with Stevenage Leisure Limited for the operation of the leisure facilities in the north of the area from 1 April 2013 until 30 September 2013 with an option to extend for up to a further 6 months until 31 March 2014; and**
2. **approve that the Council's Procurement Procedure Rules be waived to allow the contract to be extended on the ground that a change of supplier would cause disproportionate technical difficulties, diseconomies of scale or significant disruption to Council services.**

Reason for Recommendations:

It will enable the facilities part of the Leisure Strategy to be developed and for the Council to use that information to consider its priorities for investment. In turn, its investment priorities will inform the specification of the leisure facility management contract to be procured in 2013 for a 7 year contract.

Executive Summary

27. The report recommends extending the north leisure management contract from 1 April 2013 to 30 September 2013 with an option to extend for up to a further 6 months to 31 March 2014.
28. The proposed extension supports the Council's current priorities and those in the developing Medium Term Plan which includes targets to promote health and wellbeing, increase take up in sport and physical recreation, and an £8m investment in leisure facilities and activities.
29. During the extension period proposed the Council will have developed further its Leisure Strategy which will inform procurement of a 7 year leisure management contract.

Background

30. As set out in the Corporate Priorities of this report, the Council has contracts for Sandy Sport and Community Centre, Saxon Pool and Leisure Centre, Biggleswade, and Flitwick Leisure Centre known as the north contracts which end 31 March 2013.
31. Extending the contract means that the facilities will continue to be operated on behalf of the Council for use by local communities and enables the subsequent retendering of a contract for a longer period subject to further consideration and agreement.
32. A number of other work streams within leisure services are pertinent to the proposed extension of the contracts and these are expanded upon in paragraphs 33-37.
33. The Leisure Strategy currently under development will provide a comprehensive picture of leisure facilities and opportunities within Central Bedfordshire up to 2031, and will provide an evidence base for consideration of priorities for investment in the future for the Council's own capital programme and for securing and spending Section 106 and Community Infrastructure Levy funds.
34. Although the strategy is in early stages of development, it is anticipated that there will be a clearly evidenced need for a continuation of leisure facilities in the current locations across the area, and pressure from additional population growth in Leighton Linlade and Houghton Regis for enhanced, replacement and/or additional facilities.
35. The leisure facilities part of the Leisure Strategy is being developed and it is logical to retender for a longer term 7 year contract once the Council is clear about its priorities. The Leisure Strategy timetable will require revising so that the facilities part of the strategy can be concluded as quickly as possible. A summary of the strategy chapters and current time table, not yet revised, is attached as Appendix A.

36. There is also £8m for leisure strategy implementation in the approved Capital Programme. The Leisure Strategy will inform the profile of expenditure for developments in new facilities and the existing stock, which is yet to be agreed. Extending the contract will enable investment priorities to be included in the contract documentation of a subsequent 7 year contract against which prospective bidders would construct their financial model and submit their bid.
37. In the absence of a programme of investment priorities, prospective tenderers face a level of uncertainty and risk in pricing a bid. The operational costs of running older facilities are generally greater than for new facilities and there are fewer opportunities for income generation.

Conclusion

38. The report recommends that the facilities within the north contracts continue to operate beyond 31 March 2013 for local communities to access and undertake physical activity to improve their health and wellbeing.
39. Extending for 6 months with an option to extend for up to a further 6 months, followed by a procurement process for a 7 year contract period is recommended.

Appendices:

Appendix A – Leisure Strategy

Background Papers: (open to public inspection) None.

APPENDIX A Leisure Strategy

Background

The Leisure Strategy will provide Central Bedfordshire Council (CBC) with a long term strategy for leisure to 2031, linking the facility evidence base to existing CBC and partner strategic aims, and to the requirements of the council's new Public Health role from April 2013.

The Strategy will ensure the council's ability to secure new leisure provision to accompany housing, it will inform priorities for securing and spending S106 and Community Infra structure Levy, and will provide the Council's comprehensive delivery of physical activity programmes in support of its new public health responsibilities.

