

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

**This meeting  
may be filmed.\***



**Central  
Bedfordshire**

**please ask for** Rebecca Preen  
**direct line** 0300 300 4193  
**date** 10 November 2016

## **NOTICE OF MEETING**

### **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE**

Date & Time

**Thursday, 24 November 2016 10.00 a.m.**

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford**

Richard Carr  
**Chief Executive**

To: The Chairman and Members of the SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE:

Cllrs D McVicar (Chairman), B Saunders (Vice-Chairman), D Bowater,  
Ms A M W Graham, J Kane, K C Matthews, Ms C Maudlin, R Morris and G Perham

[Named Substitutes:

Mrs C F Chapman MBE, P Hollick, R W Johnstone, I Shingler and  
M A G Versallion]

All other Members of the Council - on request

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MEETING**

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# AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Members' Interests**

To receive from Members any declarations of interest and of any political whip in relation to any agenda item.

3. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

4. **Minutes**

To approve as a correct record the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 26 September 2016 and to note actions taken since that meeting.

5. **Petitions**

To receive petitions from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

6. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of part A4 of the Constitution.

7. **Call-In**

To consider any decision of the Executive referred to this Committee for review in accordance with Procedure Rule 10.10 of Part D2.

8. **Requested Items**

To consider any items referred to the Committee at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

This to include a requested item on **water efficiency** whereby the Committee will receive a verbal update further to a previous request from the Committee to provide clarification in relation to the Council's future approach to water efficiency in Central Bedfordshire in light of the growth of the area. Members will receive a verbal update to inform a later discussion on the Local Plan.

## REPORTS

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
9	<b>Executive Members Updates</b>  To receive a brief verbal update from the Executive Member for Community Services and the Executive Member for Regeneration.	*
10	<b>Planning Enforcement</b>  To receive a report relating to the outcomes of the previous Planning Enforcement Enquiry and scrutinise plans to implement the recommendations of the enquiry.	* 9 - 38
11	<b>Economic Insight (2016)</b>  To receive a presentation relating to economic insight in Central Bedfordshire for 2016.	*
12	<b>Q1 Budget Monitoring Reports</b>  To scrutinise the aspects of the Q1 budget monitoring report submitted to the Executive in October 2016 relevant to the remit of the Sustainable Communities Overview and Scrutiny Committee.	* 39 - 80
13	<b>Work Programme</b>  To consider the current draft SCOSC work programme and Executive Forward Plan incorporating a list of suggested items for future meetings.	* 81 - 92

**CENTRAL BEDFORDSHIRE COUNCIL**

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Monday, 26 September 2016.

**PRESENT**

Cllr D McVicar (Chairman)  
Cllr B Saunders (Vice-Chairman)

Cllrs D Bowater  
Ms A M W Graham  
J Kane

Cllrs K C Matthews  
R Morris  
G Perham

Apologies for Absence: Cllrs Ms C Maudlin

Substitutes: Cllrs Mrs C F Chapman MBE

Members in Attendance: Cllrs Mrs A Barker  
A D Brown  
Mrs S Clark  
P A Duckett  
E Ghent  
C C Gomm  
P Hollick  
J G Jamieson  
T Swain  
M A G Versallion  
B Wells

Chairman of Children's Services Overview and Scrutiny Committee  
Deputy Executive Member for Community Services  
Deputy Executive Member for Regeneration  
Chairman of Corporate Resources Overview & Scrutiny Committee  
Deputy Executive Member for Adult Social Care  
Chairman of Social Care, Health & Housing Overview & Scrutiny Committee  
Leader of the Council and Chairman of the Executive  
Deputy Executive Member for Community Services

Officers in Attendance: Mr M Coiffait – Director of Community Services  
Mrs R Preen – Scrutiny Policy Adviser  
Ms S Childerhouse – Head of Public Protection

Public

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**SCOSC/16/29 Members' Interests**

None.

**SCOSC/16/30 Chairman's Announcements and Communications**

None.

**SCOSC/16/31 Minutes**

**RESOLVED that the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 01 July 2016 be confirmed and signed by the Chairman as a correct record.**

**SCOSC/16/32 Petitions**

None.

**SCOSC/16/33 Questions, Statements or Deputations**

The Chairman confirmed that two members of the public had registered to speak at the commencement of Item 10.

**SCOSC/16/34 Call-In**

None.

**SCOSC/16/35 Requested Items**

None.

**SCOSC/16/36 Executive Members Updates**

The Deputy Executive Member for Regeneration provided the Committee with an update on the Local Plan, that leaflets and a questionnaire would be sent to members of the public across Central Bedfordshire, after which a series of coordinated community planning events would take place. Technical site assessments were underway, the Gypsy and Traveller accommodation assessment was currently available, with the draft Local Plan ready for publication in January 2017.

The Director for Community Services updated the Committee with regards to unauthorised Gypsy and Traveller encampments whereby they were being moved on where possible, the use of pre-emptive injunctions on known problem sites and that an Officer was being recruited to deal specifically with this issue.

**SCOSC/16/37 Passenger Transport Strategy**

The Chairman invited two speakers to address the Committee in relation to the passenger transport strategy which in summary related to the following:-

- Concerns that proposals would not improve the current level of service and would be to the detriment of vulnerable service users.
- That the reduction in subsidies would push Dial a Ride services beyond viability, force them to reduce staffing levels whilst taking on additional work.
- That the Committee recommend a delay to proposals for 1 year in order to consider other opportunities to work with third party transport providers, include a full review of outsourcing options and finding a solution which worked together for all parties.
- Concerns that essential public services would be reduced in light of funding pressures and that alternative providers wouldn't have the expertise to deal with and provide an appropriate level of service to elderly and vulnerable customers.

The Deputy Executive Member for Community Services introduced the report, highlighting that the Council did not have a current strategy in operation, drawing the Committee's attention to the legal elements of the report and specifying the Council's statutory duties in relation to passenger transport.

In light of the report Members discussed the following:-

- The importance of ensuring continuity of service, not cutting passenger transport so deeply so as to leave a lack of provision, resulting in having to revisit the strategy at a later date.
- The possible knock on effect to other services were Dial a Ride to be adversely affected by the proposed changes to funding.
- Whether Dial a Ride services could be linked across the region although they had been reluctant to do this in the past.
- That certain routes to school be reassessed for safety.
- That decisions be made carefully and not in haste, entering into early discussions with community groups before final decisions were made.
- That the tender process may lead to the cheapest bid winning the contract with a subsequent negative effect on service delivery, to which the Director confirmed that price was not the only factor when determining which service provider to use.
- That Service Level Agreements (SLA's) be monitored and measured.
- The need to differentiate the needs of urban and rural areas.
- That the home to school transport policy had been approved in the past but had not been implemented, to which the Committee agreed should be remedied.
- That consideration be given to a delay in relation to the Community Transport element to which the Head of Public Protection outlined difficulties in non compliance with the EU directive relating to state aid and the tendering process organisations were allowed to enter into.

**RECOMMENDED that the Committee broadly support the Passenger Transport Strategy but recommend that the Executive consider delaying changes to the Community Transport element of the strategy, specifically the Dial a Ride service for 1 year in order to allow further discussions to**

**take place, taking into account the legal implication of not complying with the EU Directive relating to State Aid, which prohibits the Council from providing subsidies to an organisation which tenders for other transport services.**

(Note: The meeting commenced at 2.30 p.m. and concluded at 4.00 p.m.)



Central Bedfordshire Council

SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE

Thursday, 24 November 2016

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## Planning Enforcement

Report of Cllr Nigel Young, Executive Member for Regeneration

Advising Officers: Jason Longhurst, Director of Regeneration and Business ([Jason.longhurst@centralbedfordshire.gov.uk](mailto:Jason.longhurst@centralbedfordshire.gov.uk)) and Peter Keates, Head of Development and Regulation ([peter.keates@centralbedfordshire.gov.uk](mailto:peter.keates@centralbedfordshire.gov.uk))

### Purpose of this report

To provide a performance monitoring update as recommended at the OSC meeting on 14 January 2016 in respect of the Planning Enforcement Service.

### RECOMMENDATIONS

The Committee is asked to:

1. Note progress to date.
2. Recommend the changes identified in the updated Planning Enforcement Plan at **Appendix A** to the Executive Committee.

### Background

1. At their meeting on 15 January 2016 the Sustainable Communities Overview and Scrutiny Committee (SCOSC) received a report containing an update of the enquiry carried out in respect of the Planning Enforcement Service as a result of concerns raised by Members.
2. The enquiry was formed of Cllr K Matthews, Cllr B Saunders, Cllr A Graham and Cllr R Johnstone who undertook the review of planning enforcement with support of the Rebecca Preen, Scrutiny Policy Advisor and Peter Keates, Head of Development & Regulation.
3. A presentation will be provided at the OSC meeting to update on performance and staffing for the Planning Enforcement Team and to explain progress in respect of the review.

### **Reason/s for decision**

4. The proposed amendments to the plan will update it taking account of the work carried out during the period of the review to date.

### **Council Priorities**

5. The improvement of the Planning Enforcement Plan and Service directly addresses the Council's priority of Enhancing Central Bedfordshire and ensuring a more efficient and responsive Council.

### **Corporate Implications**

#### **Legal Implications**

6. Colleagues in Legal have not been consulted in advance of the update to OSC respect of the proposed changes to the plan. Full consultation will be carried out before and reported to Executive when they are asked to adopt the plan.

#### **Financial and Risk Implications**

7. Colleagues in Finance have not been consulted in advance of the update to OSC respect of the proposed changes to the plan. Full consultation will be carried out before and reported to Executive when they are asked to adopt the plan.

#### **Equalities Implications**

8. Colleagues in Equalities have not been consulted in advance of the update to OSC respect of the proposed changes to the plan. Full consultation will be carried out before and reported to Executive when they are asked to adopt the plan.

### **Conclusion and next Steps**

9. The Committee are asked to approve the proposed amendments to the planning enforcement plan and recommend adoption to the Executive Committee subject to a full internal consultation.

### **Appendices**

Appendix A – Proposed updated Draft Planning Enforcement Plan

**Background Papers**

10. The following background papers, not previously available to the public, were taken into account and are available on the Council's website:

- National Planning Policy Framework – Central Government paper
- Town and Country Planning Act 1990 – Central Government paper
- Planning Enforcement Government Guidelines
- CBC Enforcement Plan

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Appendix

Business & Regeneration Directorate

# Planning Enforcement Plan

Revised Draft September 2016

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**Appendix A** DCLG Summary of available powers for dealing with illegal and unauthorised encampments by gypsies and travellers

**Appendix B** Example of a CBC Breach of Condition Notice

**Appendix C** Example of a CBC Enforcement Notice

## 1. Introduction

- 1.1 National guidance on planning enforcement in England is given in the National Planning Policy Framework (NPPF) 2012. Government policy guidance within the National Planning Policy Framework makes it clear that:
- enforcement action is a discretionary power,
  - Local Planning Authorities should act proportionately in responding to suspected breaches of planning control
  - that enforcement action should not be taken simply to remedy the absence of a planning permission where development is acceptable on its planning merits
  - Local enforcement Plan should set out how the local planning authority is to handle alleged breaches of planning control.
- 1.2 Planning Enforcement is part of the Council's Development Management service to promote quality buildings and environments in accordance with Government policies and the Council's development policies as detailed in the emerging Local Plan for Central Bedfordshire.

### **Minerals & Waste Planning Authority**

- 1.3 As a unitary single-tier Authority, the Council also fulfils the role of Minerals and Waste Planning Authority. The principal areas of enforcement work carried out by the Minerals and Waste Planning Authority include:
- a) The monitoring (pro-active enforcement) fee charged periodic inspection of permitted mineral and landfill related waste sites to identify and resolve non-compliances;
  - b) The regular inspection of establishments or undertakings carrying on the disposal or recovery of waste.
  - c) The investigation and resolution of alleged breaches of planning control at minerals or waste related development following receipt of a complaint.

#### Definitions

- 1.4 "The winning and working of minerals" includes the extraction/mining of minerals both in and under the surface and the operation of ancillary and associated plant, buildings and machinery for processing materials.
- 1.5 "Waste management facilities" include waste transfer stations, material recycling facilities, composting facilities, scrap metal operations; end of life vehicle dismantlers; incinerators, waste treatment facilities including sewage works and the disposal of waste to land.
- 1.6 The Minerals and Waste Planning Authority also carries out this work for Bedford Borough under a regularly reviewed Service Level Agreement.(SLA)

### **Role of the Environment Agency**

- 1.7 The Environment Agency is responsible for the licensing of waste carriers and in the detailed management of both minerals and waste operations. The Minerals and Waste Planning Authority works closely with the Agency to resolve environmental issues at individual sites. The legislative powers available are different from those of the Planning Authority. The Environment Agency has a national 24 hours 7 days a week emergency number to report incidents of pollution (Call 0800 80 70 60)and has staff 'on call' to deal with emergency pollution incidents.

## **What the Planning Authority and the Minerals & Waste Planning Authority aim to do with regard to breaches of planning control:**

- 1.8 We aim to provide a high quality re-active and pro-active approach to planning enforcement within the resources available.

The Council aims to provide the principles of good planning enforcement as follows:

- To publish clear standards of service and performance through this enforcement plan.
- To only investigate alleged breaches of planning control.
- To normally not investigate anonymous complaints and not deal with business competition complaints
- To deal with all alleged contraveners in an open, fair and professional manner
- To resolve by investigations through negotiation and without formal action whenever possible, but formal action will be taken if it is expedient to do so.
- To take action as appropriate to resolve breaches of planning control in the public interest, having regard to all material planning considerations.
- To be consistent in our investigations and decisions.
- To provide information and advice at appropriate times to interested parties on planning enforcement cases and issues.
- To keep complainants details confidential whenever possible.
- To maintain and enhance the pro-active approach to the monitoring of minerals and waste related developments in accordance with national guidelines
- To provide a pro-active approach to planning enforcement within resources available, including monitoring housing developments for compliance with pre-development conditions.

### **1.9 Enforcement Service Standard**

- We aim to resolve 80% of re-active enforcement cases within 26 weeks of the date of receipt.
- **If formal enforcement action is taken the resolution of the case usually takes in excess of 26 weeks.** *(The offender normally has a right of appeal to the Planning Inspectorate and the matter is held in abeyance until the outcome of the appeal is known.)*

### **1.10 Other legislative considerations**

- Governments Enforcement Concordat and the Regulatory Compliance Code.
- Human Rights Act 1998
- Equality Act 2010



## 2 What represents a breach of planning control?

### Planning Control

2.1 A breach of planning control may include any of the following:

- Failing to comply with a condition or the details of the approved plans related to a planning permission.
- Carrying out certain development without planning permission
- Carrying out certain changes of use without planning permission
- Carrying out certain demolition work in a Conservation area without consent
- Neglecting land or buildings to an extent which causes serious harm to the appearance of the area.

**Please note:** It is NOT illegal to carry out any of the above without the benefit of a planning permission (if needed).

2.2 **Criminal Offences:** The breaches of planning control that do constitute criminal acts from the outset and can be subject to high financial penalties if found guilty in the courts include the following: -

- Carrying out works to a protected listed building without consent
- Carrying out works to a tree within a Conservation Area without consent, or works to a protected Tree Preservation Order (TPO) tree without consent
- Displaying certain advertisements without consent

### Retrospective planning applications

2.3 The Town & Country Planning legislation enables the local planning authority to process a planning application for a development or change of use of land that has already taken place without permission assuming that the correct application fee is paid and the appropriate drawings are submitted.

**Please note:** There is currently no financial penalty in England for carrying out the development/change of use and then making a retrospective planning application.

The handling of all planning applications is by the Development Management Area Teams and normally once a respective application is received then the Planning Enforcement case file is closed pending the outcome of the application.

### Building Control is covered by the Building Regulations legislation

2.4 Building control is totally different to planning control and operates under its own Building Control Policy, and checks that when buildings are constructed and altered that the health, safety and welfare of people using them are ensured.

2.5 In recent years the Building Control service has been opened up so that any developer has the option to use other organisations other than the local authority to carry out the inspections and check the compliance with the Building Regulations.

**Please note:** Construction work that only needs to be the subject of Building Regulations or a Building Notice does not require to be the subject of any local or neighbour publicity. This means that the details will not be on the CBC website

### 3 Reporting alleged breaches of planning control

3.1 The Government is keen to encourage the economic prosperity of the individual and to ensure that the regulatory provisions associated with development work is directed to the protection of the character and appearance of the locality in the public interest. Therefore before reporting an alleged breach please:

3.2 **Check that the alleged breach is not 'Permitted Development'.**

- Refer to the Planning portal website [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/)

3.3 **Check that the alleged breach does not already have planning approval**

- Refer to the 'Planning' section of the CBC website [www.centralbedfordshire.gov.uk/](http://www.centralbedfordshire.gov.uk/)

3.4 **Why is the alleged breach causing you harm?**

If any of the following apply then it is NOT a matter covered by the Planning legislation.

- Adverse potential loss of value to your property
- Conflict with an established Right of Light or change to a view from your property
- Alleged trespass or land ownership/boundary encroachment
- Breaches of a covenant e.g parking of a touring caravan on a drive
- Unfair competition with other businesses. e.g display of advertisement boards

These are all likely to be private civil matters. The Planning authority has no legal right to become involved and if challenged by the alleged contravener a complaint to the Council could lead to the authority being found guilty of maladministration because of the inappropriate use of resources to attempt to resolve a 'non planning' matter.

- **Is the alleged breach within the public highway?** : If YES then log a complaint via the CBC website: *Transport,roads, parking* section.
- **Does the alleged breach cause you disturbance from noise, dust, smell?** – If YES then use the CBC website(view more services) *Environmental issues* section

3.5 **Satisfied that none of the above apply then either:**

- **Complete the e-form Planning complaint on the CBC website** ; or
- **Email:** [planningenforcement@centralbedfordshire.gov.uk](mailto:planningenforcement@centralbedfordshire.gov.uk)

3.6 **Please note: Anonymous complaints will not normally be registered**

#### *Reporting gypsy and traveller encampments*

The Planning Enforcement team deals with all types of planning issues, and with regard to those who are travellers/gypsies the key issue is – **where exactly have the caravans/vehicles been parked up?**

- On the public highway or on Council land– This is for CBC Assets to handle because their involvement is to ensure that the health and safety of the persons involved is adequately taken into account. There is a standard procedure that does NOT involve Planning Enforcement.

- On private land (trespasser) – The moving on of travellers is the responsibility of the person(s) who owns the land to take action. CBC monitor progress.
- On private land where the trespass issue is not relevant. – This is for Planning Enforcement to investigate and resolve in accordance with the normal procedures.

