

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 5 February 2013.

PRESENT

Cllr J G Jamieson (Chairman)
Cllr M R Jones (Vice-Chairman)

Executive Members:	Cllrs	C Hegley B J Spurr R C Stay	Cllrs	Mrs P E Turner MBE M A G Versallion J N Young
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Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark I Dalgarno A L Dodwell	Cllrs	D J Hopkin A M Turner R D Wenham
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Apologies for Absence:	Cllrs	B Wells
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Members in Attendance:	Cllrs	P N Aldis A R Bastable R D Berry M C Blair C C Gomm Ms A M W Graham D Jones	Cllrs	K C Matthews D McVicar J Murray T Nicols B Saunders A Shadbolt P Williams
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Officers in Attendance	Mr G Alderson Mr J Atkinson Mr R Carr Ms D Clarke Mr A Fleming Mrs E Grant Mrs S Hobbs Mrs J Ogle Mr C Warboys	Director of Sustainable Communities Head of Legal and Democratic Services Chief Executive Assistant Chief Executive (People & Organisation) Service Director - Business Services Deputy Chief Executive/Director of Children's Services Committee Services Officer Director of Social Care, Health and Housing Chief Finance Officer
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E/12/117 **Minutes**

RESOLVED

that the minutes of the meeting held on 8 January 2013 be confirmed as a correct record and signed by the Chairman.

E/12/118 **Members' Interests**

Councillor K Matthews, declared a personal interest in agenda item 16 'Land Rear of Central Garage, Cranfield, Development Brief' as he was a Governor at Cranfield Lower School.

E/12/119 **Chairman's Announcements**

The Chairman congratulated Councillor Maurice Jones for being shortlisted for an Outstanding Contribution to Financial Performance award. The winner would be announced at a ceremony on 25 February 2013.

The Chairman referred to the Budget proposals set out at Agenda item 8 and was pleased that these entailed no increase in the Council's element of the Council Tax.

E/12/120 **Petitions**

No petitions were received.

E/12/121 **Public Participation**

The following statement was received in accordance with the Public Participation Scheme:

1. Mr R Marsden

Mr Marsden spoke to Agenda item 21 'Options for Resolving Current Delays in Academy Conversions caused by Disputed Liabilities for Pension Payments'. Mr Marsden was the Chair of Governors at Harlington Lower School, represented the federated school Sundon Lower School and other schools in Central Bedfordshire which were in the final stages of conversion to Academies. Mr Marsden raised questions about the delay due to the need to resolve the approach to potential liabilities for pension payments.

The Executive Member for Children's Services explained that the Council was keen to resolve this issue and shared the frustration but was dependant on outstanding data from the Teacher Pensions Agency. It was anticipated that this issue would be resolved in March 2013.

Further public statements were made under the relevant Agenda items.

E/12/122 **Forward Plan and Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 March 2013 to 28 February 2014 be noted.

E/12/123 **Budget 2013/14 and Medium Term Financial Plan 2013 to 2017**

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Executive received a statement from Mr Konstantinidis relating to the Budget and the Capital Programme 2013/14. Mr Konstantinidis referred to the cost of borrowing to fund the Capital Programme and the use of competitive tendering for the Council's contracts.

The Deputy Leader and Executive Member for Corporate Resources explained that the Council had saved in excess of £50m over the last four years and that the Government grant had reduced by a third over this period. The Bedfordshire Energy and Recycling Contract referred to by Mr Konstantinidis was designed to save money. A significant contribution to the increase in the Council's borrowing was the new self-financing arrangements for local authority housing.

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed the Council's spending plans for the medium term and Council Tax rate for 2013/14 with indicative figures for future years. A budget for 2013/14 had been prepared reflecting changes in funding, including a substantial overhaul of the Council Tax Benefit and National Non-Domestic Rate regimes. Cost pressures and efficiencies, including the impact of those commenced in 2012/13 had been revisited and incorporated into the proposals. There would be no increase in Council Tax for Central Bedfordshire Council purposes and the commitment to harmonise rates across the area with effect from 1 April 2013 would be achieved.

In response to questions, the Deputy Leader and the Chief Financial Officer confirmed that General Fund reserves were at a prudent minimum level.

Reason for decision: To agree a balanced budget for 2013/14 and identify resource requirements for the Medium Term.