The Leisure Strategy includes;

- i. indoor sport and leisure centres, comprising a range of sport and leisure activities
- ii. a defined range of green spaces, providing formal and informal recreational activity facilities and opportunities
- iii. outdoor formal, grass and artificially-surfaced sports playing pitches
- iv. all types of physical activity classes, sports, exercises etc. undertaken indoors and outdoor

The Leisure Strategy will address the current mis-match of leisure facility audit and strategy information by undertaking a series of leisure needs audit and assessments, leading to the creation of individual Supplementary Planning Documents (SPD) strategies, in compliance with Local Development Framework (LDF) requirements.

Timetable

Chapter 1: Leisure Facilities

Feb 2012	Provide "hook" for Leisure Strategy within the Development Strategy
Mid March 2012	Completion of desk based Active People and Places facility work required to secure Sport England £10k grant in 2011/12.
End April/May	Provision of Population Data from CBC Popgroup software provided by the Customer & Community Insight team. Data required for population modelling within Facilities Planning Model (FPM 1)
June 2012	Sport England Facilities Planning Model (FPM 1) Baseline facility provision 'run'
June to Sept 2012	Initial Consultation with stakeholders on Baseline FPM data and development of Facility Scenarios for FPM 2.
Oct 2012	FPM 2+ 'runs' based on Facility Scenarios determined above
Nov 2012	Additional FPM runs if required.
Nov/Dec 2012	If no more FPM runs required, production of Leisure Facilities Audit and Assessment report
Dec 2012	If no more FPM runs required, production of Options Report / draft Strategy (to Jan 2013 if more FPM runs required)
Jan 2013	Production of final Strategy for formal consultation and LDF adoption as Supplementary Planning Document

Chapter 2: Recreation & Open Space and Playing Pitches

Sept 2012 to Mar 2013	Recreation & Open Space Audit & Assessment, plus Playing Pitch Audit & Assessment
Mar 2013	Production of Recreation & Open Space Audit & Assessment study, plus Playing Pitch Audit & Assessment study
April 2013	Initial Consultation with stakeholders on both Recreation & Open Space and Playing Pitch audit and assessment studies
June 2013	if no further work required, production of Options Report / draft Recreation & Open Space Strategy and Options Report / draft Playing Pitch Strategy
Sept 2013	Formal consultation for both Strategies
Nov 2013 onwards	Production of final Strategies for formal consultation and LDF adoption as Supplementary Planning Document

Chapter 3: Physical Activity

The audit and assessment documents from Chapters 1 & 2 will provide the majority of the facility information required for the production of this chapter. This chapter cannot be completed until that information is provided. It is estimated that this work can be ongoing with final delivery in Jan-Mar 2013.

Overarching Leisure Strategy Document

The completion of the overarching strategic document is dependent upon the delivery of the four chapters. As such, the timescale for this document will be set when the timescale for Chapter 3 is known.

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Meeting: EXECUTIVE

Date: 15 May 2012

Subject: Disposal of Russell House and Clevedon, Dunstable Street, Ampthill, and Downing View, 1-3 Loring Road, Dunstable

Report of: Cllr Maurice Jones, Executive Member for Corporate Resources

Summary: The report proposes to seek consent to dispose of the above properties, previously used by Bedfordshire County Council. Russell House was used for offices, Clevedon was used as a children's care home and Downing View a care home.

Advising Officer: Alan Fleming, Project Director

Contact Officer: Ananda Hale

Public/Exempt: Public

Wards Affected: Ampthill and Dunstable

Function of: Executive

Key Decision Yes

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

CORPORATE IMPLICATIONS

Council Priorities:

- Supporting and caring for an ageing population by potentially creating additional care places
- Managing growth effectively by potentially bringing the buildings back to use for the community and creating additional housing

The objectives being sought are:

- To provide a capital receipt for the Council.
- To reduce revenue expenditure on vacant property overheads including security, rates, and maintenance.
- To dispose of surplus properties that no longer meet the needs of the organisation and there is no alternative use for the property within the Council.