3.7 In order to investigate a potential breach as much information as possible is required: -

- The name and address of the complainant
- The name and address of the alleged contravener
- The location of the site and the nature of the alleged breach
- The length of time that the unacceptable situation appears to have continued and an indication of whether it is still continuing
- An explanation of the harm that it is causing the complainant specifically, and the area generally

**CONFIDENTIALITY:** It is our policy not to reveal any information that is likely to identify the complainant, in line with the Data Protection Act 1998. We may be asked to reveal information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Any decision we make to reveal any information would need to show that there is a public interest in doing so.

DRAFT

## 4 Priorities for investigation

4.1 Due to the limited resources available it is essential that we prioritise cases in accordance with the severity of the existing breach or the potential environmental impact.

### 4.2 High priority cases

- Works with the potential to cause serious irreparable harm, (for example unauthorised works to a Listed Building, demolition of buildings in a Conservation Area, works to a protected tree, deposit of waste on an environmentally sensitive site), and where significant harm to amenity is likely to be reduced by immediate action.
- Non-compliance with planning permissions on construction sites, in particular where prior to commencement conditions have not been discharged.

### 4.3 Medium priority cases

- Ongoing breaches of an effective Enforcement or other formal Notice
- Other new complaints of serious harm to the amenities of a neighbourhood, for example unauthorised development in a Conservation Area or inert waste crushing / screening activity.

### 4.4 Low priority cases

- An ongoing investigation where little or no harm has been identified or where harm is easily reparable.
- All other new complaints, for example householder development involving an outbuilding or fence/wall, and certain breaches of planning conditions where development is not in progress

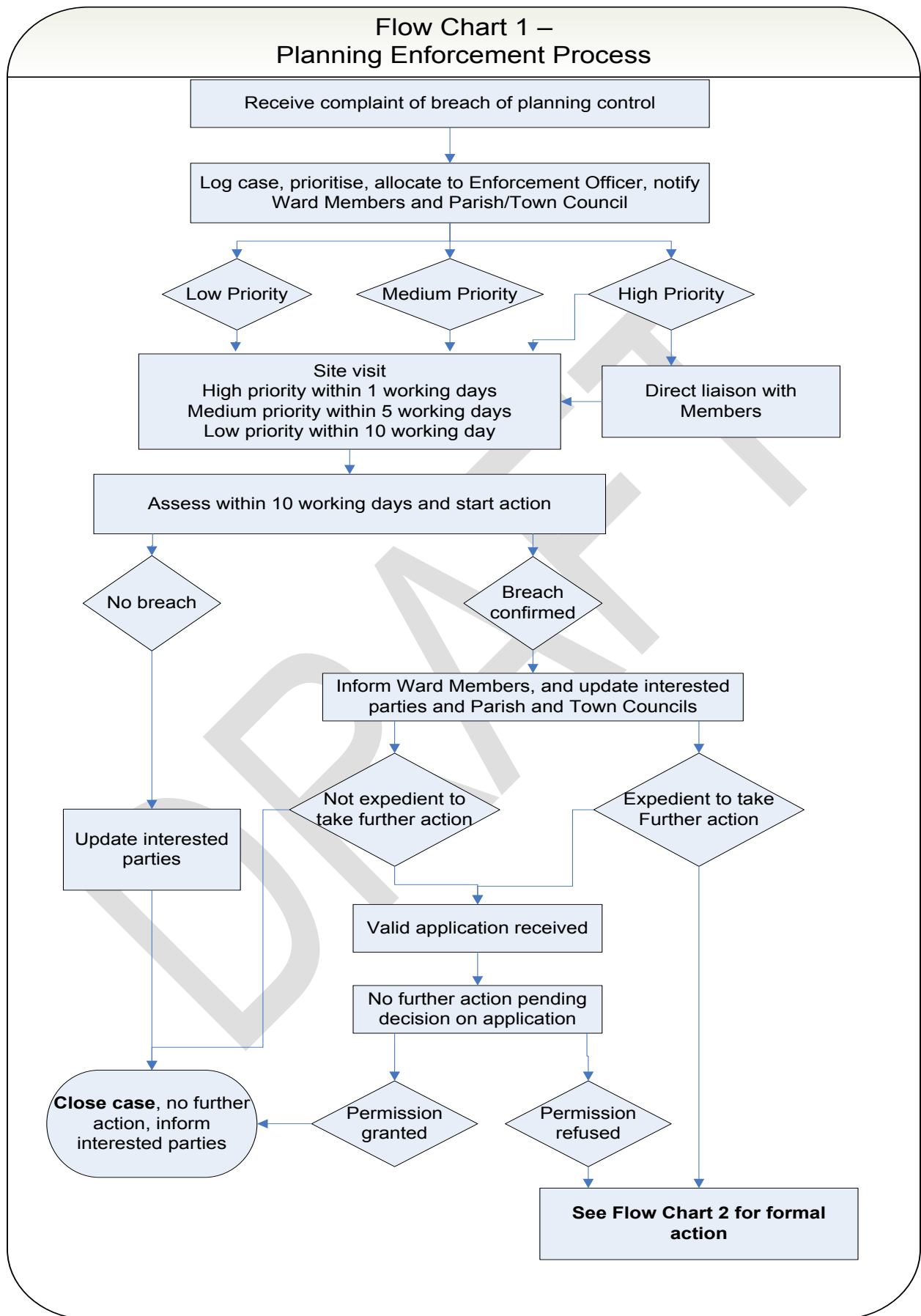
### 4.5 Enforcement Service Standard – Initial site Visit (where considered necessary)

1. **High priority cases** – within one working day of receipt of the complaint.  
If a very serious breach of planning control is established which is likely to cause additional harm to the locality action if left then action will be commenced immediately
2. **Medium priority cases** – within 5 working days
3. **Low priority cases** – A site visit will be made within 10 working days

### 4.6 Enforcement Service Standard - Planning Assessment

In all cases within 10 working days of receipt of a complaint an initial assessment of the case will be made. This may conclude that there is clearly no breach of planning control. Alternatively the evidence may indicate that:

- A minor breach has occurred that requires the submission of a planning application.
- That the owner/developer has been seen or identified and there are reasonable grounds to consider that the non-compliance can be resolved following negotiations.
- That the owner/developer has not been identified and further enquiries are needed
- That urgent formal action (temporary stop notice or injunction) should be taken in order to prevent any further irreparable harm to the amenity of the area



## 5. The investigation of alleged breaches of planning control.

### 5.1 Enforcement Service Standard - Initial timescale

- All complaints of a potential breach of planning control are registered on the computer system with a unique reference number within 3 working days.
- All complainants are provided with an email\* acknowledgement within 3 working days of receipt. The acknowledgment sets out the address of the alleged contravention and the details of the alleged breach. *\*Where no email address is available then the acknowledgement is by phone.*

### 5.2 Enforcement Service Standard - Ward Member & Parish/Town Council Notification

The relevant Ward Councillor(s) and the Clerk to the relevant Parish/Town Council is provided by email with the following in all re-active investigation cases received.

- **Notification of receipt:** Within 2 working days of receipt a notification letter is sent that has the following:
  - The address of the alleged breach
  - The type/brief description of the alleged breach
  - The unique computer generated file reference number for the case
  - The name of the Enforcement Officer who is to carry out the investigation.
- **Notification of breach worthy of investigation:** Within 2 working days of the conclusion that a breach has been established and that requires further negotiations and/or enquiries need to be made a notification letter is sent by email which gives the address of the breach and confirms that there is a breach of planning control.
- **Notification of decision to close the investigation case:** Within 2 working days of the decision taken by the Appeals & Enforcement Team Leader a notification letter is sent by email. The letter gives the address of the alleged breach, the case file reference and the reason why the case file has been closed.

### 5.3 Enforcement Service Standard - Contact with the alleged contravener

- Where an inspection onto the land/premises or property is required to be carried out then the Enforcement Officer will normally make contact with the occupier, introduce himself/herself and explain the purpose of the visit. If necessary contact details will be left.
- Within 10 working days of the first site visit the Enforcement Officer should be in a position to clarify whether or not there has been a breach of planning control, and if there has been a breach explained the options available to resolve matters.
- Throughout the investigation the contact with the contravener will be carried out in a professional manner, either by phone, email, letter or on site. Where necessary there will be liaison with other specialists within CBC or other external parties; such as the Environment Agency, local Wildlife trust to resolve the breach.
- If the negotiations are not successful within a reasonable time period, then the possibility of taking formal enforcement action will be considered and made known to the contravener.
- Within 2 working days of the closure of the investigation case the alleged contravener will be informed of the reason for the outcome, either by phone or by email.

**5.4 Enforcement Service Standard: Contact with the complainant(s)**

- Within 21 working days of receipt of the complaint the allocated Enforcement Officer will make contact with each complainant of the outcome of the Case Assessment.
- If the case requires to be the subject of negotiations then any complainant can contact the allocated Enforcement Officer by phone or email for up-dates
- All complainants are made aware by email or phone when a formal enforcement notice or similar has been served on the contravener by the Planning Authority.
- All complainants are notified by letter/email when the contravener has submitted an appeal to the Planning Inspectorate following the service of an enforcement notice
- Within 2 working days of the closure of the investigation case each complainant will be informed of the reason for the outcome, the reason either by phone or by email.

**TYPES OF INVESTIGATION OUTCOMES**

**5.5 No material breach**

- The scale and or location of the works falls within the amount of development or change of use that can be carried out without planning permission. The exact details of what is 'permitted development' are set out by Central Government in the Town and Country Planning (General Permitted Development) Order 1995) and subsequent amendments.
- There is no development – *For example a moveable slide or an inflatable paddling pool is placed in a rear garden of a house.*
- It is not a planning matter – for example land boundary dispute, highway works.

**5.6 Factors that influence the time taken to resolve an identified breach**

- The nature of the alleged breach
- The extent of investigations that need to be carried out
- The harm which is being caused
- The resources that are available

**5.7 Not expedient to take any action.**

- The work carried out represents a minor breach and does require to be the subject of a planning application (with the appropriate fee). The contravener has been given the opportunity to submit a retrospective planning application but has failed to make a submission within a reasonable time period.
- The breach is minor and the harm it causes is not significant. In our opinion formal action would not be in the public interest. In reaching such a decision we must balance the harm being caused against the likely success at appeal of any formal action.

**5.8 Please note:** *The decision to progress taking action against a breach of planning control should not be solely on the grounds that the contravener has failed to submit a retrospective planning application and pay the appropriate planning fee\*. In normal circumstances it is not a criminal offence to carry out development/change of use without planning permission.*

**5.9 Suggested Recommendation:** Within current national legislation all Planning Authorities are able to charge fees to determine a planning application, to provide pre-application advice and for the regular monitoring of mineral and landfill waste type developments in their area. To achieve some degree of fairness it is hoped that in the near future a national penalty fee will be able to be imposed for all those identified as carrying out development/change of use without planning approval who fail, when requested to make

a retrospective planning application or refuse/fail to make a ground a) planning merits appeal when served with an Enforcement Notice.

**PLANNING INVESTIGATION CASES RECEIVED – Year 2015**

5.12 In the twelve month period the total number of complaint case files opened = 610

The major type of cases handled was as follows:

• New building works (extensions, sheds, fences)	= 207	36%
• Changes of use (land, buildings)	= 145	25%
• Non-compliance with approved plans/permissions	= 150	26%
• Display of advertisements	= 40	7%
• Untidy land/premises	= 12	2%
• <u>Mineral &amp; Waste issues</u>	= 14	2%
	Total = 568	
• Miscellaneous	= 42	

5.13 **Negotiations** – Wherever possible we will try to resolve the breach through negotiation if a planning application is unlikely to be successful. Where this fails and it is considered expedient, formal legal action under the provisions contained within the Town & Country Planning legislation will be taken in liaison with CBC Legal Services.

**PLANNING ENFORCEMENT – FORMAL ACTION TABLE 2015 (Jan – June 2016)**

5.14 In the same twelve month period the total number of cases the subject of formal legal enforcement action = 22 (less than 4% of annual cases received)

Injunction	= 1	( 1 )
Enforcement Notice + Stop Notice	= 0	( )
Temporary Stop Notice	= 2	( 3 )
Enforcement Notices	= 13	( 6 )
Breach of Condition Notices	= 4	( )
Section 215 (Untidy land) Notices	= 2	( 1 )

**Taking formal enforcement action**

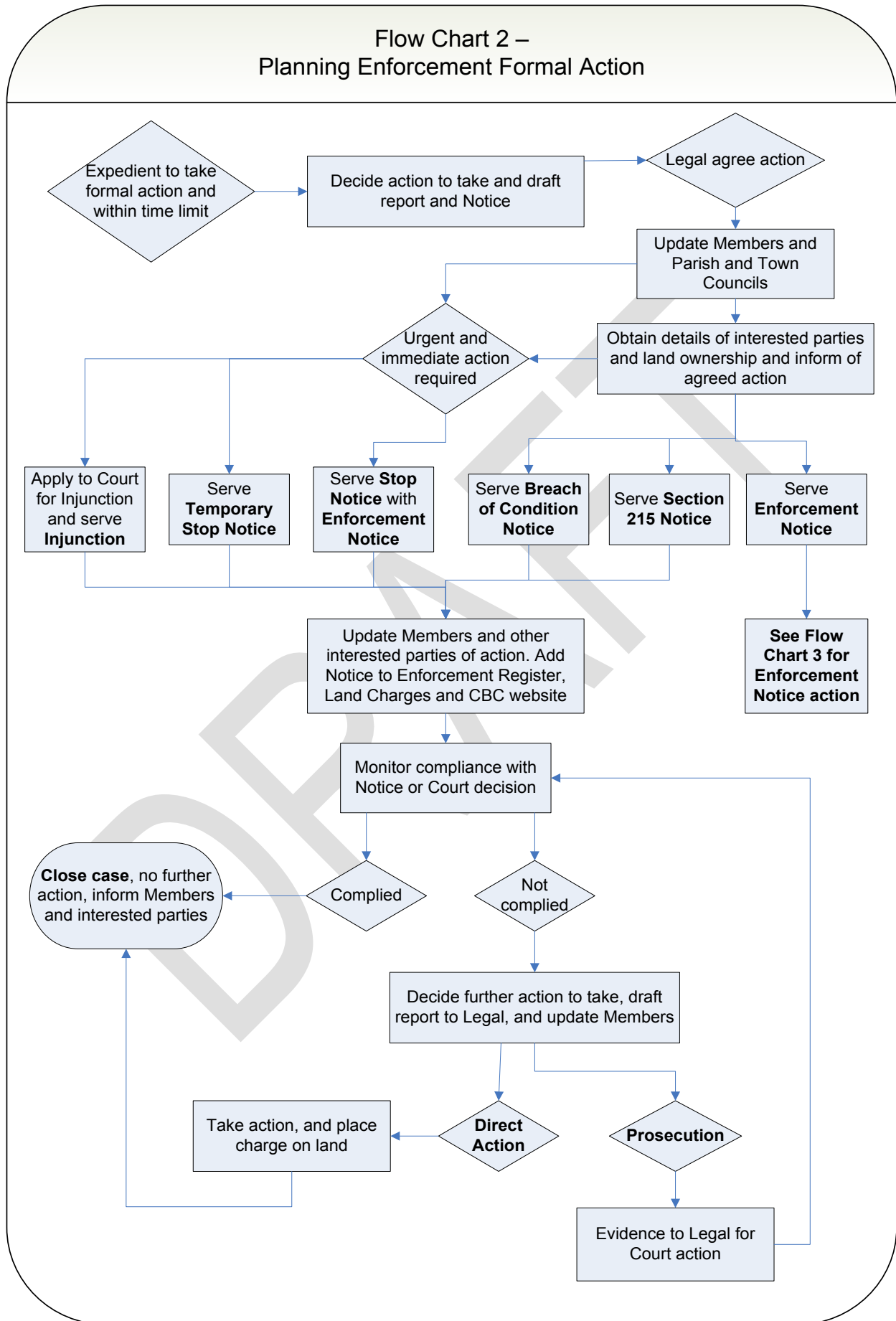
5.15 Planning enforcement functions have been delegated to officers so that officers can make decisions on behalf of the Council without reference to Committee. When formal enforcement action is proposed then this is subject to a confidential Officer report for approval by the Planning Enforcement Team Leader, or the Minerals & Waste Team Leader (where applicable) prior to consultation with Legal Services.

5.16 The level of action carried out by the Council has to be commensurate with the planning breach identified or in certain circumstances the potential harm likely to be caused by the breach of planning control. This is reflected in the “*resource commitment (RC)*” needed.

- **Injunction** (High level RC due to immediate Court involvement)
- **Enforcement Notice with Stop Notice** (High level RC due to potential high financial compensation costs)
- **Temporary Stop Notice** (Normal level RC – Notice limited to 28 day period)
- **Enforcement Notice & Listed Building Enforcement Notice** (Normal level RC)
- **Listed Building Repairs Notice** (Normal level RC)
- **Breach of Condition Notice** (Low level RC)
- **Section 215: Untidy land/condition of building Notice** (Low level RC)



Flow Chart 2 –  
Planning Enforcement Formal Action



## 6. Enforcement Powers

**Please Note:** If the breach is on Council owned land or highway land then it is for the Council's Assets Team or the Highways Team to resolve because as owner of the affected land there are other enforcement related powers available.

### 6.1 Planning Contravention Notice (PCN)

- A legal request made by the Council to obtain relevant information
- A list of questions about the site, the circumstances surrounding the alleged breach and land ownership is sent to the contravener.
- It is an offence to fail to comply with the requirements of the notice within the period set for its return, or to make false or misleading statements in reply.

Depending upon the quality and quantity of the information provided in the PCN will determine whether or not there is reasonable justification for formal Planning enforcement action to be taken.

### 6.2 Section 16 Local Government (Miscellaneous Provisions) Act 1976 and Section 330 Town and Country Planning Act 1990

- A legal request primarily intended to establish information about the ownership and other interests in the land/property/premises where the alleged breach has taken place.
- It is an offence to fail to comply with the requirements of the notice within the period set for its return, or to make false or misleading statements in reply.

### 6.3 Planning Enforcement Order

- The Localism Act 2014 has introduced the power for Local Planning Authorities to apply to the Magistrate's Court for a Planning Enforcement Order.
- A Planning Enforcement Order may be used if we discover a breach of planning control that has been concealed from the Council.
- If the Order is made by the Court we then have a further year in which to take formal action such as serving an Enforcement Notice.
- An Order is useful where an unacceptable use or development would become immune from enforcement action due to the passage of time and where the Council can prove that the use or development has been deliberately concealed.

6.4 When formal enforcement action is to be taken, we will seek to ensure that all people served with notices, including for example those with low literacy rates, or disabilities, understand what action is to be taken, and what is required by the notice.

