

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 10 December 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
Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark I Dalgarno A L Dodwell	Cllrs	D J Hopkin A M Turner B Wells R D Wenham
Members in Attendance:	Cllrs	P N Aldis Mrs A Barker A R Bastable R D Berry M C Blair D Bowater Mrs R J Drinkwater P A Duckett	Cllrs	C C Gomm Mrs S A Goodchild Ms A M W Graham D Jones Mrs J G Lawrence D McVicar J Murray A Shadbolt
Officers in Attendance		Mr R Carr Ms D Clarke Mrs M Clay Mr M Coiffait Mrs E Grant Mrs S Hobbs Ms S Marsh Ms K McFarlane Mr G Muskett Mrs J Ogle Mr C Warboys		Chief Executive Director of Improvement and Corporate Services Chief Legal and Democratic Services Officer Community Services Director Deputy Chief Executive/Director of Children's Services Committee Services Officer Housing Services Manager Head of Community Regeneration & Adult Skills Head of Revenues & Benefits Director of Social Care, Health and Housing Chief Finance Officer

E/13/77 **Minutes**

RESOLVED

that the minutes of the meetings held on 5 and 27 November 2013 be confirmed as a correct record and signed by the Chairman.

E/13/78 **Members' Interests**

None were declared.

E/13/79 **Chairman's Announcements**

The Chairman reminded Members of the arrangements for considering exempt information contained within the Agenda.

The South East Midlands Local Enterprise Partnership had published its Infrastructure Investment Plan which set out strategic requirements to support growth in the area.

At the Local Building Control regional awards ceremony, Central Bedfordshire had won awards in the following categories:

- Best Domestic Extension
- Best Large Housing Development
- Best Educational Project.

The Leader had attended the opening of the Academy of Central Bedfordshire which was an Alternative Provision Free School. This was an innovative approach which the Council had been able to support by working in partnership with headteachers as well as by providing the buildings for the site in Houghton Regis and another in Stotfold which was due to open next year.

E/13/80 **Petitions**

No petitions were received.

E/13/81 **Public Participation**

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

1. **Mr Bishop**

Mr Bishop referred to Central Bedfordshire Council's Equality and Diversity Policy that had been considered by the Executive on 5 November 2013 and the Motion that had been rejected by Council on 13 June 2013 that had referred to the blacklisting of workers in the construction industry.

The Deputy Leader and Executive Member for Corporate Resources explained that the Council's Equality and Diversity Policy addressed the requirements of the Equality Act 2010 and the Public Sector Equality Duty 2011 in relation to the statutory duties to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics. The blacklisting of workers in the construction industry fell outside the remit of the Equality Act and therefore there was not a discrepancy between the actions of the Council and the Equality and Diversity Strategy.

2. **Mr Konstantinidis**

Mr Konstantinidis referred to Agenda item 18 'BEaR Project Options Review' and supported the review of the project and asked a question about the financial implications.

The Deputy Leader and Executive Member for Corporate Resources explained that this would be contained within Budget report due to be considered by the Executive on 14 January 2014.

E/13/82 **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 January 2014 to 31 December 2014 be noted.

E/13/83 **Minerals and Waste Local Plan: Strategic Sites and Policies - Plan for Adoption**

The Executive considered a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that proposed the adoption of the Plan incorporating the modifications put forward by the Inspector. The Inspector had found the Plan to be sound and legally compliant, provided a number of modifications were made. All of the modifications, apart from one relating to the allocation of the waste recovery site at Thorn Turn, had been considered previously and approved by the Executive.

Members noted that the allocation of Elstow South for non-hazardous waste landfill had not been confirmed by the Inspector, but the Inspector had confirmed the allocations at Rookery South for both non-hazardous waste landfill and waste recovery.

Reason for decision: To enable the Minerals and Waste Local Plan: Strategic Sites and Policies to be progressed towards formal adoption, consistent with the Local Development Scheme.

RESOLVED

that the Inspector's Report as set out in Appendix A to the report be noted.