Financial:

1. The properties are currently on the disposal list with a value of:
 - Russell House and Clevedon - £1.5m
 - Downing View - £260k
2. Soft market testing has been carried out with the properties being widely marketed on a national and regional basis through an external selling agent which has generated good interest.
3. The properties are vacant and expenditure includes on site security, rates, electricity and maintenance including emergency repairs due to attempted break-ins. These on going costs are approximately £133,820 p.a. which will be saved once the properties are sold.

Legal:

4. Legal Services have prepared a suitable contract to provide for a percentage return to the Council should it be sold on within five years of disposal (50% of 'profit' as defined in the contract in first 3 years, 30% in last two) to ensure that the Council receives a share of any uplift in market values without development.

Risk Management:

5. If the disposals do not proceed, the following risks have been identified:
 - a. non delivery of Corporate Asset Management Strategy (CAMS) and Disposal Strategy;
 - b. failure to realise capital receipts;
 - c. failure to secure revenue savings associated with maintaining the properties; and
 - d. risks associated with leaving the properties vacant - this is being managed by boarding up the premises and providing security guards. The secluded nature of the site means that it attracts unwanted interest from unauthorised parties and is a potential Health and Safety risk. Once the property is sold the risk will be terminated.

Staffing (including Trades Unions):

6. Not applicable.

Equalities/Human Rights:

7. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Selling unused properties and bringing them back into local housing use will help increase the availability of local housing and so should have a positive impact for all sections of the community.

Public Health:

8. Not applicable.

Community Safety:

9. The Council has a duty to consider community safety in all of the functions that it exercises. Whilst the actual disposal of the properties has no immediate community safety issues, the Council must ensure that it meets its statutory duties by ensuring that the site remains secure and appropriate interventions are put in place to ensure that the site is not used for criminal or anti social behaviour.

Sustainability:

10. Selling the properties will, with refurbishment and redevelopment, bring them back to use for the community and provide additional housing. S106 agreement and infrastructure requirements will be negotiated by the planning team.

Procurement:

11. Not applicable.

Overview and Scrutiny:

12. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to:

1. **approve that the Council disposes of the properties offering the properties to the market on a formal tender basis;**
2. **that delegated powers be given to Project Director, Business Services and the Deputy Leader and Executive Member for Corporate Resources to accept the best offers following close of formal tender provided those offers are in excess of the current disposal plan valuations; and**
3. **that a turn clause be included in the contract as a condition of sale.**

<i>Reason for Recommendations:</i>	<i>To dispose of surplus properties to provide a capital receipt for the Council and to remove the overheads being incurred while the property remains vacant.</i>
------------------------------------	--

Executive Summary

13. Russell House and Clevedon in Amptill and Downing View in Dunstable have been identified for disposal as part of the CAMS. Consent is therefore sought to dispose of these properties at the best bids with a five year turn clause in the contract. This will reduce property overheads and enable a redundant site to be redeveloped for housing for the local area whilst generating a capital receipt for the Council. Soft market testing has identified interest in these properties.

Background

14. This report is submitted to Executive because paragraph 4.5.19 of the Scheme of Delegation limits disposal of land and buildings to £500,000 and Clause 4.5.28 allows land on the disposal list to be sold subject to approval of Executive and the relevant Executive Member and Ward Members.
15. The Corporate Property Assets Disposal Protocol was adopted as Central Bedfordshire Council's approach to this part of the management of its assets by Executive on 13 July 2010.
16. Subsequently the CAMS 2012-16 was submitted and approved by Executive on 14 February 2012. The Strategy highlighted the Council's approach to the management of its assets and set out the key objectives for our assets together with key objectives for effectively managing and developing the portfolio. One of the key strategic objectives was the delivery of cost effective and efficient acquisition, disposal and management of land and property to meet safe service delivery and investment needs.