### EXPEDIENCY TO TAKE ACTION

6.5 If planning permission is considered to be unlikely to be granted for the retention of the development carried out because, for example of its detrimental impact on the neighbourhood then the Council will ask for the built development to be removed. The person(s) responsible for the breach of planning control will be made aware that formal action will be taken by the Council.

- Officers have delegated powers to issue formal notices if it is expedient to do so having regard to the development plan and other material considerations.
- The Council must be able to justify taking formal action, and be sure that the steps specified in the notice and the period for compliance with each step is reasonable,

so that the Council can justify the action taken in the event that an appeal is lodged against the formal notice.

## TYPES OF PLANNING ENFORCEMENT POWERS

### 6.6 Injunction

- The Council can apply to the County Court or High Court for an injunction to stop an actual or imminent breach of planning or listed building control, even when the identity of the person is unknown. All injunctions are handled by Legal Services.
- Essential that the Council prepare a high level of legal evidence to convince a judge that an injunction is necessary
- Monitoring the compliance of injunctions is done by Planning. Failure to comply with an injunction is a very serious legal matter handled by Legal Services.

### 6.7 Stop Notice with Enforcement Notice

- Stop Notice has to be served with an Enforcement notice
- Only applicable if considered that the continuing activity is causing irreparable and immediate significant harm
- Stop Notice takes effect three days after it is served and work must immediately stop. It remains in force even when an appeal against the Enforcement notice is lodged.
- Significant financial compensation liabilities for the Council if the enforcement notice is quashed.
- No right of appeal and failure to comply with a Stop Notice is a criminal offence.

### 6.8 Temporary Stop Notice (TSN)

- Used to stop further activity or development immediately to safeguard the amenity of the area and prevent further irreparable harm.
- Notice does not have to be accompanied by an Enforcement Notice.
- It cannot require unauthorised works to be removed and it cannot prohibit the use of a building as a dwelling.
- A Temporary Stop Notice may be served to prohibit the unauthorised stationing of caravans used as main residences. (Refer to Appendix A The Department for Communities and Local Government document "Dealing with illegal and unauthorised encampments".
- The TSN takes effect for up to a maximum of 28 days only.
- There is no right of appeal to the Secretary of State but a judicial review can challenge the validity and propriety of our decision.

### 6.9 Enforcement Notice

- The Notice is served on the land owner and all other parties that have some control over the land/buildings where we are satisfied that there has been a serious breach of planning control that is contrary to policy and or amenity considerations.
- One or more Notices may be served at the same time on the same site to cover different types of breaches of planning control.
- Every Notice must set out clearly the necessary steps to resolve the breach and set out a reasonable compliance period.

**Please Note:** All those served an Enforcement Notice have a right of appeal to the Planning Inspectorate (PINS). The PINS appeal suspends the Notice. **No further action can be taken by the Planning Authority until the outcome of the appeal is known. A PINS appeal can take up to 12 months (or more) to determine.**

#### 6.10 ENFORCEMENT NOTICE APPEAL PROCEDURE

- All interested parties, including Ward Councillors and the clerk to the respective Parish/Town Council are notified of the appeal and informed by letter of how they can make representations to the Planning Inspectorate.(PINS)
- Appeals may be determined by way of an exchange of written representations, a hearing or public inquiry before a Planning Inspector.
- Irrespective of the procedure chosen by PINS an enforcement appeal is likely to take between 20 – 28 weeks to determine.
- The outcome may be to quash the Enforcement Notice, grant planning permission for what is alleged in the Notice, dismiss the appeal, or dismiss the appeal but make revisions to the Enforcement Notice.
- If the appeal is dismissed, new periods of time to comply with the Notice may apply. The compliance period for the Notice starts from the date of the appeal decision letter from PINS.

**Please Note:** If the compliance requirements of an Enforcement Notice have not been carried out and the compliance period has expired then it is a criminal offence.

#### 6.11 Breach of Condition Notice (BCN)

- This is served on the land owner and the party considered responsible for the breach. It is used when there is a non compliance with one or more specific conditions on a specific planning permission decision notice.
- In the first instance we would normally negotiate to try to secure compliance with the condition
- The Notice must set out clearly which condition on which permission has not been complied with, and set out the works required to be carried out to address the breach.
- There is no right of appeal to the Secretary of State against a Breach of Condition Notice. We will use this procedure in preference to the service of Enforcement Notices where appropriate.

**Please Note:** The compliance requirement of a BCN remains applicable at all times after the date of compliance unless the BCN is withdrawn or superseded by a new permission/condition.

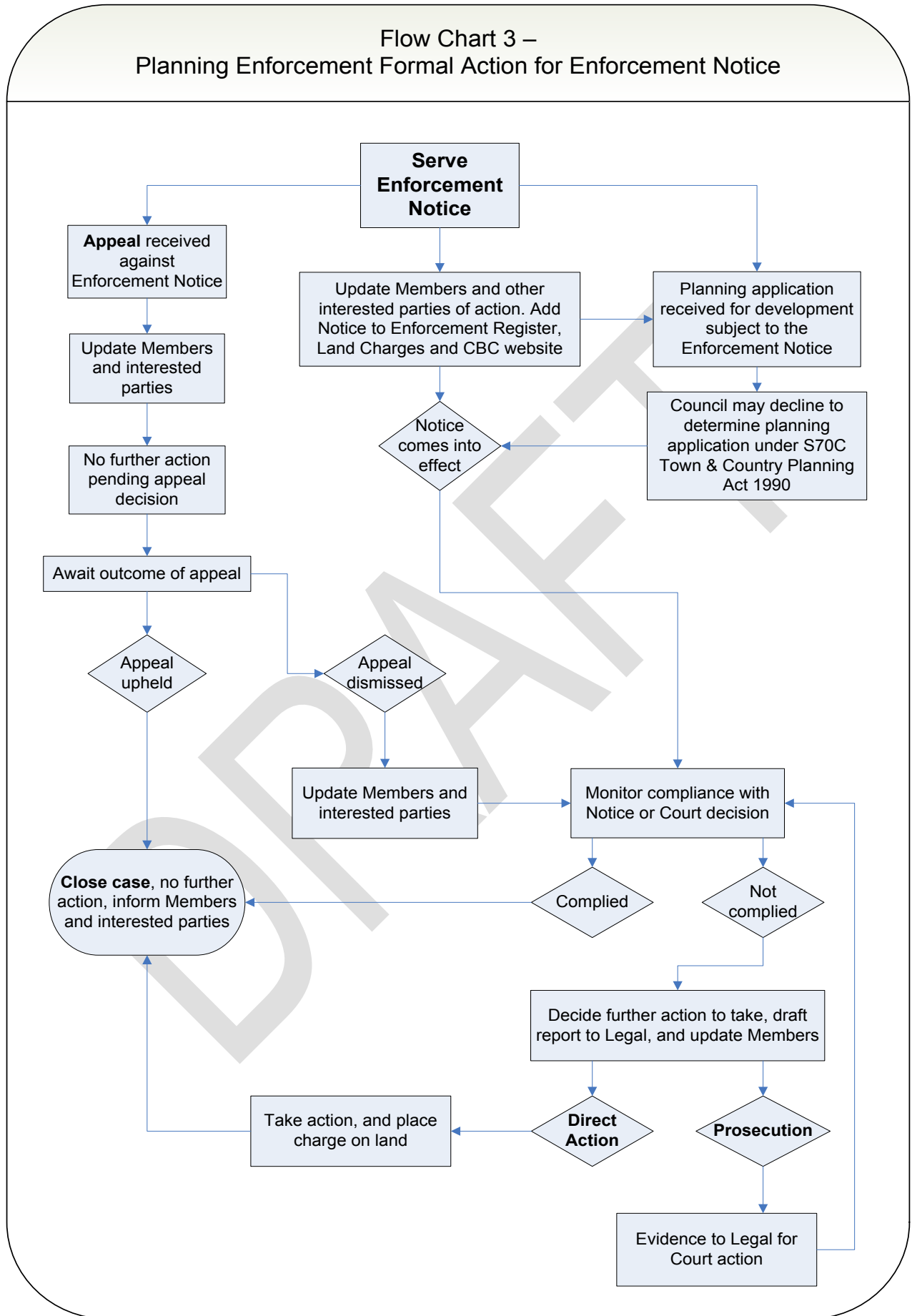
It is a criminal offence to fail to comply with a Breach of Condition Notice.

### PUBLIC ACCOUNTABILITY OF THE PLANNING ENFORCEMENT POWERS

6.12 To ensure that all Members of the Council are kept regularly aware of the instances where Planning Enforcement or the Minerals & Waste Planning authority has had reasonable grounds for taking formal enforcement action under the Town & Country Planning legislation a summary table of the 'live' cases is included in the public agenda of each of the Development Management Committee meetings. The information provided for each of the sites includes:

- A description of the breach of planning control stated on the Notice
- The relevant dates of service, compliance period on the relevant type of Notice served
- The date when an appeal was made to the Planning Inspectorate(PINS) if applicable
- Whether the Notice has been complied with
- Commentary box to inform Members and the public of the latest position at the site

Flow Chart 3 –  
Planning Enforcement Formal Action for Enforcement Notice



## 7. Non Compliance with a formal Notice

**Please Note:** Non compliance with the requirements of an Enforcement Notice or a Breach of Condition Notice after the compliance period has expired is a criminal offence.

- 7.1 If the Notice has not been complied with a report will be prepared by Planning Enforcement and submitted to the Council's Solicitor for consideration of commencing prosecution proceedings, and the persons responsible will be informed of this action. In such cases external circumstances will be taken into consideration that may affect compliance with a Notice.

### Prosecution

- 7.2 We will apply two tests in cases where a prosecution appears likely, consideration of which will be done in consultation with our legal advisors: -
- **Evidential test.** We will not start a prosecution unless there is sufficient, admissible and reliable evidence that the offence has been committed, and that there is a reasonable prospect of conviction.
  - **Public interest test.** We will only bring a prosecution where this is in the public interest, and other methods of seeking compliance with a Notice have failed.
- 7.3 Court proceedings can take a considerable time, and further action may still be required to seek compliance with a Notice. A prosecution may be the Council's last resort, as the Council aims to resolve the breach of planning control and the harm this has caused to the neighbourhood, and not just to seek to punish those responsible for the breach of control.

**Please note:** Often there can be significant financial benefits obtained by the contravener in association with the continue non-compliance with a Notice. The Council will always consider taking action through the courts under the Proceeds of Crime Act legislation (POCA) to collect this financial gain in addition to planning prosecution action.

### Direct Action

- 7.4 We do have the power, in special circumstances and as a last resort, to ensure a formal notice is complied with by carrying out the required steps ourselves in default of the owner or occupier's action. We would consider direct action for example where a Section 215 (untidy land) Notice has not been complied with. We will seek to recover costs incurred from the owner.

**Please note:** Where the Council cannot immediately recover costs we will register a charge on the property/land with the Land Registry so that the costs are obtained back when there is a change of ownership of the property/land.

### Planning Enforcement Register

- 7.5 When formal enforcement action has been taken, (for example serving an Enforcement Notice), the details are entered into the Planning Enforcement Register by site address and available for public inspection on the Councils website at <http://www.centralbedfordshire.gov.uk/planning/enforcement>

## 8. Monitoring Planning Conditions and Planning Obligations

### Conditions on Planning Permissions

8.1 Planning permission is often granted subject to certain conditions. There are three types of conditions:

- **Pre Commencement conditions** – These require that details or action to be taken before any development takes place.
- Conditions to be discharged during the implementation phase:
- Conditions related to the built development or change of use

### 8.2 Pre commencement conditions

- These are set out in **bold type** on the permission decision notice
- Require action or details to be submitted by the developer for approval before the development commences.
- Failure to comply with this type of condition may invalidate the planning permission and/or lead to enforcement action.
- A Temporary Stop notice (TSN) may be served to ensure that no further work takes place until requested details of materials for example are submitted and approved by the Planning authority.

8.3 Recent case law has sought to distinguish between conditions requiring no work to take place until certain actions have taken place or details submitted, and conditions which require details to be submitted before development commences. The former are true pre-development conditions. Case law will continue to influence our interpretation of pre-commencement conditions.

**Please note:** In September 2016 the national government in England issued a consultation paper on the use of pre commencement conditions and requested responses by November 2016. The related issue is whether the condition is equally effective if it can be more realistically be discharged whilst the project is implemented

### 8.4 Conditions that require to be discharged during the implementation phase

- It is the developer's responsibility to ensure that all work progresses in accordance with approved plans and details. For example where the approval of external brick/tiles is required by condition, or the details of landscaping need to be submitted that this is done at the correct time so the relevant condition can be discharged.
- When it is brought to the attention of the Council by a concerned neighbor that these types of conditions have not been discharged then an investigation case file will be opened and the developer contacted.
- If within a reasonable time period (usually 4 weeks) the requested details have not been submitted then formal action may be taken either by the service of a Breach of condition Notice or Enforcement notice.

- Once the developer is made aware of the non compliance then he will be advised that any further work related to the breach will be “*at their own risk.*”

#### 8.5 Conditions related to the approved built development or change of use.

- An investigation into the non-compliance of these types of conditions will only be carried out as a result of a complaint received where some type of harm or nuisance is being caused. For example hours of operation are not in accordance with the hours permitted by a condition to the planning permission.
- The alleged breach of planning control may lead to either a Breach of Condition Notice or Enforcement Notice being served. The contravener may also make a planning application to remove or vary the restriction.

#### **RESIDENTIAL: Removal of Permitted Development Provisions**

- 8.6 Where the residential Permitted Development (PD) provisions for extensions and/or the placing of structures within the residential curtilage of houses has been removed by condition on a planning permission any complaints made by those directly affected by the work carried out which has not been the subject of a planning application in the normal manner.

**Please Note:** Under normal circumstances, the Council will not investigate general (commonly termed ‘*tit for ‘tat*’) complaints made about extension work in the general locality that may also be in an area where Permitted Development (PD) rights have been removed. This is not considered in the public interest because the aim of the enforcement service is to resolve breaches where some amenity and/or policy harm has been caused.

#### **MINERAL PERMISSIONS: SITE MONITORING**

- 8.7 Conditions on planning permissions for mineral workings are monitored pro-actively by the Council’s Minerals and Waste Planning Authority. Mineral extraction and landfill operations are large scale developments which, by their nature, have the potential to cause significant harm to the amenity of the local area, often over a period of many years or even decades. It is therefore essential that these developments are regularly and proactively monitored through from the implementation to the final land restoration phase.
- 8.8 On all active mineral sites the monitoring is carried out with regard to the compliance with the conditions on the relevant planning permission(s) for the particular site and operator. Two types of report are prepared:
- **Annual audit report:** Comprehensive report with the precise wording of each condition included, and checked at a pre-arranged site inspection with the operator
  - **Focussed report:** A summary of the relevant permission with wherever possible a Yes/No compliance box completed.
- 8.9 Associated with both types of reports is a reminder box to enable the Planning Authority to remind the operator of the need to submit certain information at some forthcoming date to comply with a specific condition.
- 8.10 Following the site inspection the Monitoring Report is sent to the operator and where non compliances have been identified assists in discussions to resolve the breach and so reducing the likelihood of the need to serve a formal Breach of condition Notice.

#### **NATIONAL FEE CHARGE MONITORING**

- 8.11 Since 2006 all mineral operators or developers in England who are considered to be carrying out a landfill type operation are obliged by legislation to pay a nationally set fee



for each site monitoring inspection carried out by the Minerals & Waste Planning Authority (The current 2016 fee is £331 per visit at an active site). An active site may require four visits each year to ensure that the identified non compliances have been resolved by the time of the next visit. The annual finance generated from this pro-active enforcement work is sufficient to employ a full-time Monitoring Officer (Minerals & Waste) in the Council's Minerals and Waste Team.

## PLANNING OBLIGATIONS

- 8.12 Planning obligations are Planning Agreements or Unilateral Undertakings that relate to large scale developments, usually new housing, and often aim to ensure that the associated infrastructure and community facilities are provided at the appropriate time.
- 8.13 **Planning Agreements** (also known as Section 106 Agreements) are agreements made between the Local Planning Authority and a developer. Unilateral undertakings are made by the developer. Both aim to make proposed development acceptable and accord with planning policies. Such obligations may restrict development or use of land, may require certain operations to be carried out, or may require payments to be made to the Authority.
- 8.14 Particular staff in Development Management monitor the planning obligations to ensure that operations are carried out and payments made within the required timescales.

### Breach of a Planning Obligation

- 8.15 Planning obligations run with the land so if the terms of an obligation are not complied with any enforcement action may be taken against persons acquiring an interest in the land. Should there be a breach of a formal obligation there are three methods of enforcement open to the Council:
- We can apply to the Court for an **Injunction**. The Council must prepare a high level of evidence to convince a judge that an injunction is necessary. Failure to comply with an injunction can lead to an unlimited fine and/or imprisonment.
  - We can **enter the land to complete works** and will seek to recover costs where certain operations or works have not been carried out, but must give at least 21 days notice of our intention.
  - We may **place a charge on the land** in order to assist the Council in proceedings to recover costs incurred.

## 9 Enforcement Action for Listed Buildings, Protected Trees, Untidy Land and the display of advertisements

### Listed Buildings

- 9.1 The Council attaches particular importance to ensuring that any alterations to listed buildings are properly monitored. There are within the CBC area a total of over 1500 listed buildings
- The statutory provisions for the preservation of buildings of special architectural or historic interest are contained in the Listed Buildings and Conservation Areas legislation.
  - It is a criminal offence under the legislation to carry out unauthorised works to a listed building which could affect its character.
  - The owner of a listed building or those who have an interest in the property or who have carried out the works may be prosecuted by the Council irrespective of whether consent is later obtained retrospectively or the unauthorised works later made satisfactory.
  - A person found guilty of an offence may be liable to a substantial fine, and/or a term of imprisonment.
  - There is no time limit upon the Council to pursue Listed Building Enforcement Action.
  - A Listed Building Enforcement Notice or Repairs Notice may also be served requiring remedial works to the building within a certain time scale. There is a right of appeal to the Planning Inspectorate.
  - Failure to comply with a Listed Building Enforcement Notice is an offence, which is liable to a substantial fine on summary conviction.

### Protected Trees

- 9.2 Under the Town and Country Planning legislation the local planning authority has the right to make provision for the preservation of trees in their area by making Tree Preservation Orders.
- Any person that carries out works to protected trees (TPO) without the appropriate prior approval has carried out a criminal offence, who is liable, if found guilty on summary conviction, to a substantial fine under the legislation.
  - In addition to the criminal penalties for the felling or other unauthorised works to protected trees, the landowner is also under a duty to replace a protected tree that has been removed. The Council may serve a **Tree Replacement Notice** to require a suitable replacement tree to be planted or the Council may do the work and recover costs from the landowner.
  - **Trees in Conservation Areas** are also afforded a degree of protection under the planning legislation because trees are often considered to make a significant positive contribution to the visual amenity of a Conservation Area. Unauthorised work to and/or removal of trees without prior notification constitutes an offence. However the Council will exercise discretion in deciding whether or not it is appropriate to pursue prosecution.