RECOMMENDED to Council

- (a) that the response to consultation with Overview and Scrutiny as set out in paragraph 38 and the response to consultation with the public stakeholders as set out in Appendix A to the Executive report, be noted;***
- (b) that the Revenue Budget for 2013/14 and the Medium Term Financial Plan for 2013/14 to 2016/17 be approved;***

- (c) that the adjustments to the draft Budget as described in paragraph 24 of the Executive report be noted;**
- (d) that the Council Tax Base as set out in Appendix G to the Executive report be noted;**
- (e) that the allocation of £0.8m to Parish Councils as set out in paragraph 24 in the Executive report be noted;**
- (f) that a Band D Council Tax of £1,308.33 for residents of Central Bedfordshire be approved;**
- (g) that the fees and charges set out in Appendix J to the Executive report be approved; and**
- (h) that certain efficiency proposals identified in Appendix I to the Executive report will be subject to formal consultation and Equality Impact Assessment in the coming months and instructs the Corporate Management Team to propose alternative compensatory savings if it appears, following a review of the outcome of the consultation and Equality Impact Assessment, that any specific proposal cannot be delivered.**

E/12/124

Capital Programme 2013/14 to 2016/17

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed the Capital Programme (excluding the Housing Revenue Account) for the four years from 1 April 2013. The Capital Programme made provision for significant capital works associated with the Bedfordshire Energy and Recycling Project and Woodside Link.

Reason for decision: To enable Council to approve the Capital Programme as part of the Council's Medium Term Financial Plan 2013 – 2017 and associated Prudential Indicators.

RECOMMENDED to Council

- 1. that the 2013/14 to 2016/17 Capital Programme (as per Appendix A to the Executive report) be approved;**
- 2. that the Capital Programme Reserve List 2013/14 to 2016/17 (as per Appendix B to the Executive report) be approved; and**
- 3. that the revised capital, treasury and borrowing Prudential Indicators contained within Appendix C to the Executive report be approved.**

E/12/125

Budget Report for the Housing Revenue Account (Landlord Service) Business Plan

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources and the Executive Member for Social Care, Health and Housing that set out the financial position of the Housing Revenue Account (HRA) during the first year of the self financing regime and presented the proposed 30 year Landlord Service Business Plan. The report also set out the proposed budget for 2013/14 and the assumptions that had been made in arriving at the projections in the Plan, to create the financial framework for the Landlord Service to operate within.

In response to a question, the Executive Member for Social Care, Health and Housing explained that the proposed rent increase would result in rents for Council accommodation being within a range of 50-55% of current market rents, which was affordable and within limits that were eligible for Housing Benefits. Support would be provided to tenants who were struggling in the current financial climate.

Reason for decision: To facilitate effective financial management and planning for the HRA.

RECOMMENDED to Council

- (a) that the Housing Revenue Account's (HRA) debt portfolio and interest payments due in 2012/13 be noted;***
- (b) that the proposal for no principal debt repayments in the current financial year or during the period of the Medium Term Financial Plan (MTFP), namely 2012/13-2016/17 be approved;***
- (c) that the creation of a new reserve, to be called the Strategic Reserve be approved;***
- (d) to fund the HRA's 2012/13 Capital Programme from the negative HRA Capital Financing Requirement, thereby releasing additional funds for the Sheltered Housing Re-Provision Reserve (SHRR) and Strategic Reserve (SR) be approved;***
- (e) that the HRA Revenue Budget for 2013/14 and the Landlord Service Business Plan summary at Appendix A to the Executive report be approved;***
- (f) that the 2013/14 to 2016/17 HRA Capital Programme at Appendix B to the Executive report be approved;***
- (g) that the average rent increase of 4.67% for 2013/14 in line with the national rental increase as per the Government's Rent Convergence Policy be approved; and***

- (h) that the proposed allocation of £0.2m to support financial advice, money management and debt problems for customers be approved.***

E/12/126

Proposals to Develop Affordable Extra Care Housing in Dunstable

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Executive received a statement from Mrs Luther, Chairman of the Council's Sheltered Tenants Action Group in support of the proposed investment in a new Extra Care Housing scheme in Dunstable.

The Executive considered a report from the Executive Member for Social Care, Health and Housing on the proposed development of approximately 80 Extra Care Housing apartments on the redundant Dukeminster site in Dunstable. The Dukeminster site was to be the first in a programme of Extra Care Housing development across Central Bedfordshire and was a considerable investment in both the accommodation for and care of older people in the area. The scheme would be a mixture of one and two bedroom flexible apartments.

Reason for decision: To allow work to progress on the development of approximately 80 units of mixed tenure Extra Care Housing on the Dukeminster site in Dunstable.

RESOLVED

- 1. that the proposal to construct an Extra Care Housing scheme at the Dukeminster site in Dunstable be approved; and**
- 2. to delegate authority to the Director of Social Care, Health and Housing, in consultation with the Chief Finance Officer, the Deputy Leader and Executive Member for Corporate Resources and the Executive Member for Social Care, Health and Housing, to take such steps as were necessary to progress the scheme, including site acquisition and the award of a contract to construct the scheme in accordance with the Council's Code of Procurement Governance.**

E/12/127

Local Lettings Policy to Rural Exception Sites in Central Bedfordshire

The Executive considered a report from the Executive Member for Social Care, Health and Housing on the outcome from the consultation for a Local Lettings Policy for Rural Exception Sites and which proposed the adoption of the Local Lettings Policy for Rural Exception Sites. The Policy would only apply to new sites that were being developed and would not apply retrospectively to homes that have been built in recent years.