Russell House and Clevedon, Dunstable Street, Ampthill

17. The property shown on the attached plan (Appendix A) was previously for office/administration purposes (Russell House) and a children's care home (Clevedon) until becoming surplus to requirements because of age, obsolescence and condition. The site was marketed for sale in 2007 but due to the downturn in the economy offers were withdrawn. The disposal was put on hold pending a decision on whether the property was suitable for the new Unitary body to use for its own requirements and subsequently identified as a property for disposal under the CAMS.
18. The property remains a drain on overheads in terms of security, rates, and maintenance and has been earmarked for disposal in the CAMS to provide a capital receipt for the Council.
19. Soft market testing has demonstrated good interest in the properties and we are seeking Executive approval to dispose of the property and proceed to formal tender stage.
20. The Russell House and Clevedon site was originally on the disposal list with a target value of £2m, this has been revised to a target value of £1.5m to reflect the current economic climate.
21. Formal tender bids will be invited to ensure that only serious bidders make an offer and all bidders will be required to submit a 10% deposit with their bid and once a bid is accepted by the Council, will have to complete the purchase within four weeks. This will enable the Council to complete the disposal without the potential of prolonged legal negotiations although the Council is not obliged to accept any bid.

22. The sale will be subject to a turn clause which will enable the Council to receive a percentage of any uplift in value should market conditions improve and the site be sold by a purchaser without being developed any time within a five year period from completion of purchase.
23. The Planning Officer has indicated that there would be no objection in principle for residential development subject to retention of the main Victorian building and detailed design to meet the local planning constraints.
24. The properties are vacant and expenditure includes on site security, rates, electricity and maintenance including emergency repairs due to attempted break-ins. These on going costs of approximately £71,400k p.a. will be saved once the properties are sold.