## **Section 215 Notice: Untidy land and/or buildings**

- 9.3 If the visual appearance of the private land or buildings is considered to have a seriously detrimental impact on the amenity of an area then the use of Section 215 Notice may be appropriate.
- A warning letter is first sent to the land owner advising that the current condition of the site is unacceptable and needs immediate attention.
  - A period of negotiation may be reasonable if the land owner provides a positive response and some actions are carried out to address the key issues.
  - The Section 215 Notice if served requires the owners and occupiers of the land to take certain steps as specified, related to the characteristics of the site to secure an improvement in its appearance within a given time scale.
  - The recipient(s) have a right to appeal to a magistrates' court.
  - Failure to comply with the notice is an offence and the Council has on certain occasions taken prosecution action in the Magistrates Court to penalize those responsible for the non compliance.
  - There are no time limits over when the Section 215 Notice can be served
  - The same site may be the subject of more than one Section 215 Notice if the appearance of the land/property/premises returns to be unacceptable.

## **Advertisements**

- 9.4 The display of advertisements is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2010. An application to display an advertisement is decided in the interests of amenity and public safety. The rules are complicated and seek to control amongst other things the height, size, and illumination of advertisements.
- It is an offence to display an advertisement without the consent required
  - It is open to the Council to take a prosecution in the Magistrates Court for an offence under the Advertisement Regulations. The continued display of an advertisement without consent, or after consent has been refused, may well result in prosecution. On conviction a fine may be imposed by the Court with an additional daily fine on conviction of a continuing offence.
- 9.5 Advertisements are divided into three main groups: -
- Advertisements with 'express consent' – not controlled by the Council.
  - Advertisements with 'deemed consent' - the planning authority's consent is not required provided the advertisement meets certain criteria.
  - Advertisements which require to be the subject of advertisement consent from the local planning authority.

### **Advertisements placed within the public highway**

- 9.6 Any complaints received about obstructions or presence of advertisements displayed on public highway verges and pavements is a matter for the CBC Highways Section to resolve. Their contact details are via the CBC website : *Transport, roads, parking* section.
- 9.7 **Free standing Placard and poster displays**
- The Council can remove or obliterate any placard or poster displayed illegally.
  - We are required to give at least two days notice in writing, or other appropriate format, to anyone we can identify as being responsible for displaying unauthorised placards or posters
  - The Council can also remove advertisement display structures providing it has first served a Removal Notice.

## 10 Conclusion

- 10.1 It is the Council's policy to provide a reliable, efficient and good quality corporate planning enforcement service, maximising the use of the resources available, to protect the local environment and the level of amenity enjoyed by local residents and local businesses.

**Please Note:** It is essential that Planning enforcement resources are not used to handle non-planning issues.

For example, the investigation of the display of property sale boards following a complaint solely made by a business competitor. This is because not only would there be an adverse impact upon the efficiency of the legitimate planning enforcement service to the local community, but because everyone has a right to make a formal complaint if it is considered that the actions taken by Council are unreasonable or unjustified. The Council may be found guilty of maladministration because in these circumstances the actions taken to require the removal of the property boards may be considered to be not in the public interest but in the specific interests of a particular business competitor.

- 10.2 Planning is a LAND USE discipline and Planning Enforcement is essentially involved in the investigation of alleged breaches of planning control and their resolution by negotiation and co-operation whenever possible.
- 10.3 **The Enforcement Service standard** is to aim to resolve 80% of cases received within a period of 6 months. In the April-June 2016 period the figure was 78%.
- 10.4 In general **over 95%** of investigation cases are closed/resolved without the need for formal enforcement action.

**Please Note:** In the annual period from January to the end of December 2015 more than 500 case files were opened. In the same period formal enforcement action was taken with regard to a total of 22 sites. This represents about 4% of the number of cases opened in the same period.

### **Require further information about the Planning Enforcement Service?**

- 10.5 The Team Leader contacts are as at September 2016:

Sue Cawthra: Enforcement & Appeals Team Leader  
Phone 0300 300 4369 (normally available Monday, Tuesday and Thursday)  
Email: [sue.cawthra@centralbedfordshire.gov.uk](mailto:sue.cawthra@centralbedfordshire.gov.uk)

Area of responsibility: Enforcement procedures associated with the investigation of all types (other than mineral and waste matters) of re-active planning non-compliance complaints.

Roy Romans: Minerals & Waste Team Leader  
Phone 0300 300 6039  
Email: [roy.romans@centralbedfordshire.gov.uk](mailto:roy.romans@centralbedfordshire.gov.uk)

Area of responsibility: Minerals & waste issues associated with the investigation of re-active planning non-compliance complaints and the pro-active monitoring of compliance with planning conditions at all minerals and waste sites.

Appendix B – Example of a Breach of Condition Notice

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EXECUTIVE

11<sup>th</sup> October 2016

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## Revenue Budget Monitoring Forecast Outturn June 2016 (Q1)

Report of **Cllr Richard Wenham, Executive Member for Corporate Resources** ([cllr.richard.wenham@centralbedfordshire.gov.uk](mailto:cllr.richard.wenham@centralbedfordshire.gov.uk))

Advising Officers: Charles Warboys, Chief Finance Officer  
([charles.warboys@centralbedfordshire.gov.uk](mailto:charles.warboys@centralbedfordshire.gov.uk))

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### **This report relates to a Non Key Decision**

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**Purpose of this report :** The report sets out the provisional outturn financial position for 2016/17 as at the end of June 2016. It sets out spend against the approved budget and it excludes the Housing Revenue Account which is subject to a separate report. Explanations for the variances are set out below in Appendix A.

This report enables the Executive to consider the overall financial position of the Council.

### **RECOMMENDATIONS**

The Executive is asked to:

1. **note the forecast revenue outturn position which is an overspend of £1.9M and**
2. **request that officers continue to look for compensatory savings in order to deliver a balanced budget.**

### **Issues**

1. The forecast outturn position as at June 2016 is £1.9M over budget (£2.5M over last year). The year to date spend is £1.0M below budget and so the rest of year spend is effectively over budget by £2.9M.
2. The Social Care Health & Housing forecast overspend is £1.9M. This forecast overspend is mainly due to flowthrough of overspends from 2015/16 and unachievable efficiencies against Care Act funding (£0.75M) and Care Packages (£0.7M).
3. Children's Services are over by £0.3M which relates to Children with Disability numbers being higher than budget.
4. Community Services are under by £0.2M which is spread across a number of cost centres.

5. Regeneration are slightly under (£0.1M) due to salary underspends. All other Directorates are forecasting to achieve budget at present.
6. Overall debt is £10.6M compared to £12.6M in May. Debt over 61 days is £4.3M (41%). May was £5.1M (41%). Work is continuing to analyse the debt and ensure effective and efficient recovery procedures are followed. See Appendix C.
7. The Table below details the full year variances by directorate:

Directorate	Year to Date - June P3			Full Year		
	Budget	Actual	Variance	Budget	Forecast	Variance
	£m	£m	£m	£m	£m	£m
SCHH	17.0	17.0	0.1	67.9	69.8	1.9
Childrens Services	9.1	9.1	(0.0)	36.4	36.7	0.3
Community Services	12.0	11.5	(0.5)	47.4	47.2	(0.2)
Regeneration	1.0	0.5	(0.5)	5.1	5.1	(0.1)
Public Health	0.0	0.1	0.1	0.0	0.0	0.0
Improvement & Corporate Services	3.8	3.8	0.0	15.2	15.2	0.0
Corporate Resources	1.1	1.0	(0.1)	4.9	4.9	0.0
Corporate Costs	2.2	2.2	(0.0)	12.2	12.2	0.0
<b>Total Excl Landlord Business</b>	<b>46.2</b>	<b>45.3</b>	<b>(1.0)</b>	<b>189.2</b>	<b>191.1</b>	<b>1.9</b>
Schools	0.0	0.0	0.0	0.0	0.0	0.0
Landlord Business	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total</b>	<b>46.2</b>	<b>45.3</b>	<b>(1.0)</b>	<b>189.2</b>	<b>191.1</b>	<b>1.9</b>

## RESERVES POSITION

8. The general fund full year forecast position includes a net £3.2M increase in reserves (excluding Schools).
9. In terms of use of general fund earmarked reserves, SCHH are forecast to use £0.2M, Children's Services £0.4M, Community Services £0.9M, Public Health £0.2M, ICS £0.2M and Regeneration £0.2M. Note that these reserves are being used for the purpose for which they were set aside last year.
10. This is offset by the creation of a £4.7M EMR for the New Homes Bonus (NHB) which we will receive in 2016/17. This was a conscious decision within the MTFP to both reduce reliance on NHB and to build a fund for investment. This leaves the NHB reserve at £6.8M including carry forward from 2015/16.



11. There is also a budgeted transfer to EMR of £500k to top up the Redundancy Reserve.
12. See Appendix B for details of which EMR have been used (note that Corporate Costs shows a number of reserves that are reflected in the Directorate outturns, for example the use of the redundancy reserve).

### **General Reserves**

13. The opening position for 2016/17 is £15.5M. There are no further uses or contributions planned this year.

### **Council Priorities**

14. Sound financial management contributes to the Council's Value for Money and enables the Council to successfully deliver its priorities. The recommendations will contribute indirectly to all 6 Council priorities.

### **Corporate Implications**

#### **Legal Implications**

15. None

#### **Financial Implications**

16. The financial implications are set out in the report.

#### **Equalities Implications**

17. Equality Impact Assessments were undertaken prior to the allocation of the 2016/17 budgets and each Directorate was advised of significant equality implications relating to their budget proposals.

### **Appendices**

- Appendix A – Detailed Directorate Commentary
- Appendix B – Earmarked Reserves.
- Appendix C – Debt Management
- Appendix D – Treasury Management

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## APPENDIX A – DIRECTORATE COMMENTARY

### Social Care, Health and Housing (SCHH)

- The directorate General Fund outturn position is an overspend of £1.900M after the use of reserves.

Month: June 2016	Year to date				Year				
	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Social Care Health and Housing</b>									
Director of Social Care, Health, Housing	43	147	(92)	12	173	200	27	-	27
Housing Solutions (GF)	589	493	-	(96)	2,358	2,174	(184)	-	(184)
Care and Support	3,165	2,978	-	(187)	12,662	12,407	(255)	-	(255)
OPPD – Care Management	7,223	8,288	(21)	1,045	28,893	32,187	3,294	(82)	3,212
LD Care Management & MH Packages	5,334	5,021	-	(313)	21,337	21,298	(39)	-	(39)
Head of Integrated Services + Other IS	246	192	-	(54)	982	936	(46)	-	(46)
Commissioning	2,599	2,430	-	(169)	10,395	10,229	(166)	-	(166)
Resources	(2,229)	(2,367)	(35)	(173)	(8,918)	(9,427)	(509)	(140)	(649)
<b>Total Social Care and Health</b>	<b>16,970</b>	<b>17,182</b>	<b>(148)</b>	<b>65</b>	<b>67,882</b>	<b>70,004</b>	<b>2,122</b>	<b>(222)</b>	<b>1,900</b>

- The Adult Social Care service (Care & Support, OPPD, Learning Disabilities/Mental Health and Integrated Services) is showing an overspend of £2.872M (excluding customer contributions).
- This division has to absorb the risk of increasing Older People, Physical and Learning Disability package volumes and costs. People are living longer and the costs of dementia are on the increase. Demographic pressure of £1.9M has been built into the budget to reflect this, however, efficiency targets for this area total just short of £4.2M.
- Within the Older People 65+ external package budgets, there are projected over spends on residential and nursing placements of £0.9M offset by additional customer income which is forecast to exceed the budget by £0.8M. There is also an over spend on non-residential packages of £1.7M partially offset by additional customer income of £0.9M. Backdated funding of £0.3M regarding long standing disputes regarding health and other local authority funding is included in the forecast.
- The Directorate continues to track the impact of former self funders who exert pressure on residential and nursing placements budgets. Twelve have required Council support during 2016/17 compared to five that required support for the same period in 2015/16. The full year cost is estimated to be £0.202M.
- Within Learning Disabilities, there is a projected underspend on packages of £0.334M. There exists, also, a risk (£0.262M) associated with transitions from Children's Services not reflected in the outturn forecast for 2016/17. Additional budget of £1.4M has been provided to cover the impact of transitions in 2016/17 which includes the full year effect of 2015/16 new customers and the part year effect of 2016/17 new customers. The budget has also been increased to reflect carer breakdown costs for mid life customers estimated at £0.7M. Efficiency targets for this service area amount to £0.9M.
- There remain risks relating to the funding of customers being reviewed under the Winterbourne View national programme.

8. The Commissioning Service is projecting an underspend of £0.166M. The key variances are overspends within Contracts and Learning Disabilities offset by Contracts and Commissioning Teams' pay.
9. The Resources division is showing a projected underspend of £0.649M the majority of which relates to a projected over achievement of customer contributions

**Better Care Fund (BCF)**

10. The overall funding for 2016/17 is set out below: There has been a mandated increase in the Bedfordshire Clinical Commissioning Group (BCCG) contribution compared to last year.

11.

<b>Funding Stream</b>	<b>2015/16 Plan £m</b>	<b>2016/17 Plan £m</b>	<b>Variance to budget 2016/17 £m</b>
CCG	14.100	15.276	0
CBC DFG	1.190	1.315	0
LA Additional Contribution	3.417	3.417	0
Underspend from 2015/16	0	0.586m	0
<b>TOTAL</b>	<b>18.707</b>	<b>20.534</b>	<b>0</b>

12. The focus for 2016/17 will be on Out of Hospital Care, Prevention and on Protecting Social Services.
13. The BCCG funding stream includes funding paid over to CBC of £4.038M. At the end of Quarter one, there is a projected underspend on the Reablement service of £0.5M (linked to vacancies) which is offsetting projected overspends on the hospital social work teams (linked to use of agency staff) and also supporting spend on out of hospital placements and packages within Older People's services.
14. HRA is subject to a separate report.

**Children's Services**

15. The full year projected outturn position for 2016/17 as at June 2016 is £278K over budget after £385K use of Children's Services reserves

Month: June 2016	Year to date				Year					
	Director	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Children's Services</b>										
Director of Children's Services	180	179	-	(1)	719	719	-	-	-	-
Children's Services Operations	5,679	5,409	(23)	(293)	22,385	22,328	(57)	(91)	(148)	
LAC Placement Costs	2,247	2,534	(24)	263	8,974	9,496	522	(95)	427	
Commissioning & Partnerships	794	758	-	(36)	3,637	3,630	(7)	-	(7)	
Partnerships	213	220	(6)	1	555	680	125	(125)	-	
Education Services	328	159	(19)	(188)	1,532	1,612	80	(74)	6	
<b>Total Children's Services (ex Schools / Overheads)</b>	<b>9,441</b>	<b>9,259</b>	<b>(72)</b>	<b>(254)</b>	<b>37,802</b>	<b>38,465</b>	<b>663</b>	<b>(385)</b>	<b>278</b>	
DSG + ESG Contribution to Central Support	(339)	(100)	-	239	(1,356)	(1,356)	-	-	-	
Other School Budgets	-	(0)	-	(0)	-	-	-	-	-	
<b>Total Children's Services (excluding Schools)</b>	<b>9,102</b>	<b>9,159</b>	<b>(72)</b>	<b>(15)</b>	<b>36,446</b>	<b>37,109</b>	<b>663</b>	<b>(385)</b>	<b>278</b>	

16. The overspend relates to Children with Disabilities, and is due to an additional five out of area placements made since the budget build took place for 2016/17. The most recent being the placement of disabled twin boys in to an out of area residential school. Mitigating action has been taken within the directorate to reduce the original forecast overspend of £365K to £279K.
17. Out of area placements are made as a last resort when a high level of short break provisions can no longer meet the need and safeguard the child and/or their family. At present all five of the in house beds at Maythorn are occupied. The placements will be kept under review as in house beds become vacant.
18. The tables below reflect the increased number of Looked After Children (LAC) and non care placements.

	June 2015		June 2016		% change
<b>Number of LAC :</b>		256		255	(<1%)
In House Foster Placements	102		117		14.7%
Independent Foster Placements	79		62		(21.5%)
Residential Homes & Schools	19		17		(10.5%)
St Christopher's (Clophill & Bunyan Road)			5		
Stewartby	3		1		
Semi - Independent Living	17		9		(47%)
Placed for Adoption/ with Parents	27		33		22%
Children with Disabilities (Children with Disabilities - Maythorn)	4		5		25%
Secure Accommodation, Young Offenders & NHS	3		5		67%
Parent & Baby Units	2		1		(50%)
<b>Unaccompanied Asylum Seeking Children:</b>		28		58	107%
In House Foster Placements	5		10		200%
Independent Foster Placements	10		12		20%
Semi Independent Living	13		36		177%
<b>Total Number of LAC:</b>		<b>284</b>		<b>313</b>	<b>10%</b>

	<b>June 2015</b>	<b>June 2016</b>	<b>% change</b>
<b>Non care placements :</b>			
Special Guardianship Orders	123	133	8.1%
Residential Orders	46	41	(10.8%)
Adoption Allowances		47	
<b>Other information:</b>			
Child Protection Plan	180	203	
Children in Need	1482	1469	
Number of Referrals (YTD)	856	553	

19. The tables below reflect the use of agency staff covering substantive posts across Children Services Operations. Of the 25.7 fte Agency Staff covering vacant posts, maternity and sickness absences, 1fte Social Worker is mitigating for the Assisted Years Supported Employment's in the Intake & Assessment and Family Support teams.