RECOMMENDED to Council

that the Minerals and Waste Local Plan: Strategic Sites and Policies incorporating the modifications proposed by the Inspector in his report, be adopted as Council policy.

E/13/84

Council Tax Support Scheme

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources which reviewed the Council's Local Council Tax Support Scheme. The report also provided an update on policy developments relating to the Government's welfare reforms and the impact on Central Bedfordshire residents.

In response to questions, the Deputy Leader and Executive Member for Corporate Resources explained that the Council had a legal duty to collect money that was owed to the Council. Residents who were suffering financial hardship would be able to apply for a grant from either the discretionary fund or the local welfare provision. The Council was still waiting for further information from the Government in relation to the Universal Credit scheme.

Reason for decision: To enable the Council to endorse the Central Bedfordshire Council Local Council Tax Support Scheme. If the scheme was not approved by 31 January 2014, the Council would have to award Local Council Tax Support in accordance with the Government's default scheme which would result in the cost of the scheme exceeding that of the Local Council Tax Support Scheme.

RECOMMENDED to Council

- 1. that the review of the Local Council Tax Support Scheme be confirmed and that the current scheme be extended for a further year (2014/15) with a full review during 2014/15 to inform the approach from April 2015.***

RESOLVED

- 1. that further Government changes to welfare reform be noted; and**
- 2. that the latest analysis of the impact on Central Bedfordshire residents be noted.**

E/13/85

Determination of Statutory Proposal to Expand Pulford Voluntary Aided Church of England Lower School

The Executive considered a report from the Executive Member for Children's Services that set out the statutory proposal of the Governing Body of Pulford Voluntary Aided (VA) Church of England (CofE) Lower School to expand the school from its current capacity of 150 places to 225 permanent places with a proposed implementation date of September 2014. The proposal had been the subject of a statutory consultation and the statutory notice period had now concluded, requiring the Council to consider any representations received and to determine the outcome of the proposal.

Reason for decision: To determine the outcome of the statutory proposals following the close of the representation period on 14 October 2013. If the Council were to fail to decide these proposals within 2 months of the end of the representation period it must forward proposals, and any received representations, to the schools adjudicator for decision.

RESOLVED

- 1. that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007 and The School Organisation and Governance (Amendment) (England) Regulations 2009, have been complied with in bringing forward the proposal outlined in the report;**
- 2. that no representations were received by the Council to the statutory notices as set out in Appendices B to the report, issued on 16 September 2013 under Section 19(3) of the Education and Inspections Act 2006 for Pulford VA CofE Lower School; and**
- 3. that the statutory proposal to expand Pulford VA CofE Lower School from a 1 form of entry (150 place) lower school for pupils aged 4+ to 9, with 25 Nursery places to a 1.5 form of entry (225 place) lower school catering for pupils aged 4+ to 9 with 25 Nursery places be approved, with effect from September 2014, increasing the schools planned admission number from 30 to 45, subject to Section 77 consent being granted by the Secretary of State by 1 February 2014 for the change of use of an area of existing playing field.**

E/13/86

Commissioning of New School Places for implementation from September 2015 and September 2016 in Central Bedfordshire

The Executive considered a report from the Executive Member for Children's Services that outlined four projects within the New School Places Programme 2013/14 – 2017/18, where local pressures of demographic growth required new school places to be provided from September 2015 and a further five projects within the New School Places Programme with a target implementation date of September 2016.

The Chairman of the Children's Services Overview and Scrutiny Committee acknowledged the importance of delivering high quality education and that Members of the Committee were in support of the proposals.

Reason for decision: To ensure that the Council continued to meet its statutory obligations to provide sufficient school places and also to meet the legal requirements placed on the Council by the Education and Inspections Act 2006 regarding proposals to expand maintained schools. Commitment to expenditure and final approval of the proposals set out in resolutions 4-7 would be determined by the Executive in August 2014, informed by the outcome of the consultation exercises, Education Funding Agency approvals where relevant, and business cases which were to be prepared by each school, Academy or prospective provider.