Downing View, 1-3 Loring Road, Dunstable, LU6 1DZ

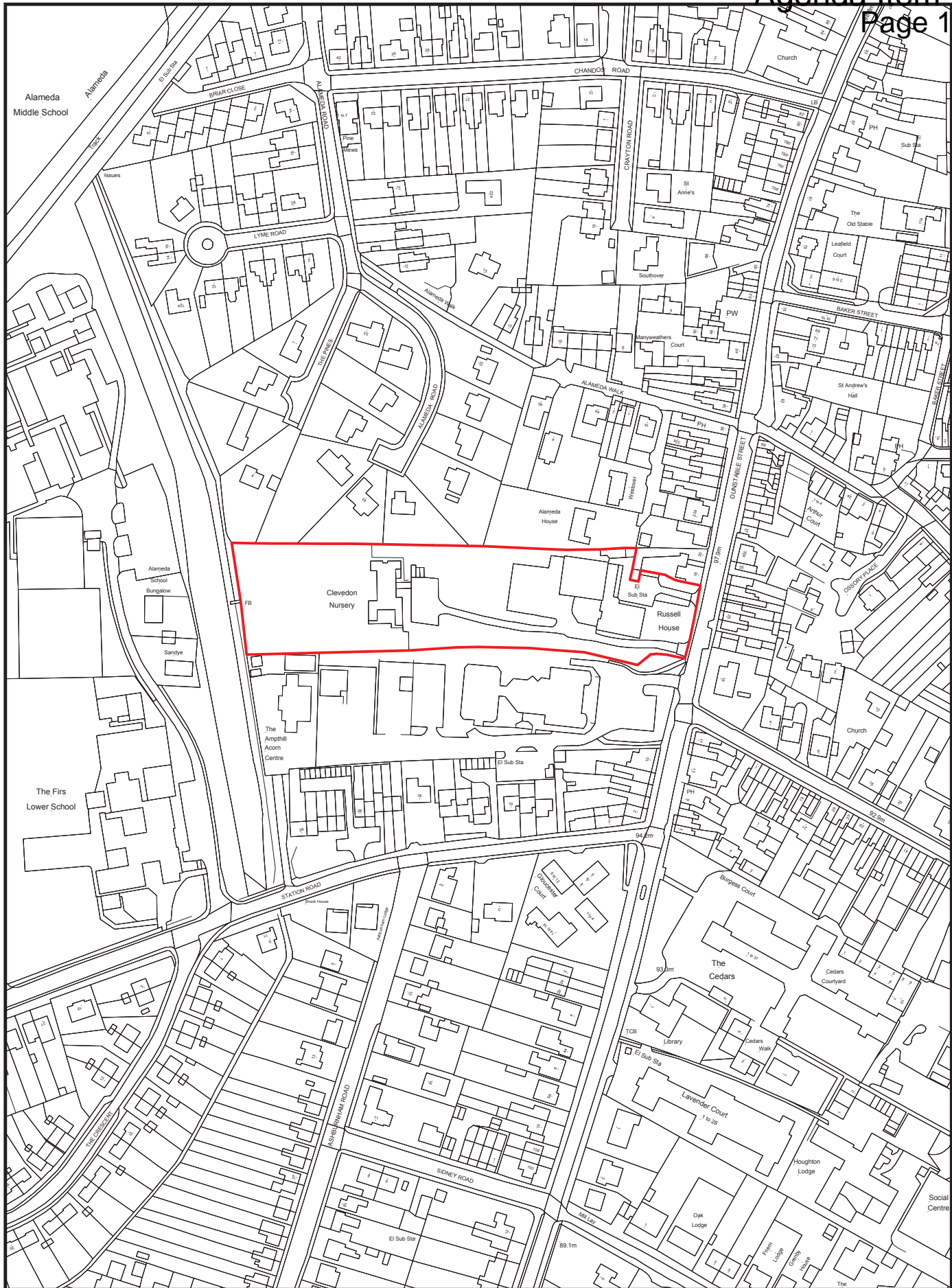
25. The property shown on the attached plan (Appendix B) was previously used as a care home through Aldwyck Housing Association until becoming surplus to requirements because of age, obsolescence and condition.
26. The property remains a drain on overheads in terms of security, rates, and maintenance and has been earmarked for disposal to provide a capital receipt for the Council.
27. The property was originally on the disposal list with a target value of £500k, this has been revised to a target value of £260k to reflect the current economic climate.
28. The property has been widely marketed on a national and regional basis through an external selling agent.
29. Bids will be invited on a formal tender basis to ensure that only serious bidders make an offer and all bidders will be required to submit a 10% deposit with their bid and once a bid is accepted by the Council, will have to complete the purchase within four weeks. This will enable the Council to complete the disposal without the potential of prolonged legal negotiations although the Council is not obliged to accept any bid.
30. The sale will be subject to a turn clause which will enable the Council to receive a percentage of any uplift in value should market conditions improve and the site be sold by a purchaser without being developed any time within a five year period from completion of purchase.
31. The Planning Officer has indicated that there would be no objection in principle for residential development subject to a detailed design to meet the local planning constraints.
32. The property is vacant and expenditure includes on site security, rates, electricity and maintenance including emergency repairs due to attempted break-ins. These on going costs in the region of approximately £62,420k p.a. will be saved once the property is sold.

Appendices:

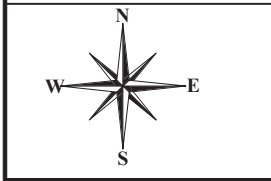
Appendix A – Russell House and Clevedon Plan

Appendix B – Downing View Plan

Background Papers: (open to public inspection)