<b>All Staff</b>	Budgeted FTE	Actual FTE	No. of Perm	Vacant	No. of Agency	% of Agency
Children in Care & Care Leavers	47.0	47.0	44.6	2.4	0	n/a
Family Support	55.6	56.6	37.1	9.4	10.0	17.7%
Intake & Assessment	55.7	56.7	44.0	3.8	8.9	15.6%
CWD	57.4	62.0	48.9	8.5	4.5	7.3%
Quality Assurance	21.8	23.4	21.5	0.6	1.3	5%
Fostering & Adoption	38.3	38.3	36.2	2.1	0	n/a
Early Intervention & Prevention	75.2	78.2	56.4	20.8	1.0	1%
<b>Total June 2016</b>	351.1	362.3	288.8	47.8	<b>25.7</b>	7.1%
<b>Total June 2015</b>		369.7	271.9	33.5	64.3	17.4%

<b>Social Workers and Senior Practitioners</b>	Budgeted FTE	Actual FTE	No. of Perm	Vacant	No. of Agency	% of Agency
Children in Care & Care Leavers	27.0	27.0	26.6	0.4	0	n/a
Family Support	39.0	40.0	24.7	5.3	10.0	25%
Intake & Assessment	23.6	24.6	15.4	1.8	7.4	30%
CWD	9.1	11.1	7.8	1.2	2.0	22%
Quality Assurance	11.3	11.3	10.1	0.6	0.6	5%
Fostering & Adoption	18.0	17.8	15.4	2.4	0	n/a
Early Intervention & Prevention	4.0	5.0	2.3	2.7	0	n/a
<b>Total</b>	132.1	136.8	102.4	14.4	20	14.6%

### Community Services

20. The full year outturn position for Community Services is an underspend of £204K after the use of earmarked reserves of £850K for one-off specific projects.

Month: June 2016	Year to date				Year				
	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Community Services</b>									
Community Services Director	66	68	-	2	263	263	-	-	-
Highways Transportation	4,959	4,902	-	(57)	18,730	18,945	215	-	215
Environmental Services - Waste	4,802	4,504	-	(298)	19,117	19,250	133	(577)	(444)
Environmental Services - Other	1,100	1,020	(99)	(179)	4,833	5,131	298	(273)	25
Assets	1,118	1,109	-	(9)	4,473	4,473	-	-	-
<b>Total Community Services</b>	<b>12,045</b>	<b>11,603</b>	<b>(99)</b>	<b>(541)</b>	<b>47,416</b>	<b>48,062</b>	<b>646</b>	<b>(850)</b>	<b>(204)</b>

### **Highways Transportation**

21. Highways and Transportation is forecasting an overall overspend of £215K. This is explained further in paragraphs 22 – 24.
22. Educational Transport are forecasting an overspend of £39K which is due to a £72K overspend within the schools transport contract and a £10K overspend in staffing, this is offset by an additional £44K of income in SEN transport.
23. Highways Contracts – forecasting a £33K overspend. This is due to an overspend of £131K within third party costs (of which £100K relates to an increase in spend on emergency repairs following the new contract), and a £95K overspend within supplies & services. These overspends are offset by underspends of £36K in staffing costs and additional income of £168K.

24. Passenger Transport Services – forecasting an overspend of £158K the majority of this (£104K) is due to staffing costs for agency cover. There are also overspends of £27K within commercial transport and £44K of additional costs for fuel and vehicle maintenance, these have been offset by £16K additional income from hiring out service fleet vehicles.

**Environmental Services**

25. Environmental Services is forecasting an overall underspend of £419K after the use of reserves of £850K (this mainly relates to Community Safety £500K and the Financial Investigation Unit £187K).
26. Libraries is forecasting a £189K underspend, the majority of this is due to staff vacancies of £219K, these have been offset by income being less than budget of (£29K for library services and £14K for Leighton Buzzard theatre).
27. Public Protection – is forecasting a £220K overspend, the majority of this is due to overspends on staffing costs. This is unusually high for the size of the team and will be investigated further.
28. Waste Service – is forecasting a £444K underspend, which is a result of an underspend of £83K due to staffing, £312K underspend in kerbside collection and street cleansing due to lower indexation than budgeted and a £103K underspend on Household Waste Recycling Centres due to the temporary closure of Ampthill and Leighton Buzzard. These are partially offset by underachievement of recycle income of £55K due to level of contamination.
29. **Assets** are forecasting to achieve budget.

**Regeneration and Business Support**

30. The full year projected outturn position for 2016/17 is a £51K underspend after the use of earmarked reserves of £181K for one-off specific projects.

Month: June 2016	Year to date				Year					
	Director	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Regeneration and Business Support</b>										
Director	218	146	-	(72)	872	755	(117)	-	(117)	
Business & Investment	(227)	(253)	-	(26)	881	989	108	(40)	68	
Planning	1,012	634	-	(378)	3,375	3,514	139	(141)	(2)	
Programme Delivery	-	-	-	-	-	-	-	-	-	
<b>Total Regeneration and Business Support</b>	<b>1,003</b>	<b>527</b>	<b>-</b>	<b>(476)</b>	<b>5,128</b>	<b>5,258</b>	<b>130</b>	<b>(181)</b>	<b>(51)</b>	

31. The Director's group is forecasting underspend of £117K which relates to staff salaries due to vacancies. This is partly offset by Business and Investment which is forecasting an overspend of £68k this also relates mainly to staffing costs which are forecast to exceed budget once vacancies have been filled, £12K relates to professional services costs.



## Public Health

32. Public Health's forecast outturn is to achieve a balanced budget after proposed use of reserves. The Public Health grant is currently ringfenced so any under/overspend results in a movement against the carried forward reserve from 2015/16.

Month: June 2016	Year to date				Year					
	Director	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Public Health</b>										
Director of Public Health	(3,015)	(3,074)	-	(59)	(12,060)	(12,294)	(234)	234	-	
Assistant Director of Public Health	3,025	3,198	-	173	12,100	12,498	398	(398)	-	
<b>Total Public Health (Excl overheads)</b>	<b>10</b>	<b>124</b>	<b>-</b>	<b>114</b>	<b>40</b>	<b>204</b>	<b>164</b>	<b>(164)</b>	<b>-</b>	

## Improvement and Corporate Services (ICS)

33. Improvement & Corporate Services is forecasting to achieve budget after use of reserves. There are no variances to budget within the Directorate to reports as at Q1.

Month: June 2016	Year to date				Year					
	Director	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Improvement and Corporate Services</b>										
Improvement and Corporate Services Leadership	38	104	(39)	27	152	395	243	(243)	-	
People	632	598	(6)	(40)	2,526	2,553	27	(27)	-	
Information Technology	1,386	1,596	-	210	5,545	5,545	-	-	-	
Customer Services	458	461	-	3	1,830	1,830	-	-	-	
Programme and Performance	80	64	-	(16)	320	320	-	-	-	
Communications and Insight	200	258	-	58	799	799	-	-	-	
Procurement	(101)	(104)	-	(3)	(405)	(405)	-	-	-	
Policy & strategy	50	50	-	-	202	202	-	-	-	
Customer & Community Insight	-	-	-	-	-	-	-	-	-	
Legal & Democratic Services	1,036	833	-	(203)	4,238	4,143	(95)	95	-	
<b>Total Improvement and Corporate Services</b>	<b>3,779</b>	<b>3,860</b>	<b>(45)</b>	<b>36</b>	<b>15,207</b>	<b>15,382</b>	<b>175</b>	<b>(175)</b>	<b>-</b>	

## Corporate Resources and Costs

### Corporate Resources & Costs

34. Overall Corporate Resources is forecasting to be on budget after movements to and from reserves. The £5.210M contribution to reserves relates to the New Homes Bonus and also the Redundancy reserves mentioned in the main report.

Month: June 2016	Year to date				Year				
Director	Budget	Actual	Proposed (use of) / contribution to Earmarked reserves	Variance	Approved Budget	Forecast Outturn	Forecast Variance	Proposed (use of) / contribution to Earmarked reserves	Forecast Variance after use of earmarked reserves
	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Corporate Resources</b>									
Chief Executive	78	76	-	(2)	311	311	-	-	-
Finance	1,208	1,100	-	(108)	5,177	5,177	-	-	-
Housing Benefit Subsidy	(149)	(149)	-	-	(597)	(597)	-	-	-
<b>Total Corporate Resources</b>	<b>1,137</b>	<b>1,027</b>	<b>-</b>	<b>(110)</b>	<b>4,891</b>	<b>4,891</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Corporate Costs</b>									
Debt Management	3,412	3,414	-	2	13,646	13,646	-	-	-
Premature Retirement Costs	689	697	-	8	2,756	2,756	-	-	-
Corporate Public Health Recharges	(158)	(151)	-	7	(631)	(631)	-	-	-
Corporate HRA Recharges	(30)	(30)	-	-	(120)	(120)	-	-	-
Efficiencies	27	(30)	-	(57)	130	130	-	-	-
Contingency and Reserves*	(1,737)	(2,914)	1,177	-	(3,596)	(8,806)	(5,210)	5,210	-
<b>Total Corporate Costs</b>	<b>2,203</b>	<b>986</b>	<b>1,177</b>	<b>(40)</b>	<b>12,185</b>	<b>6,975</b>	<b>(5,210)</b>	<b>5,210</b>	<b>-</b>
<b>Total Corporate</b>	<b>3,340</b>	<b>2,013</b>	<b>1,177</b>	<b>(150)</b>	<b>17,076</b>	<b>11,866</b>	<b>(5,210)</b>	<b>5,210</b>	<b>-</b>

**Appendix B – Earmarked Reserves**

Description	Opening Balance 2016/17	Spent	Balance before new transfers	New Proposed transfers	Proposed Closing Balance 2016/17	MEMO: Net movement after proposals
	£000	£000	£000	£000	£000	£000
<b>Social Care Health and Housing Reserves</b>						
Deprivation of Liberty Safeguards	426		426		426	-
Winter Pressure 12/13 "Care Act"	20		20		20	-
Winter Pressure 13/14 "Care Act"	55		55		55	-
Mental Health Action Plan	60		60		60	-
Outcome Based Commissioning	2,484	(82)	2,402		2,402	(82)
Integrated Approaches	505	(140)	365		365	(140)
Better Care Fund	43		43		43	-
Support and Aspiration Grant	50		50		50	-
Welfare Reform - local welfare provision grant	112		112		112	-
Zero Base Review grant	18		18		18	-
<b>Total Social Care, Health and Housing</b>	<b>3,773</b>	<b>(222)</b>	<b>3,551</b>	<b>-</b>	<b>3,551</b>	<b>(222)</b>
<b>Children's Services Reserves</b>						
Fostering & Adoption	95	(95)	(0)		(0)	(95)
Partnership Reserves inc Performance Reward Grant, LSP Sustainable Neighbourhoods and Assets of Community Value	198	(35)	163		163	(35)
SEN Reserves inc. Support and Aspiration Grant and Children's & Families Act	185	(74)	111		111	(74)
Children's Services Unspent Grant Income	403	(91)	312		312	(91)
<b>Total Children's Services</b>	<b>880</b>	<b>(295)</b>	<b>585</b>	<b>-</b>	<b>585</b>	<b>(295)</b>
<b>Community Services Reserves</b>						
Leisure Centre Reinvestment Fund	179	(83)	96		96	(83)
Integrated consumer protection	116		116		116	-
Transport Fund	92	(8)	84		84	(8)
Community Safety partnership fund	94		94		94	-
Community Safety Grant	119		119		119	-
Bedford & Luton Resilience Forum	65		65		65	-
Financial Investigation Unit	579	(187)	392	21	413	(166)
Biggleswade wind farm	23		23		23	-
countryside access grant	23		23		23	-
Woodside connection options appraisal	39		39		39	-
Rural Payments	3		3		3	-
Sundon Landfill	421		421		421	-
Facilities Security	100		100		100	-
Street Scene Improvements	500		500		500	-
Community Safety	500	(500)	-		-	(500)
<b>Total Community Services</b>	<b>2,853</b>	<b>(778)</b>	<b>2,075</b>	<b>21</b>	<b>2,096</b>	<b>(757)</b>

**Appendix B – Earmarked Reserves (Cont)**

Description	Opening Balance 2016/17	Spent	Balance before new transfers	New Proposed transfers	Proposed Closing Balance 2016/17	MEMO: Net movement after proposals
	£000	£000	£000	£000	£000	£000
<b>Regeneration Reserves</b>						-
Career Development framework	18		18		18	-
External Funded Regeneration reserve	271		271		271	-
Local Development Framework	327	(141)	186		186	(141)
Minerals and Waste partnership funds	104		104		104	-
NIRAH	51		51		51	-
Business growth grants	25	(40)	(15)		(15)	(40)
Flood Defence	613		613		613	-
Building control	307		307		307	-
Unauthorised Development	159		159		159	-
Neighbourhood planning grant	60		60		60	-
<b>Total Regeneration</b>	<b>1,935</b>	<b>(181)</b>	<b>1,754</b>	<b>-</b>	<b>1,754</b>	<b>(181)</b>
<b>Public Health Reserves</b>						-
Public Health Grant Reserve	1,542	(164)	1,378		1,378	(164)
Risk reserve	-		-		-	-
<b>Total Public Health</b>	<b>1,542</b>	<b>(164)</b>	<b>1,378</b>	<b>-</b>	<b>1,378</b>	<b>(164)</b>
<b>Improvement and Corporate Services Reserves</b>						-
Pan Public Sector Funding	28		28		28	-
Customer First	13		13		13	-
Elections Fund	132		132	95	227	95
Individual Electoral Registration	59		59		59	-
ICT Webcasting	55		55		55	-
ICS - HR Apprentices & Graduates (£0.2m held in Corporate at year end)	297	(27)	270		270	(27)
<b>Total Improvement &amp; Corporate Services</b>	<b>584</b>	<b>(27)</b>	<b>557</b>	<b>95</b>	<b>652</b>	<b>68</b>
<b>Finance</b>						-
Housing Benefit Subsidy Audit Reserve	500		500		500	-
NNDR Discretionary Relief & NNDR Bad Debts	946		946		946	-
<b>Total Finance</b>	<b>1,446</b>	<b>-</b>	<b>1,446</b>	<b>-</b>	<b>1,446</b>	<b>-</b>

**Appendix B – Earmarked Reserves (Cont)**

Description	Opening Balance 2016/17	Spent	Balance before new transfers	New Proposed transfers	Proposed Closing Balance 2016/17	MEMO: Net movement after proposals
	£000	£000	£000	£000	£000	£000
<b>Corporate Reserves</b>	-		-		-	-
Redundancy/Restructure Reserve	663	(14)	649	500	1,149	486
Insurance reserve	4,052		4,052		4,052	-
Welfare Reform	400	(90)	310		310	(90)
Teachers' Pensions	241		241		241	-
s31 NNDR Income to offset NNDR discounts	2,532		2,532		2,532	-
Planning Decisions Legal Challenge	300		300		300	-
Weed Spraying	93		93		93	-
Grass Cutting	77	(77)	-		-	(77)
Town Centre jet wash	27		27		27	-
Road Marking Line renewal	35		35		35	-
Rationalisation of Accommodation	243	(243)	-		-	(243)
Community resilience	500		500		500	-
Tackling Safety and Vulnerability	385		385		385	-
New Homes Bonus	2,055		2,055	4,710	6,765	4,710
Impact of Funding Deficits	1,200		1,200		1,200	-
Smoothing MRP payments/Financing Charges	926		926		926	-
Transformation (Invest to save, Transforming service delivery)	700		700		700	-
Transforming lives	250		250		250	-
Independent careers service	250		250		250	-
Planning enforcement	200		200		200	-
Business Operations	200		200		200	-
<b>Total Corporate Reserves</b>	<b>15,329</b>	<b>(424)</b>	<b>14,905</b>	<b>5,210</b>	<b>20,115</b>	<b>4,786</b>
<b>Total Earmarked Reserves (General Fund)</b>	<b>28,343</b>	<b>(2,091)</b>	<b>26,252</b>	<b>5,326</b>	<b>31,578</b>	<b>3,235</b>

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## Appendix C - Debtors

- Total general CBC sales debtors for June amounted to £10.6M. Of this £4.4M is less than 30 days old. Debt over 61 days is £4.3M (41%).

Of the Over 61 days - £2.8M is actively being chased. £0.3M have instalment arrangements in place. £1.2M is being dealt with through legal channels. A further £1.1M is in respect of house Sales.

Jun-16														Over 61		MoM	
DIRECTORATE	1 to 14 Days		15 to 30		31 to 60 Days		61 to 90 Days		91 to 365		1 year and		Total Debt		£k	%	
	£k	%	£k	%	£k	%	£k	%	£k	%	£k	%	£k	%			
Social Care Health & Housing	628	15%	530	12%	83	2%	902	21%	1,051	25%	1,047	25%	4,241	100%	3,000	71%	209
Children's Services	104	15%	508	74%	30	4%	11	2%	30	4%	6	1%	689	100%	47	7%	-46
Community Services	149	14%	275	26%	82	8%	1	0%	248	24%	295	28%	1,050	100%	544	52%	-33
Regeneration	-152	-5%	1,286	41%	1,484	48%	40	1%	230	7%	223	7%	3,111	100%	493	16%	-976
I.C.S	612	49%	375	30%	35	3%	14	1%	128	10%	91	7%	1,255	100%	233	19%	-1
Finance	3	2%	-6	-4%	64	42%	2	1%	49	32%	41	27%	153	100%	92	60%	101
Public Health	0	0%	122	100%	0	0%	0	0%	0	0%	0	0%	122	100%	0		0
Unallocated & Non Directorate	0	0%	-3	5%	-1	2%	-6	9%	-19	30%	-35	55%	-64	100%	-60	94%	1
<b>GRAND TOTAL</b>	<b>1,344</b>	<b>13%</b>	<b>3,087</b>	<b>29%</b>	<b>1,777</b>	<b>17%</b>	<b>964</b>	<b>9%</b>	<b>1,717</b>	<b>16%</b>	<b>1,668</b>	<b>16%</b>	<b>10,557</b>	<b>100%</b>	<b>4,349</b>	<b>41%</b>	<b>-745</b>
<b>PREVIOUS MONTH</b>	<b>1,405</b>		<b>3,412</b>		<b>2,657</b>		<b>702</b>		<b>2,662</b>		<b>1,730</b>		<b>12,568</b>		<b>5,094</b>	<b>41%</b>	
House Sales	14		61		31		29		316		813		1,264				

- The largest items of note within the total debt are:

- SCHH debt at the end of June was £4.241M of which £0.082M is HRA related (reported separately in the HRA report). Of the £4.159M General Fund debt (£5.1M for May), £1.899M is Health Service debt (£2.7M for May). Of the remaining general debt of £2.260M, £1.621M (72%) is more than 60 days old. Of this, all is under active management (with solicitors, payable by instalments etc.) with none under query or scheduled to be written off.
- Health Service debt at the end of June was £1.899M of which £1.331M or 70% is more than 60 days. All debts are under active management. A schedule of all outstanding debts is being shared and discussed regularly with the Bedfordshire Clinical Commissioning Group (BCCG).
- Total debt for Children's Services is £689K of which £47K is debt over 61 days (£92K May). The increase of total debt since May (£304K) is mainly due to invoices for the Long Term Absence (LTA) Pool being sent to

Schools and Schools applying a 30 day payment settlement. (Total value of invoices sent £338K).