Reason for decision: To enable rural exception sites to be used to provide affordable housing.

RESOLVED

- 1. that the contents of the report and the outcomes of the consultation be noted;**
- 2. that the Local Lettings Policy for Rural Exceptions Sites be adopted as an appendix to the Allocations Policy 2012 (agreed by the Executive in November 2011); and**
- 3. to delegate authority to the Director of Social Care, Health and Housing in consultation with the Executive Member for Social Care, Health and Housing to make any minor amendments to the Local Lettings Policy for Rural Exceptions Sites in Central Bedfordshire.**

E/12/128

Central Bedfordshire's Policy Principles for Pupil Place Planning in Schools and Annual Refresh of the Council's New School Places Programme 2013/14 - 2017/18

The Executive considered a report from the Executive Member for Children's Services on the outcome of the consultation on the proposed Policy Principles for Pupil Place Planning in Schools and which outlined the annual refresh of the Council's rolling five year investment programme in new school places. This was to fulfil the Council's statutory duty regarding sufficiency of school places and to respond to the identified need in the previously published School Organisation Plan.

In response to a question, the Executive Member for Children's Services confirmed that access for transport to schools would be considered whilst weighing up the need to encourage children to walk or cycle to school. He also explained the Council's position on free school proposals, which was to support those that could demonstrate that they would provide a high standard of education and help improve attainment. Each proposal would be considered on its merits in this context.

Reason for decision: To enable the Council to meet its statutory obligations of ensuring sufficient school places in Central Bedfordshire and apply a set of clear policy principles to its commissioning processes.

RESOLVED

- 1. that the responses to the consultation on the proposed Policy Principles for Pupil Place Planning in Schools, as attached at Appendix B to the report be noted;**
- 2. that the Policy Principles for Pupil Place Planning in Schools, as attached at Appendix B, be approved as the basis for the future development of commissioning options for New School Places in Central Bedfordshire; and**

3. that the 2013 refresh of the Council's New School Places Programme and the scale of new places required for implementation in 2014 and 2015 be noted.

E/12/129

Determination of Admission Arrangements 2014/15

The Executive considered a report from the Executive Member for Children's Services that sought approval to the Council's Admission Arrangements for 2014/15, specifically the Council's co-ordinated admissions scheme and the Council's admission arrangements for Community and Voluntary Controlled Schools. Members noted that the proposed straight line distance would only be used as the fifth criteria for all Community and Voluntary Controlled Schools and that catchment areas would still be used for allocating school places.

The Executive Member for Children's Services moved an additional recommendation, which was duly seconded:-

"to authorise the Director of Children's Services, in consultation with the Executive Member for Children's Services, to agree that Lower Schools which currently include a criterion relating to attendance at a nursery/preschool facility on the school site may, on request, retain this criterion within their admission criteria."

Reason for decision: To enable the Council to meet its statutory obligations to determine its admission arrangements by 15 April 2013 for admissions in the academic year of 2014/15.

RESOLVED

1. that the Council's co-ordinated admissions scheme as attached at Appendix 1 and 2 to the report be approved;
2. that the admission arrangements for Community and Voluntary Controlled schools for the academic year 2014/15 as set out in Appendix 3 and Appendix 4 to the report be approved; and
3. to authorise the Director of Children's Services, in consultation with the Executive Member for Children's Services, to agree that Lower Schools which currently include a criterion relating to attendance at a nursery/preschool facility on the school site may, on request, retain this criterion within their admission criteria.

E/12/130

Healthwatch Central Bedfordshire

The Executive considered a report from the Executive Member for Social Care, Health and Housing that proposed the commissioning of Healthwatch Central Bedfordshire as a new and independent organisation formed by existing local community and voluntary organisations working in partnership.

On a point of clarification, the Quality Framework which was due to be issued by Healthwatch England in January 2013 had still to be received. This would form a key part of monitoring arrangements between the Council and Healthwatch Central Bedfordshire.

Reason for decision: To utilise the combined skills and experience from a range of existing community and voluntary organisations in order to deliver the statutory functions of Healthwatch.