Russell House, Dunstable Street, Amphyll, MK45 2JT




Date: 17 January 2012

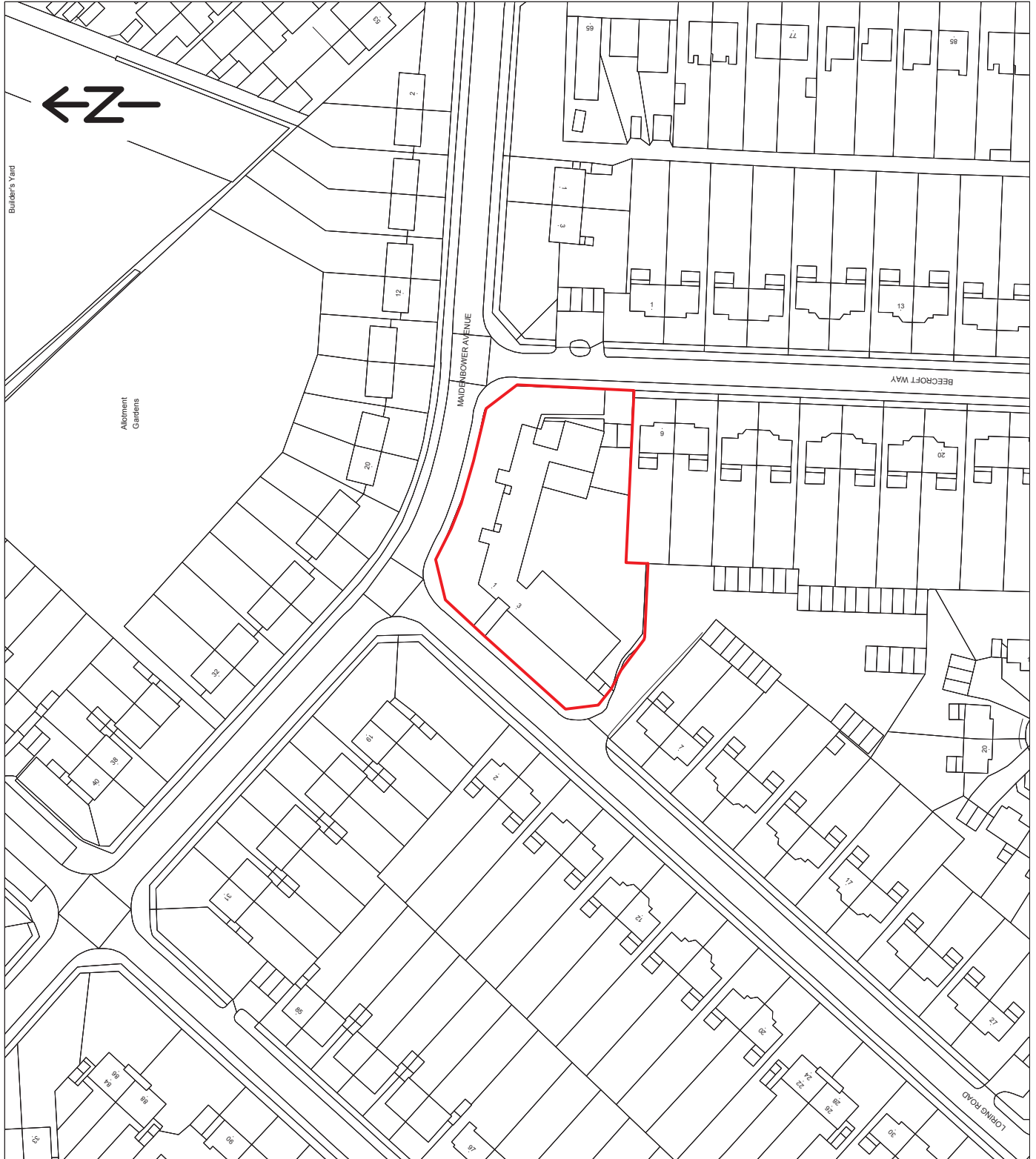
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 <p>Central Bedfordshire</p>	<p>Central Bedfordshire Council The Council Offices, High Street North, Dunstable, Beds, LU6 1LF Telephone No 0300 300 8000</p>	<p>Peter W Burt MRICS Head of Assets Customer and Shared Services</p>	<p>Draft Sale Plan: Downing View Loring Road Dunstable LU6 1DZ</p>	<p>Date: 10:11:11 Drawn by: AU Checked by: Drawing No: Scale: 1:1250</p>	<p>© Crown Copyright and database right. 2011 Ordnance Survey 100049029. Central Bedfordshire Council.</p>
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