- Community Services total debt is £1.05M of which £544K is debt over 61 days and is being actively pursued.
- Regeneration have taken action to significantly reduce their debt position. Total debt is £3.1M, a reduction of £1.6M compared to May 2016. £0.5M is debt over 61 days, a reduction of c£1M over May and continues to be actively pursued.
- Overall Corporate debt (ICS & Finance) is £1.4M. Of this there is £0.3M is over 61 days old.
- Public Health debt is a nil balance this month.

### Bad Debts Written Off.

Quarterly write offs of Bad Debt:

#### SUMMARY Q1 Apr - June

WRITE OFF	NUMBER	VALUE
£0 - £5,000	66	£ 46,583.40
£5,000 - £10,000	3	£ 19,317.63
£10,000 - £50,000	1	£ 13,622.46
>£50,000	0	£ -
<b>TOTAL</b>	<b>70</b>	<b>£79,523.49</b>
(of which Legacy £7,753.72)		



## Appendix D – Treasury Management

### Borrowing

As at 30 June 2016 the Council's total borrowing was £331.1M. Of this amount, £268.6M was with the Public Works Loan Board (PWLB), £49.0M was short-term temporary debt from other local authorities and £13.5M was market debt from banks. The table below also shows the split between the General Fund and HRA.

	<b>PWLB Fixed £M</b>	<b>PWLB Variable £M</b>	<b>Temporary Debt £M</b>	<b>Market (LOBO) £M</b>	<b>Total £M</b>
General Fund	97.0	6.6	49.0	13.5	166.1
HRA	120.0	45.0	0.0	0.0	165.0
<b>TOTAL</b>	<b>217.0</b>	<b>51.6</b>	<b>49.0</b>	<b>13.5</b>	<b>331.1</b>

To manage interest rate risk, the profile of debt is split so that overall the Council has 65% fixed rate PWLB debt, 16% variable rate PWLB debt, 15% short-term temporary debt and 4% fixed rate market (LOBO) debt; this is shown in A1 on the Treasury Management Performance Dashboard.

Based on the latest available annual benchmark analysis conducted by the Chartered Institute of Public Finance and Accountancy (CIPFA), A2 of the Dashboard shows the Council's cost of borrowing is significantly lower than the 4.4% average annual interest rate paid by other local authorities. The average annual interest rate paid by the Council was 2.8% as at 31 March 2016, which is mainly due to a higher proportion of variable rate and short-term temporary debt.

In line with the Council's borrowing strategy, new short-term temporary borrowing was taken out during Quarter 1 at a cost of between 0.43% per annum. and 0.60% per annum (inclusive of brokerage fees).

### Investments

When investing, the Council prioritises security and liquidity and aims to achieve a yield commensurate with these principles. To diversify the investment portfolio, the Council continues to invest in a range of funds such as notice accounts, call accounts and Money Market Funds as well as using a number of different financial institutions. B1 of the Dashboard shows the breakdown by investment counterparty as at 30 June 2016. It should be noted that as cash investments are maintained at minimal levels for operational purposes, the £5.2M long-term investment in the UK commercial property-based Lime Fund now represents a higher proportion of total investments even though the cash amount invested in it has not changed.

The latest available CIPFA Treasury Management benchmarking results are as at 31 March 2016. B2 of the Dashboard shows that the Council's average rate of return on investments was 1.8% which was higher than the benchmarked local authority average of 0.9% – this was due to the relatively high investment return on the Lime Fund (inclusive of capital appreciation).

In addition to the Lime Fund investment, the Council has cash deposits placed on varying interest rates ranging between 0.4% and 0.8%. The Council holds the majority of its investments in liquid form so it is available for cash flow purposes. As at 30 June 2016, the Council held cash investments of £11.0M (exclusive of the £5.2M Lime Fund investment). Of the total cash investment balance, £9.0M was held in liquid form in instant access call accounts and Money Market Funds (MMFs); and the remaining £2.0M was equally split between a notice account and a fixed term deposit.

### **Cash Management**

The average cash balance the Council holds is considerably lower than other benchmarked authorities. The 12-month rolling average cash balance as at the 31 March 2016 for the Council was £27.2M compared to a benchmark average of £133.2M. This reflects the Council's long-standing strategy of holding low cash balances to reduce investment counterparty risk and contain borrowing costs by utilising internal cash balances in lieu of external borrowing to fund capital expenditure.

### **Outlook**

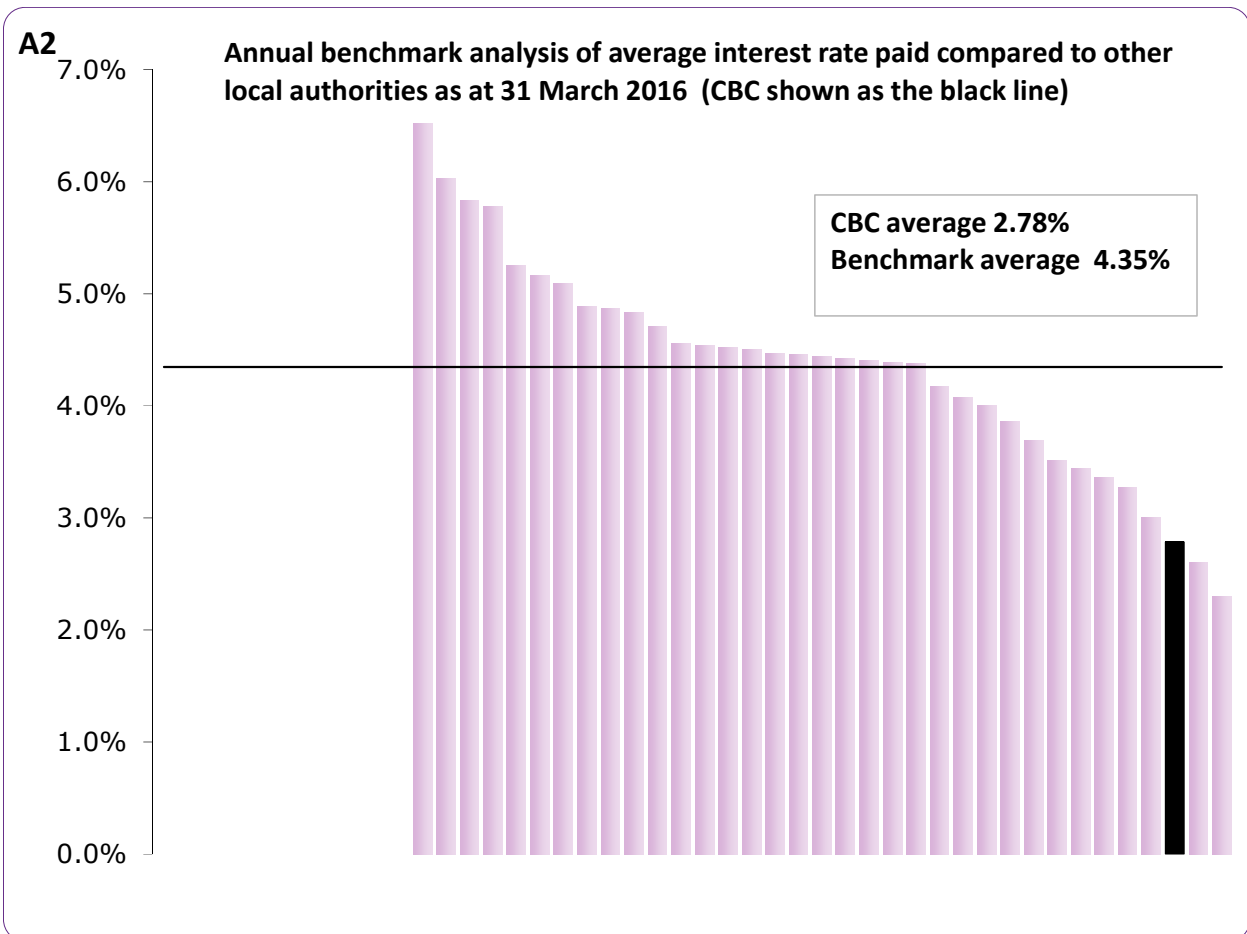
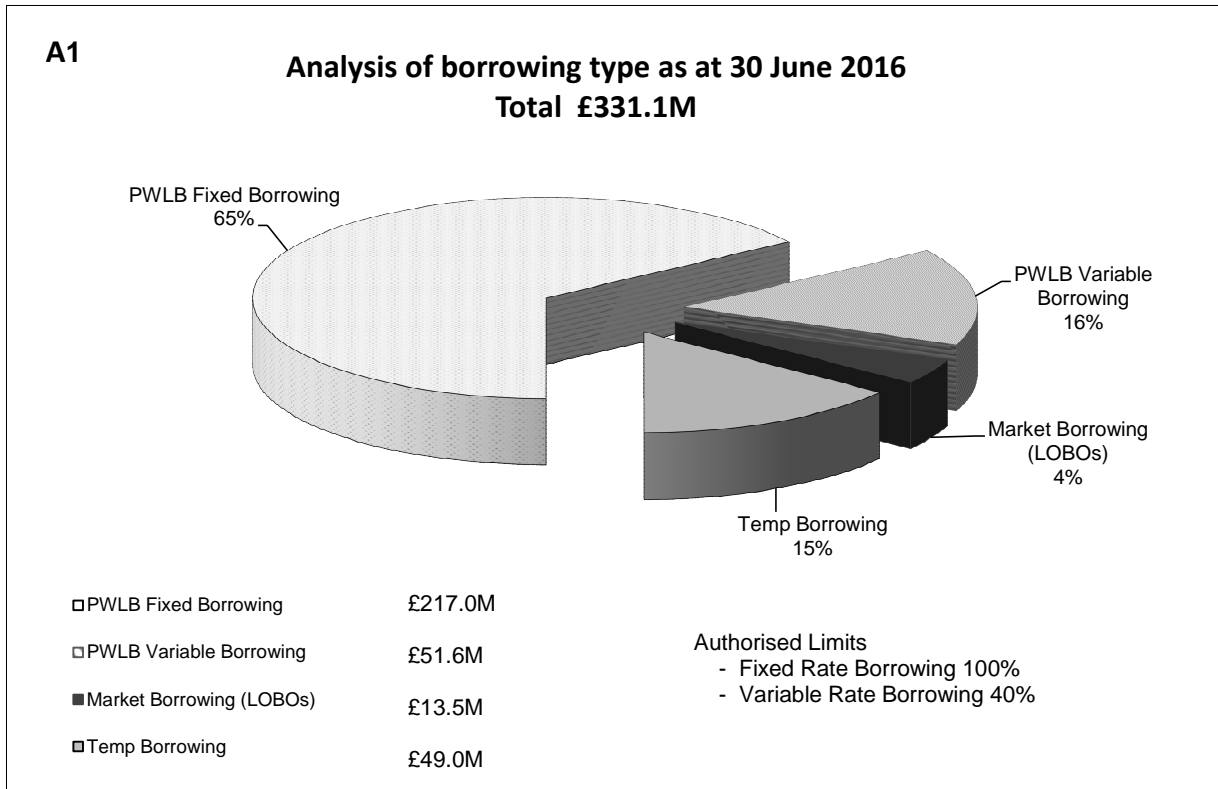
On 4 August 2016, the Bank of England cut its Bank Rate to 0.25% from 0.50% (unchanged since March 2009). It also increased its Quantitative Easing programme by a further £60bn, up from £375bn to £435bn.

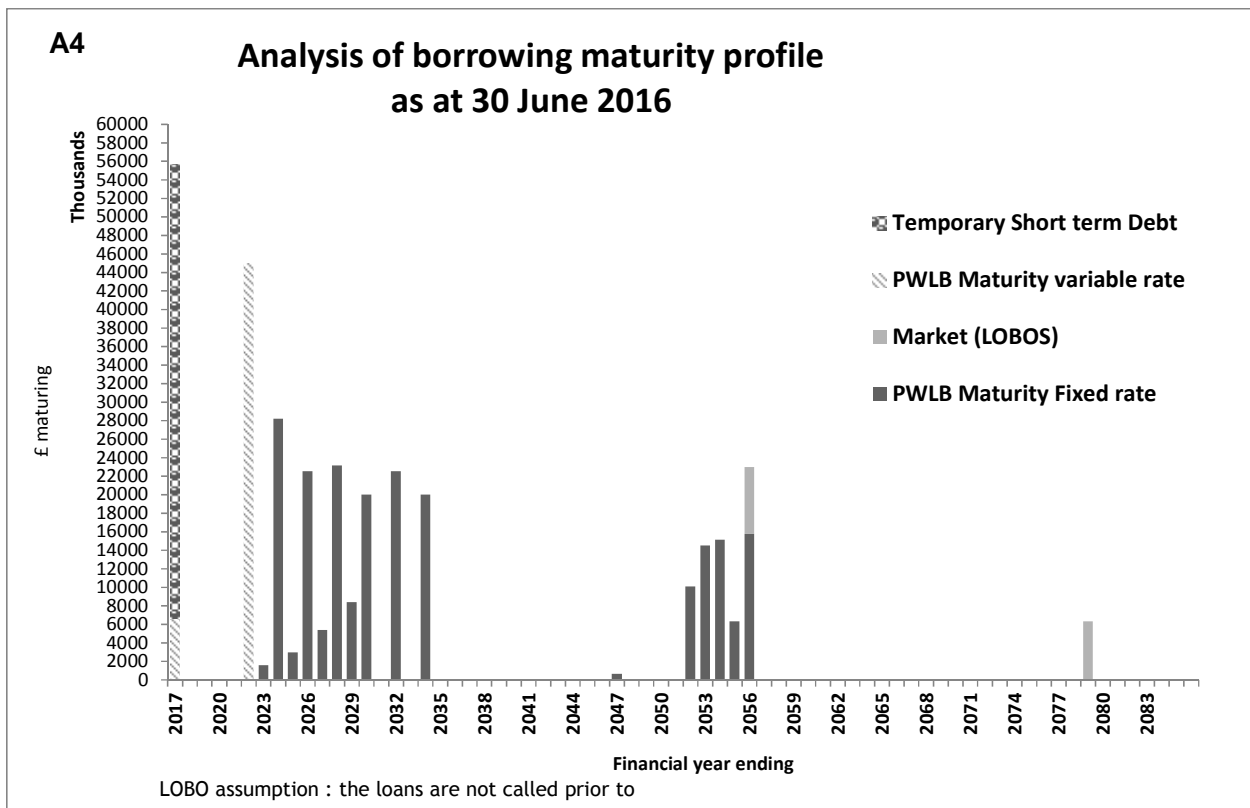
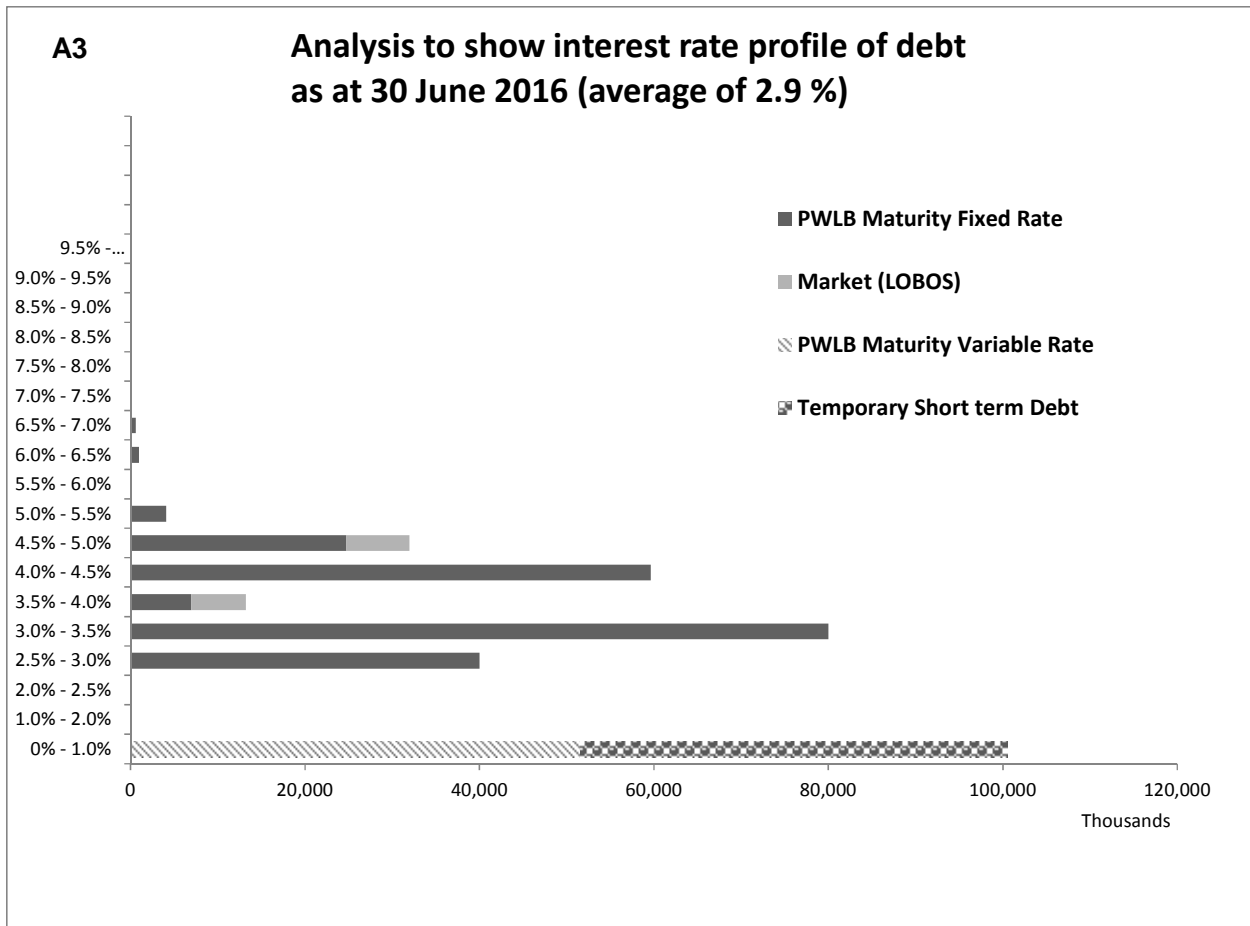
The Council's treasury advisers, Arlingclose, do not expect the Bank of England to raise the Bank Rate until June 2018 and the short-term return on cash investments will continue to remain at very low levels.

Over the financial year, the Council plans to continue to source any borrowing requirements from other local authorities on a short-term temporary basis. The low market interest rates for temporary debt offer revenue cost savings relative to borrowing on a long-term basis from the PWLB. This borrowing strategy assumes that interest rates will continue to remain at historically low levels for the medium term.