RESOLVED

1.
 - i. **that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007 and The School Organisation and Governance (Amendment) (England) Regulations 2009, have been complied with in bringing forward the proposals to expand Russell Lower School, Ampthill and St Andrews CofE VC Lower School as outlined in the report;**
 - ii. **that the receipt of representations in respect of the proposal to expand Russell Lower School and the statutory notice as set out in Appendix B to the report, issued on the 16 September 2013 under Section 19(1), of the Education and Inspections Act 2006 be confirmed. No representations were received in respect of the proposal to expand St Andrews CofE VC Lower School and the statutory notice as set out in Appendix D to the report, issued on 16 September 2013 under Section 19(3), of the Education and Inspections Act 2006;**
 - iii. **that the statutory proposal to expand Russell Lower School, Ampthill from its current capacity of 300 places to provide a total of 450 places for pupils aged 4+ to 9 with an implementation date of September 2015 be approved, subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990 by 1 May 2014;**

6. to invite Houghton Regis Academy to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in August 2014 to expand from its current capacity of 480 places to provide 900 places for pupils aged 11 to 16 years of age, plus Sixth Form with a phased implementation date from September 2016; and
7. subject to timing and rate of housing developments in Arlesey and Houghton Regis, to approve commencement of the processes as set out in the report, to invite Academy/Free School proposals for the establishment of:
 - i. a new co-educational mainstream 2 Form Entry Primary School (plus provision for early years) for pupils aged 4+ to 11 years of age to serve the new North Houghton Regis development; and
 - ii. a new co-educational mainstream 2 Form Entry Lower School (plus provision for early years) for pupils aged 4+ to 9 years of age in Arlesey.

E/13/87

Extending the European Social Fund (ESF) Programme to Support the Unemployed and Economically Inactive

The Executive considered a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that proposed the extension of the current ESF programme by up to £6m for the delivery of additional activity across Central Bedfordshire and Bedford Borough. The programme of new areas of ESF activity would support the delivery of the All Age Skills Strategy:

- to expand and extend the Work Club offer across Central Bedfordshire;
- Business Start Up Programme for the Unemployed and Economically Inactive;
- Get Into Work Programme; and
- supporting adults with mental health issues back to work.

Reason for decision: To enable the delivery of an additional programme of activities to support adults and young people to improve their skills, gain employment or start a business.

RESOLVED

1. that the extension of the current ESF programme contract be approved by accepting up to an additional £3m ESF, matched by a further £3m from the Education Funding Agency to support the unemployed and inactive into work or further training; and
2. that the use of the additional funding against each of the proposed activities specified in paragraph 29 of the report, be approved.

E/13/88 **September 2013 - Quarter 2 Revenue Budget Monitoring Report**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the financial position for 2013/14 as at the end of September 2013. The report set out the spend to date against the profiled budget and the forecast financial outturn.

In response to a question, the Executive Member for Social Care, Health and Housing confirmed that identifying residents who self fund their own care was challenging. It was anticipated that the introduction of the proposed Care Bill would provide challenges as well as greater opportunities to engage with self funders.

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

RESOLVED

- 1. that the revenue forecast position be noted as a projected overspend of £1.8M; and**
- 2. that officers continue with their efforts to achieve a minimum balanced outturn or an underspend.**

E/13/89 **September 2013 - Quarter 2 Capital Budget Monitoring Report**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that provided information on the projected capital outturn for 2013/14 as at September 2013.

Reason for decision: To complete schemes currently underway and facilitate effective financial management and planning.

RESOLVED

- 1. to note that the overall forecast position was to spend £76.2m compared to budget of £94.6m, a variance of £18.4m as a result of an underspend of £0.8m; and**
- 2. to defer spend to 2014/15 of £19.2m.**

E/13/90 **September 2013/14 Housing Revenue Account Budget Monitoring Revenue and Capital Report**

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 provided information on the 2013/14 Housing Revenue Account projected outturn revenue and capital position as at September 2013.