RESOLVED

- 1. that the approach outlined in the report for the creation of Healthwatch Central Bedfordshire be endorsed;**
- 2. that Healthwatch Central Bedfordshire be established as a legal entity through setting up a corporate body in the form of a company limited by guarantee with charity status;**
- 3. that the Council will grant fund this company, by means of a service level agreement, to provide the statutory functions of a local Healthwatch organisation under the Health and Social Care Act 2012; and**
- 4. that the Council will performance manage Healthwatch Central Bedfordshire against a service specification issued by the Council.**

E/12/131

Land Rear of Central Garage, Cranfield Development Brief

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Executive received statements from Mr Baker on behalf of Cranfield Parish Council and Mr Saint raising concerns about the proposed access through Flitt Leys Close, especially if proposals for a new lower school were approved as it was anticipated, that this would cause considerable congestion for local residents.

The Executive considered a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that set out the development brief for land rear of Central Garage, Cranfield. The Executive Member responded to questions from ward Members with regard to the concerns about the access arrangements and the proposed development of a new lower school.

The Deputy Leader and Executive Member for Corporate Resources moved a revised recommendation, which was duly seconded:-

“that the Land Rear of Central Garage, Cranfield Development Brief be reconsidered by the Sustainable Communities Overview and Scrutiny Committee before being resubmitted to the Executive.”

Reason for decision: To allow the Sustainable Communities Overview and Scrutiny Committee to consider the concerns regarding the access arrangements, particularly bearing in mind the possibility of a new lower school.

RESOLVED

that the Land Rear of Central Garage, Cranfield Development Brief be reconsidered by the Sustainable Communities Overview and Scrutiny Committee before being resubmitted to the Executive on 19 March 2013.

E/12/132

Local Welfare Provision

The Executive considered a report from the Executive Member for Social Care, Health and Housing that proposed the introduction of a scheme to provide Local Welfare Provision to residents in financial distress following a crisis or disaster or in support of independent living. The new scheme would replace the Social Fund administered by the Department for Work and Pensions that was being abolished from 31 March 2013.

Reason for decision: To enable the Council to provide a Welfare Provision for vulnerable households from the 1 April 2013.

RESOLVED

- 1. that the establishment of a Local Welfare Provision scheme be agreed with two aims:**
 - (a) alleviate financial distress following an emergency, crisis or disaster; and**
 - (b) enable vulnerable residents to set up home or remain at home and so gain or maintain their independence;**
- 2. that the proposed Eligibility Criteria for the scheme as set out in Appendix A of the report and the Operating Model as set out in Option 2 of Appendix B be approved;**
- 3. that the scheme be introduced in two phases:**
 - (a) Phase One, will replicate the current Department for Work and Pensions scheme with a minor change to eligibility and the range of support offered as outlined in the report; and**
 - (b) Phase Two, the scheme will be reviewed after six months operation once the level and type of demand is known; and**
- 4. to delegate authority to the Director of Social Care, Health and Housing in consultation with the Executive Member for Social Care, Health and Housing to make amendments to the Local Welfare Provision Scheme.**

E/12/133 **Community Right to Bid**

The Executive received a report from the Deputy Leader and Executive Member for Corporate Resources relating to the Community Right to Bid provisions in the Localism Act and which outlined the Council's approach to implementing the regulations.

Reason for decision: To ensure the Council is able to fulfil its statutory duties in relation to Assets of Community Value under the Localism Act 2011 – the Community Right to Bid.

RESOLVED

1. **to delegate to the Service Director, Business Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources and the Section 151 Officer, to decide if an asset should be listed;**
2. **that if a decision to list an asset is appealed by the asset owner, a review will be undertaken by the Deputy Chief Executive and Director of Children's Services in consultation with the Deputy Executive Member for Corporate Resources and Lead Member for Localism;**
3. **that any claims for compensation made by a private owner should be decided by the Service Director, Business Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources and the Section 151 Officer; and**
4. **that if a compensation decision is appealed, a review will be undertaken by the Deputy Chief Executive and Director of Children's Services in consultation with the Deputy Executive Member for Corporate Resources and Lead Member for Localism.**

E/12/134 **Award of the Contract for the Refurbishment of Timberlands Gypsy and Travellers Site , Pepperstock, Slip End**

The Executive considered a report from the Executive Member for Social Care, Health and Housing proposing the award of a contract for the refurbishment of Timberlands Gypsy and Travellers Site, Pepperstock, Slip End.

Reason for decision: To enable the refurbishment of the Gypsy and Traveller Site is completed by the end of 2013.

RESOLVED

to award the contract for the refurbishment of Timberlands Gypsy and Travellers Site, Pepperstock, Slip End to Contractor A.

E/12/135 **Options for Resolving Current Delays in Academy Conversions caused by Disputed Liabilities for Pension Payments**

This item was deferred to the Executive meeting on 19 March 2013.

E/12/136 **Award of the Contract for the Refurbishment of Timberlands Gypsy and Travellers Site , Pepperstock, Slip End**

See minute E/12/134 for details.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.46 a.m.)

Chairman

Dated