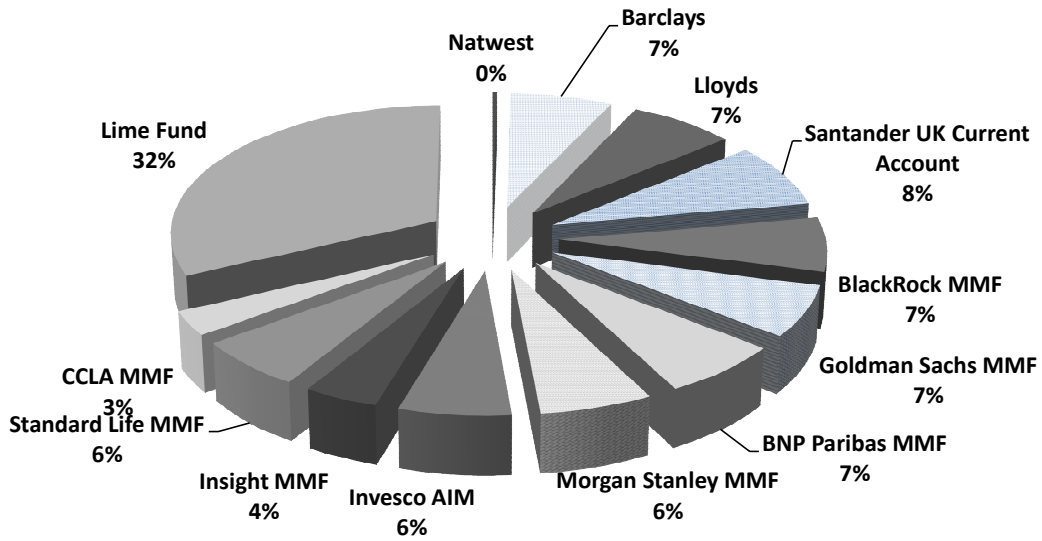
However, the Council advised by Arlingclose will continue to monitor long-term rates with a view to fixing a portion of any borrowing requirement if rates available are viewed as favourable.

**SECTION A: DEBT INFORMATION**



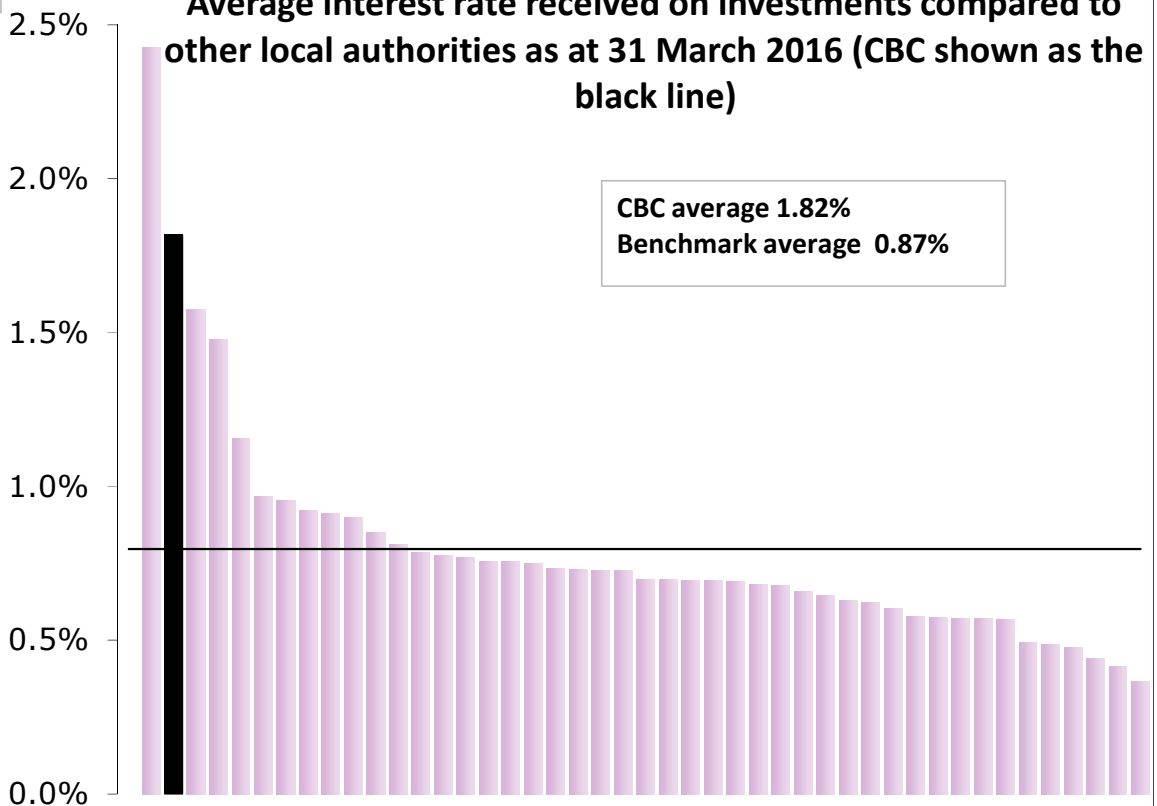


**B1 Analysis of investments as at 30 June 2016**  
**Total investments £16.2m**



**B2**

**Average interest rate received on investments compared to other local authorities as at 31 March 2016 (CBC shown as the black line)**



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EXECUTIVE

11 October 2016

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## June 2016 Q1 Capital Budget Monitoring Provisional Outturn Report

Report of **Cllr Richard Wenham, Executive Member for Corporate Resources** ([cllr.richard.wenham@centralbedfordshire.gov.uk](mailto:cllr.richard.wenham@centralbedfordshire.gov.uk))

Advising Officers: Charles Warboys, Chief Finance Officer  
([charles.warboys@centralbedfordshire.gov.uk](mailto:charles.warboys@centralbedfordshire.gov.uk))

**This report relates to a Non Key Decision**

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### Purpose of this report

1. The report sets out the Capital projected outturn for 2016/17 as at the end of June 2016. It excludes the Housing Revenue Account (HRA) which is subject to a separate report.

### RECOMMENDATIONS

The Executive is asked to:

1. **Note that the approved budget excluding HRA but including deferred spend from 2015/16 (approved by Executive in June) is £124.6M (gross). The gross forecast is below budget by £11.8M (£11.0M last year against a higher budget of £139.2M). The net forecast is £5.1M over budget due to less forecast grant receipts than budgeted.**
2. **Note that action to reduce the net forecast overspend is currently being reviewed.**

### BACKGROUND INFORMATION:

2. This report is based on the 2016/17 budget approved by Council at its 25<sup>th</sup> February 2016 meeting. The reported budget also includes deferred spend from 2015/16 which was approved by the Executive on the 7<sup>th</sup> June 2016.

**ISSUES:** None

**FINANCIAL AND OTHER OPTIONS:** These are covered in the report

### 3. Forecast Outturn

- i) The approved budget excluding HRA but including deferred spend from 2015/16 (approved by Executive in June) is £124.6M (gross). The gross forecast is below budget by £11.8M (£11.0M last year against a higher

budget of £139.2M). The net forecast is £5.1M over budget due to less forecast grant receipts than budgeted.

- ii) The main reasons are: Community Services are only forecasting £1.0M spend against the £7M budget for the A421 project. We are close to an agreement on a cost sharing arrangement with Milton Keynes Council and still awaiting the go ahead for Department of Transport funding.
- iii) Luton & Dunstable Busway is currently forecast to be £3.4M under budget.
- iv) Woodside link is currently £1.6M over budget, but this is due to timing and the overall scheme will be delivered to budget.
- v) Thorn Turn Waste Park is currently £3.2M below budget.
- vi) Children's Services are also expecting to spend £3.5M (net) more than budgeted on New School Places. This is due to a combination of less than expected S106 Grants and a £2M reduction to the budget which was due to be mitigated through value engineering but that has not yet identified cost reductions.

#### **Year to Date**

- vii) YTD Gross Spend is £11.5M below budget (£10.4M last year). Actual spend is £19.5M compared to £14.8M last year.
- viii) The reason the YTD variance looks high compared to forecast is due to business cases not having been approved and so spend not taking place, but this is expected to be caught up.

#### **Capital Receipts**

- ix) The overall budget for Capital receipts is £10.5M. The current forecast is £10.5M. The major anticipated receipts are Fairfield £4.7M and £4.8M from Bedford Borough as part of the disaggregation agreement.
- x) To date we have received £0.727M which is the balance of £0.109M for the properties that were auctioned at the end of the last financial year and Deposits of £0.618M from third parties in respect of the Stratton Phase 5 development.
- xi) A summary of the position is in the table below.



Directorate	Year to Date P3			Full Year 2016/17 Gross			Year to Date P3			Full Year 2016/17 Net		
	Gross Budget £m	Gross Actual £m	Gross Variance £m	Gross Budget £m	Forecast Outturn £m	Gross Variance £m	Net Budget £m	Net Actual £m	Net Variance £m	Net Budget £m	Forecast Outturn £m	Net Variance £m
CS	8.0	7.9	(0.1)	21.5	23.6	2.1	1.3	0.1	(1.1)	1.5	4.9	3.5
Community Service	17.5	10.2	(7.3)	83.1	72.1	(10.9)	9.6	6.3	(3.3)	52.8	59.1	6.4
Improvement & Corporate Services	0.7	0.4	(0.3)	5.0	5.0	0.0	0.7	0.4	(0.3)	5.0	5.0	0.0
Corporate Resources	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Regeneration	1.3	0.0	(1.3)	5.7	3.1	(2.6)	0.9	0.3	(0.6)	3.5	1.5	(2.0)
ASCHH	3.4	0.9	(2.5)	9.4	8.9	(0.5)	2.7	(0.5)	(3.2)	7.4	4.6	(2.8)
<b>Total Exc HRA</b>	<b>30.9</b>	<b>19.5</b>	<b>(11.5)</b>	<b>124.6</b>	<b>112.8</b>	<b>(11.8)</b>	<b>15.2</b>	<b>6.6</b>	<b>(8.6)</b>	<b>70.2</b>	<b>75.2</b>	<b>5.1</b>
HRA	2.0	1.7	(0.4)	15.6	12.3	(3.3)	2.0	1.7	(0.4)	15.6	12.3	(3.3)
<b>Total</b>	<b>33.0</b>	<b>21.1</b>	<b>(11.8)</b>	<b>140.2</b>	<b>125.0</b>	<b>(15.2)</b>	<b>17.2</b>	<b>8.3</b>	<b>(8.9)</b>	<b>85.7</b>	<b>87.5</b>	<b>1.7</b>

(Note: Any minor rounding differences are due to linking to detailed appendices)

### Reasons for decision

- To complete schemes currently underway and facilitate effective financial management and planning.

### Council Priorities

- Sound financial management contributes to the Council's Value for Money and enables the Council to successfully deliver its priorities. The recommendations will contribute indirectly to all 6 Council priorities.

### Corporate Implications

### Legal Implications

- None.

### Financial Implications

- The financial Implications are contained in the appendix to the report.

### Equalities Implications

- Equality Impact Assessments were undertaken prior to the allocation of the 2016/17 budgets and each Directorate was advised of significant equality implications relating to their budget proposals.

### Appendices

Appendix A – Detailed Directorate Commentary

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## Appendix A - DIRECTORATE COMMENTARY

### Social Care Health and Housing

- The gross forecast capital outturn is £8.939m against a budget of £9.412M below budget by £0.473M. The net forecast is £4.605M, below budget by £2.814M. Of this, £2.847M is proposed to be deferred to 2017/18 comprising the Review of Accommodation/Day Support £2.422M Gypsy and Traveller Sites £0.425M.
- The tables below highlights the areas of spend :

<b>SCHH Full Year Gross Budget and Forecast</b>					
Scheme Categories	Gross Budget	Gross Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
Disabled Facilities Grants Scheme	2,380	2,500	120	0	120
Empty Homes	302	302	0	0	0
Renewal Assistance	281	281	0	0	0
Additional Gypsy and Traveller Sites	1,575	250	(1,325)	1,325	0
MANOP Care Home Reprovision	2,000	2,000	0	0	0
MANOP Non-HRA Extra Care Schemes	50	50	0	0	0
NHS Campus Closure	638	638	0	0	0
Adult Social Care ICT Projects	280	280	0	0	0
Social Care Single Capital Pot	0	732	732	0	732
Review of Accommodation/Day Support, "New Approaches to Outcome"	1,906	1,906	0	0	0
<b>Total</b>	<b>9,412</b>	<b>8,939</b>	<b>(473)</b>	<b>1,325</b>	<b>852</b>
<b>% of Budget</b>		<b>95.0%</b>			

<b>SCHH Full Year Net Budget and Forecast</b>					
Scheme Categories	Net Budget	Net Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
Disabled Facilities Grants Scheme	1,712	1,832	120	0	120
Empty Homes	292	292	0	0	0
Renewal Assistance	181	181	0	0	0
Additional Gypsy and Traveller Sites	675	250	(425)	425	0
MANOP Care Home Reprovision	2,000	2,000	0	0	0
MANOP Non-HRA Extra Care Schemes	50	50	0	0	0
NHS Campus Closure	143	0	(143)	0	(143)
Adult Social Care ICT Projects	68	0	(68)	0	(68)
Social Care Single Capital Pot	2,422	0	(2,422)	2,422	0
Review of Accommodation/Day Support, "New Approaches to Outcome"	(124)	0	124	0	124
<b>Total</b>	<b>7,419</b>	<b>4,605</b>	<b>(2,814)</b>	<b>2,847</b>	<b>33</b>
<b>% of Budget</b>		<b>62.1%</b>			

- Disabled Facilities Grants (DFG)**  
The grants provided to residents through the DFG programme assist some of the poorer and most vulnerable members of the community. Without these grants in many cases the properties involved would be unsuitable for the needs of the occupiers who may then be unable to remain in their own homes. This

also reduces pressure on health service resources and residential care, as without these improvements more residents would require emergency or longer term care solutions. In 2015/16 185 DFG cases were completed which resulted in 372 major adaptations.

Q1 2015/16 saw 73 adaptations compared to 122 this year.

4.

Type of adaptation	Total Q1 15/16	Total Q1 16/17
Level access shower/wet room	24	44
Straight stair lift	8	8
Curved stair lift	3	7
Toilet alterations	10	12
Access ramps	5	8
Dropped kerb and hard standing	2	0
Wheelchair/step lift	1	1
Through floor lift	0	3
Major extension	2	4
Kitchen alterations	1	3
Access alterations (doors etc)	9	16
Heating improvements	0	2
Garage conversions/minor additions	2	2
Safety repairs/improvements	1	4
Other	5	8
<b>Total</b>	<b>73</b>	<b>122</b>

5. Expenditure on **Empty Homes** relates to Empty Dwelling Management Orders (EDMOs) and Empty Homes Loans. A number of Empty Homes loans are being considered for long term empty homes. Empty Homes Loan assistance is an alternative for owners of empty homes willing to work with the Council. There are 8 Empty Homes Loan cases at enquiry stage and 10 approved and in progress. There is one major scheme in Dunstable that might provide several units of accommodation.
6. Work has commenced on two properties where an EDMO has been approved. The properties are in Houghton Regis and Leighton Buzzard. The total cost of these works is expected to be £0.115M.
7. Most **Renewals Assistance** is provided as Loan Assistance. The repayment of Loan Assistance is on change of ownership of the property that has been improved with such assistance.
8. **Gypsy & Travellers** - A full planning application for Biggleswade South was determined and approved at the 29 June 2016 Development Management Committee meeting. The planning application is subject to a review by DCLG. If approved this will provide for a new Gypsy and Traveller site with 12 pitches. This will be part funded by the General Fund and HCA financial contributions. If

approval from DCLG is reached, work could begin on site towards the end of the financial year; it is therefore forecast that £0.250M will be spent in this year and the balance of works and income will be deferred to next year with a proposed net slippage of £0.425M.

9. The **MANOP** programme includes strategic acquisitions to develop the care home market and facilitate the provision of new modern residential homes for older people. It is also expected that work will commence this year to increase the supply of extra care sites and providers.
10. The **NHS Campus Closure programme** has one potential remaining project for Central Bedfordshire. This is subject to the release of capital receipts by the NHS area team. No business case exists as yet for this scheme which will be 100% externally funded.
11. The **Adult Social Care ICT project** comprises a number of schemes, the major one being the next phase of development of the Social Care case management system – the Adults Integrated Solution (AIS) module of Swift.
12. The **Review of Accommodation/Day Support project** relates to the Older People's Care Homes Re-provision project and any capital equipment and maintenance requirements for the seven older people's home transferred to local authority management in August 2014. The current forecast includes £0.2m relating to the fabric and furniture within the homes, capital enhancements, repairs to extend the useful life of boilers and lifts.

### **Children's Services**

13. Children's Services annual capital expenditure gross budget for 2016/17 is £21.451M. The net expenditure budget is £1.454M.
14. The forecast expenditure outturn position for 2016/17 is £23.589M, £2.138M above the original Council's capital programme approved in February 2016. The forecast income has reduced to £18.865M, requiring a net contribution of £4.935M. This is mainly due to the annual review of projects within the New School Places programme reducing forecast income by £3.5M.

All but two projects within Children's Services, Schools Access and Temporary Accommodation, are funded wholly by grant receipts that have no expenditure deadline.

The table below highlights the areas of spend :

<b>Children's Services Full Year Gross Budget and Forecast</b>					
Scheme Categories	Gross Budget	Gross Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
New School Places	18,401	18,401	0	0	0
Schools Capital Maintenance	2,000	2,268	268	0	268
Schools Devolved Formula Capital	450	450	0	0	0
Special Schools Provision	0	1,620	1,620	0	1,620
Temporary Accommodation	400	400	0	0	0
Schools Access Initiative	200	200	0	0	0
LPSA & LAA Grant payout	0	250	250	0	250
<b>Total</b>	<b>21,451</b>	<b>23,589</b>	<b>2,138</b>	<b>0</b>	<b>2,138</b>
% of Budget		<b>110.0%</b>			

<b>Children's Services Full Year Net Budget and Forecast</b>					
Scheme Categories	Net Budget	Net Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
New School Places	854	4,335	3,481	0	3,481
Temporary Accommodation	400	400	0	0	0
Schools Access Initiative	200	200	0	0	0
<b>Total</b>	<b>1,454</b>	<b>4,935</b>	<b>3,481</b>	<b>0</b>	<b>3,481</b>
% of Budget		<b>339.4%</b>			

**15. New School Places (NSP)**

This programme provides the capital investment to deliver new school places required by population growth in areas of limited surplus capacity within our schools. The Council's School Organisation Plan is the evidence base that supports the commissioning of these new school places over a rolling five year period. The programme is funded by a combination of sources including Department for Education basic need grant, developer contributions and Council borrowings and capital receipts.