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

RESOLVED

- 1. that the revenue forecast position was to achieve a balanced budget with a contribution to Housing Revenue Account Reserves of £7.131m, thus strengthening the Council's ability to invest and improve its stock of Council Houses;**
- 2. that the capital forecast position indicated that expenditure would be £2.345m less than the budget. This was due to lower than anticipated expenditure on the Dukeminster project and implementation of Housing Asset Management Strategy; and**
- 3. that Right to Buy sales would be monitored for the possible impact on predicted surpluses in the medium to longer term.**

E/13/91

Quarter 2 Performance Report

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources on the Quarter 2 2013/14 performance for Central Bedfordshire Council's Medium Term Plan indicator set.

The Executive noted that there had been an increase in crime in Central Bedfordshire, which had risen by 0.5 crimes per 1,000 population when compared to Quarter 2 in 2012/13. The Executive Member for Sustainable Communities – Services agreed to raise this with the Chairman of the Police and Crime Panel.

In response to a question, the Deputy Leader and Executive Member for Corporate Resources confirmed that there was a need to compare Central Bedfordshire Council's performance with not just neighbouring authorities, but with those across the country.

Reason for decision: To ensure a rigorous approach to performance management across Central Bedfordshire Council.

RESOLVED

- 1. that the continuing overall strong performance in Quarter 2 for the indicators being used to help support monitoring of progress against the Medium Term Plan priorities be acknowledged; and**
- 2. that officers further investigate and resolve underperforming indicators as appropriate.**

E/13/92

Dukeminster Extra Care Development: Award of Contract

The Executive considered a report from the Executive Member for Social Care, Health and Housing that proposed to award the contract for the Design and Build of the Dukeminster Extra Care Housing Scheme. The scheme would be funded primarily by the Council's Housing Revenue Account (HRA) with a significant grant from the Homes and Communities Agency. This would be the first new build scheme developed by the Council since the adoption of the HRA 'self-financing regime'.

The proposed contractor had a proven track record of delivering high quality schemes and the bid was of a high standard and also within the budget identified for the development.

Reason for decision: To secure the delivery of an 83-unit Extra Care Housing development on the Dukeminster Estate, Dunstable.

RESOLVED

- 1. that the contract to design and build the Dukeminster Extra Care Development to Contractor A be awarded as set out in Appendix A to the report; and**
- 2. to authorise the Chief Legal and Democratic Services Officer to enter into agreement with the Homes and Communities Agency on behalf of the Council to secure the grant contribution to the funding of the development.**

E/13/93

BEaR Project Options Review

The Executive considered a report from the Executive Member for Sustainable Communities – Services that provided an update on the Central Bedfordshire Energy and Recycling (BEaR) Project and invited Members to consider the options presented in the report, upon which briefings had been provided. The Executive Member confirmed that correspondence had been received from bidders and that the issues raised had been addressed in the report.

Reason for decision: That the final tenders received from the two Bidders remaining in the process were not affordable when taken in the context of the significant financial pressures on the Authority in the coming years.

RESOLVED

- 1. to abandon the procurement (option 4) for the reasons set out within the report, having given due regard to the options available to the Authority described in the report;**
- 2. that the closure of the BEaR Project be approved; and**

3. to instruct the Director of Community Services, in consultation with the Executive Member for Sustainable Communities – Services, to develop alternative options for delivering the Council’s duties in respect of the disposal of controlled waste and to submit a Business Case to a future meeting of the Executive.

E/13/94 **Dukeminster Extra Care Development: Award of Contract**

See minute no. E/13/92 for details.

E/13/95 **BEaR Project Options Review**

See minute no. E/13/93 for details.

E/13/96 **Exclusion of the Press and Public**

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 of Part I of Schedule 12A of the Act.

E/13/97 **Disposal of Land at the Biggleswade A1 South Roundabout**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought approval to enter into a contract to dispose of land for a Trunk Road Service Area at the Biggleswade A1 south roundabout.

RECOMMENDED to Council

that the land at the Biggleswade A1 south roundabout be disposed of for use as a Trunk Road Service Area.

RESOLVED

that subject to the above, that the Director of Improvement and Corporate Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, be authorised to approve the disposal and the terms thereof for a conditional contract for the disposal of the land at best value.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.19 a.m.)

Chairman

Dated