16. The rolling five year programme is dynamic with perpetual changes in forecasts of income and expenditure across financial years including those arising from variances in S106 totals and trigger points and in the timing and therefore cost profile of many projects.
17. In February 2016 the Council approved the programme for 2016/17 to 2019/20 with gross expenditure of:
- £18.2M (£0.7M net) in 2016/17
  - £25M (net nil) in 2017/18
  - £17.2M (net nil) in 2018/19
  - £15M (£3.4M net) in 2019/20.
18. The 2016/17 NSP programme includes expenditure on 20 separate capital projects, most of which span more than a single financial year.

19. These projects include the provision of 1,695 new lower school places, 720 new middle school places and 1,000 new upper school places as expansions to existing schools or new school sites.  
These places have been commissioned to serve the communities of Leighton Linlade, Fairfield, Stotfold, , Arlesey, Ampthill, Flitwick, Marston, Cranfield, Biggleswade, Barton and Silsoe.
20. All of the Council's New School Places are commissioned from Ofsted Good and Outstanding schools and academies. All of these new places have been provided local to the area of demographic demand, ensuring a sense of community belonging, supporting community use and promoting sustainable modes of transport. The addition of these new places as expansions to existing schools ensures their financial and therefore educational viability. All have been briefed and designed by Council officers and school leaders to provide teaching and non teaching school facilities that are recommended by DfE guidance and complement good and outstanding teaching.
21. The forecasts of income and expenditure across 2016/17 to 2019/20 that were provided to inform the MTFP were taken from a snapshot of the programme's cashflow as at October 2015 that actually indicated gross expenditure of:
- £20.2M (£2.7M net) in 2016/17
  - £25M (net nil) in 2017/18
  - £19M (£1.9M net) in 2018/19
  - £17.1M (£5.5M net) in 2019/20.
22. S106 has contributed significantly to the programme as one source of income in the past. However, S106 income will fall short of the MTFP target by £1.5M. This is due to a combination of factors that include the removal of contributions below £10k due to changes in the CIL regulations, the removal of a number of planning permissions that have now expired and most significantly a number of large developments that have been delayed, or have disputes over S106 contributions. Given the volatility in forecasts of S106 income the School Organisation Team will now meet each quarter with the Regeneration and the outcome of these reviews and the impact on established forecasts within the MTFP will be reported through this capital monitoring report.
23. The revised forecast for the NSP programme for 2016/17 is gross expenditure of:
- £18.4M (£4.3M net) in 2016/17
  - £12.4M (net nil) in 2017/18
  - £15.3M (net nil) 2018/19
  - £34.7M (£17.2 net) in 2019/20.

### **Schools Capital Maintenance**

24. This rolling programme is externally funded by DfE grant but does require schools to contribute to the cost of works, as set out in a formula contained within the Central Bedfordshire Council's Scheme for Financing Schools. These

contributions are invoiced once planned works are complete. The initial indications are that income from schools contributions will be circa £180,000 in 2016/17.

25. In February 2016 the DfE announced the 2016/17 allocation of school condition funding to the Council for strategic capital maintenance of its school buildings. The allocation for 2016/17 is £1.994M. In addition to the grant, £0.267M unallocated funds from 2015/16 are to be utilised, making a total confirmed budget of £2.27M for the 2016/17 Schools Capital Maintenance Programme.
26. The schools capital maintenance programme for 2016/17 is funding projects including kitchen ventilation and gas safety improvements; roof repairs, boiler and heating replacement; emergency lighting, fire alarms, window replacements and renewal of electrical distribution boards. The 2016/17 Programme is also funding identified works at Leighton Middle School in collaboration with the new schools places programme.
27. The results of the Councils schools condition surveys in 2015 and the multi year indicative allocation of the DfE grant have enabled a three year programme of works to be developed, improving the ability to prioritise and communicate those priorities to schools for their own asset management planning.

To date, two roofing projects are complete; orders are raised and site dates agreed on all but six projects. The design and tendering of the remaining projects are progressing as programmed.

28. **SEND Capital Programme (Special Schools Provision)**

The Council's Special Educational Needs and Disabilities Capital Programme has been approved by Executive. The forecast external expenditure is £1.6M.

In 2016/17 this will be funding projects at Toddington St Georges Lower School and Parkfields Middle School to provide new spaces for children with hearing impairments. It is also funding the expansion of Oak Bank special school in Leighton Buzzard and also providing a new Autistic Spectrum Condition provision at Ardley Hill Academy in Dunstable.

**Community Services**

29. The Community Services capital programme in 2016/17 is made up of 52 schemes (excluding the Assets service) which includes large groupings of projects that relate to Environmental Services, Leisure and Transport.
30. The Community Services directorate manages an annual expenditure budget of £83.072M and external funding of £30.283M leaving a net expenditure budget of £52.789M.
31. The forecast outturn is a gross expenditure of £10.9M below budget and a net expenditure of £6.350M over the original budget. This net variance is made up of £0.845M net expenditure slipping into financial year 2017/18 and the remaining £5.505M a net forecast overspend.



The table below highlights the areas of spend.

<b>Community Services Full Year Gross Budget and Forecast</b>					
Scheme Categories	Gross Budget	Gross Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
Assets	10,274	10,275	1	0	1
Environmental Services	18,017	14,535	(3,482)	2,873	(609)
Leisure	2,084	2,089	5	0	5
Transport	52,697	45,246	(7,451)	10,315	2,864
<b>Total</b>	<b>83,072</b>	<b>72,145</b>	<b>(10,927)</b>	<b>13,188</b>	<b>2,261</b>
<b>% of Budget</b>		<b>86.8%</b>			

<b>Community Services Full Year Net Budget and Forecast</b>					
Scheme Categories	Net Budget	Net Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
Assets	9,351	9,351	0	0	0
Environmental Services	16,048	12,531	(3,517)	2,903	(614)
Leisure	(987)	2,059	3,046	(3,041)	5
Transport	28,377	35,198	6,821	(707)	6,114
<b>Total</b>	<b>52,789</b>	<b>59,139</b>	<b>6,350</b>	<b>(845)</b>	<b>5,505</b>
<b>% of Budget</b>		<b>112.0%</b>			

### Assets

32. The major projects including slippage are;

- 2016/17 Corporate Property Rolling Programme (£2.135M)
- Thorn Turn Infrastructure (£2.000M)
- Stratton Park Phase 5 Infrastructure (£3.012M)
- Enhancement work for disposals (£0.972M)
- Strategic Acquisitions (£0.200M)
- Energy Efficiencies (£0.300M)
- Farm Compliance (£0.302M)
- Westbury Phase 2 Industrial Units (0.175M)

33. The full year forecast outturn is to come in on budget.

### Environmental Services

34. Environmental Services are forecasting a £3.517M spend below budget. This is due to an underspend of £0.614M and slippage of £2.903M. The underspend relates to the Community Safety Partnership Grant £0.99M which is to be used to partially offset the overspend within Parking Equipment in Transport and Thorn Turn Waste Park which is being used to offset an overspend of the same amount in Transport against the South Depot. The majority of the slippage relates to Thorn Turn Waste park which is forecasting slippage of £2.668M, the remainder relates to CCTV £0.185M and Sundon Landfill Sites of £0.05M.

### **Major Achievements - Environmental Services**

35. Sundon Landfill Restoration – Slip area reinstatement and landscaping completed. Road Haul removal is underway although progress is slower than expected due to the weather. Final trimming of levels and creation of footpaths and tracks is ongoing as is tidying up of gas wells and ditches.
36. Waste & Recycling Containers, provision of replacement Bins & Containers – Successful procurement and provision of 1008 x 240 litre, 360 x 360 litre, 6 x 660 litre, 36 x 1100 litre, 19 x dog waste, 15 x plastic street litter bins.
37. Thorn Turn Waste Park – During financial year 2016/17 funds have enabled the continuation of the Earthworks phase and the ongoing discharge of planning conditions. Considerable time has been spent exploring the options for delivery, due to a forecast spend in excess of available budget. The same applies to Southern Highways Depot under Transport (both at Thorn Turn).
38. Household Waste Recycling Centre Redevelopment – During financial year 2016/17, £819K has been spent on construction costs. This has funded the majority of the total construction costs to the Ampthill site which is almost complete and will re-open to the public on July the 18th, one month ahead of schedule. Total commitment for construction costs at this site is forecast at approximately £1.3M.

Preparation activities are underway at Leighton Buzzard. This is required due to the site being situated on an old landfill site which has suffered from subsidence. This includes working with the Environment Agency to discharge pre-commencement conditions.

39. Houghton Hall Park – Landscape restoration works started at Houghton Hall Park with tree and shrub clearance within the formal and kitchen garden areas, areas of non-native planting in the main parkland and removal of diseased/dying trees. Construction of the raised beds in the kitchen garden area and creation of the new accessible paths within the park have commenced.
40. Outdoor Access & Greenspaces Improvements – Preparatory work for improvements to our site at Southern Meadows including installation of connecting footpaths and a replacement bridge have begun.
41. Countryside Sites Health & Safety – Ongoing emergency tree works following recent storms, including felling of trees in woodlands and boundary lines to properties.  
Currently preparing for a program of new fencing of sites.

### **Leisure**

42. Leisure is forecasting a £3.046M net overspend, this is due to the external funding for the old Flitwick leisure centre now not expected until the next financial year.

### **Major Achievements - Leisure**

43. Library & Leisure Centre Renewal Dunstable – currently in the public consultation process, and the planning and design for this project is ongoing.
44. Leisure Strategy – Implementation – Churchill Way, Shefford Play Area equipment was replaced, like for like, following arson attack last year. A feasibility study for a development plan was completed for the Dunstablians Rugby Club to support improvements required to benefit the community.

### **Transport**

45. Transport is forecasting a £6.821M variance over budget. This is due to an overspend of £6.114M and slippage into the next financial year of £0.707M. The major elements of the forecast overspend are Woodside link £4.764M. £1.614M of this relates to expenditure and a request to bring forward budget from 2017/18 is to be submitted. The remaining £3.15M relates to external funding where work continues to identify external sources of funding. There is a £0.8M overspend for Stratton Street railway bridge which will be covered in a report to Executive in October 2016.
46. There is a forecast overspend against Parking of £0.2M which is partially offset by Community Safety Partnership Grant; and a overspend against the South Depot of £0.510M has been offset by an underspend of the same amount in Environmental Services against the Thorn Turn Waste Park. Slippage of £4.5M relates to external funding for Woodside Link which will not be received this year, £3.476M for Luton and Dunstable Busway and £0.236M on the Biggleswade Interchange.

### **Major Achievements - Transport**

47. Woodside Link – Earthworks continue on site having been delayed by the wet weather, this has been mitigated by revising the programme of works and use of granular fill. The surfacing operations have commenced. The scheme is still on target to hit the September completion date.
48. Stratton Railway Bridge – The bridge has reopened to traffic. There remains some work required on the parapets to be completed.
49. Structural Maintenance – 2 carriageway resurfacing schemes have been completed covering 0.75kms and 4 footways resurfacing schemes completed covering 0.8 kms.
50. Integrated Transport – 24 schemes have been commenced with 1 designed.
51. Southern Highways Depot (Thorn Turn) – see Thorn Turn Waste Park under Environment (paragraph 37).
52. Northern Highways Depot (Sandy) – To date design fees of £200K have been issued to our contractor, Atkins, the concept design has been approved by our client, Ringway Jacobs.
53. M1 to A6 Link Road – The economic case of the business case for the M1 to A6 Link Road scheme has been completed and submitted to SEMLEP for £30.0M

of funding from the Local Growth Fund. The scheme comprises a new 4.4km long road between the M1 in the west and the A6 in the east, to effectively form a northern bypass of Luton opening up land for the potential development of 4,000 dwellings, allocation of 60 hectares of employment uses, and provision of a new rail freight interchange.

54. A421 – The Department for Transport (DfT) has confirmed £1.0M for ‘upfront development costs’ (2016/17) for the A421 dualling scheme. This will be used to: finalise the Transport Business Case, including getting the transport model and scheme benefits accepted by the DfT; securing the land required to widen the road and if required pursuing Compulsory Purchase; and engaging our highways contractor Ringway Jacobs to prepare detailed design and procurement. It is anticipated the scheme will be delivered through the Eastern Highways Alliance.

### **Regeneration & Business Support**

55. The Regeneration and Business Support directorate capital programme in 2016/17 is made up of 16 schemes. The directorate manages an annual expenditure budget of £5.655M and a expenditure budget of £3.477M.
56. The directorate outturn forecast is below budget by £2.585M (gross) and below budget by £1.956M (net).
57. The table below highlights the areas of spend :

Regeneration & Business Support Full Year Gross Budget and Forecast					
Scheme Categories	Gross Budget	Gross Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
F10 BDUK2	12	12	0	0	0
Local Broadband Infrastructure	644	(57)	(701)	701	0
Market Towns Programme	1,068	532	(536)	536	0
Land Drainage Work Flood Defence	120	0	(120)	0	(120)
Development Site Promotion (Strategic Infrastructure Investment)	140	0	(140)	0	(140)
Dunstable highway De-Trunking and Redevelopment	250	100	(150)	150	0
SEMLEP BDUK Extension	1,290	1,290	0	(573)	(573)
Digitising Aerial Photographs	123	123	0	0	0
Flitwick transport Interchange	300	300	0	0	0
Flitwick Station Area Car Park Development	1,050	0	(1,050)	1,050	0
Flitwick Land Purchase Further land assembly for the Town Centre Regeneration Scheme.	81	81	0	0	0
Cranfield Technology Park Acceleration	100	100	0	0	0
Land Drainage Work ( Non Highways)	20	140	120	0	120
Dunstable Town Centre Regeneration Phase 2	449	449	0	0	0
Historic Building Grant Aid Scheme	8	0	(8)	0	(8)
<b>Total</b>	<b>5,655</b>	<b>3,070</b>	<b>(2,585)</b>	<b>1,864</b>	<b>(721)</b>
<b>% of Budget</b>		<b>54.3%</b>			

Regeneration & Business Support Full Year Net Budget and Forecast					
Scheme Categories	Net Budget	Net Forecast	Variance	Deferred Spend	Over / (Under) spend
	£k	£k	£k	£k	£k
F10 BDUK2	12	12	0	0	0
Local Broadband Infrastructure	175	(14)	(189)	189	0
Market Towns Programme	1,068	500	(568)	568	0
Land Drainage Work Flood Defence	120	0	(120)	0	(120)
Development Site Promotion (Strategic Infrastructure Investment)	140	0	(140)	0	(140)
Dunstable highway De-Trunking and Redevelopment	0	0	0	0	0
SEMLEP BDUK Extension	50	50	0	0	0
Digitising Aerial Photographs	123	123	0	0	0
Flitwick transport Interchange	200	200	0	0	0
Flitwick Station Area Car Park Development	1,050	0	(1,050)	1,050	0
Flitwick Land Purchase Further land assembly for the Town Centre Regeneration Scheme.	81	81	0	0	0
Cranfield Technology Park Acceleration	0	0	0	0	0
Land Drainage Work ( Non Highways)	0	120	120	0	120
Dunstable Town Centre Regeneration Phase 2	449	449	0	0	0
Rolling Social & Community Infrastructure Fund	1	0	(1)	0	(1)
Historic Building Grant Aid Scheme	8	0	(8)	0	(8)
<b>Total</b>	<b>3,477</b>	<b>1,521</b>	<b>(1,956)</b>	<b>1,807</b>	<b>(149)</b>
<b>% of Budget</b>	<b>43.7%</b>				

### Major Achievements

58. Dunstable Town Centre Regeneration Phase 2 – The final Dorchester Close property was acquired on 22nd June 2016 and the complete Dorchester Close land and premises is now in the control of CBC.
59. Cranfield Technology Park Acceleration – Negotiations to acquire two pieces of land in Cranfield to enable highway improvements to be carried out are progressing well with one site agreed and with Legal Services.
60. Broadband – The Council's superfast broadband project has now officially completed the deployment stage with 72 cabinets upgraded across CBC and over 16,000 premises directly enabled to receive superfast broadband services. This exceeds the 15,500 premises originally contracted and brings superfast coverage in Central Bedfordshire to 90%, meeting the Council's target.

The Council is the accountable body for the wider Central Superfast Project, covering Bedford and Milton Keynes. In total the project has enabled over 38,000 premises. In addition, the project is also currently achieving 30.12% take up of services which is considered 'Best in Class' for the size and age of the project, and has lead to BT to offer early Gainshare payments of £900,000 to extend coverage further.

61. Market Towns – A total of 11 bids, requesting £5.34M, were submitted by the 29 February 2016 deadline. Bid sizes varied from £0.015M to £1.384M. With match funding totalling £5.73M the total package of bidding activity came to £11.07M.

The Market Towns Regeneration Forum Assessment Panel (MTRF), chaired by the Director of Regeneration and Business Support and consisting of specialist officers across CBC and the Executive Member for Corporate Resources

reviewed all bids

62. Relating to market Towns, on the 7th June 2016, the Executive approved:

- To partially support eight bids from Ampthill, Dunstable, Flitwick, Houghton Regis, Leighton Linlade, Potton, Sandy and Shefford. This totals a MTRF investment of £2.46M and will lever approximately £2.9M in match funding from Town Councils and local partners.
- For CBC to develop an area-wide High Street Improvement Scheme (HSIS) that is delivered by Town Councils. This forms a new strand of £1M investment from the MTRF leveraging over £650K match funding from businesses wishing to take part. The HSIS will focus on improving shop fronts, tackling vacant retail units, upper floors and immediate streetscape.
- To not support three bids from Arlesey, Biggleswade and Stotfold.

Further due diligence work is now underway including the development of business cases for each of the successful bids. Town Councils will be asked to enter into a Funding Agreement which will set out the terms of the funding and monitoring requirements.

The HSIS scheme launched in July 2016 is working in partnership with Town Councils to promote the scheme in their market town.

### **Improvement & Corporate Services**

63. The gross and net budget for ICS is £5.01M. The forecast outturn position is on budget.

The table below highlights the areas of spend :

<b>Improvement &amp; Corporate Services Full Year Gross Budget and Forecast</b>					
<b>Scheme Categories</b>	<b>Gross/Net Budget</b>	<b>Gross/Net Forecast</b>	<b>Variance</b>	<b>Deferred Spend</b>	<b>Over / (Under) spend</b>
	<b>£k</b>	<b>£k</b>	<b>£k</b>	<b>£k</b>	<b>£k</b>
Information Assets	4,523	4,523	0	0	0
Other	488	488	0	0	0
<b>Total</b>	<b>5,011</b>	<b>5,011</b>	<b>0</b>	<b>0</b>	<b>0</b>

**% of Budget**

**100.0%**

(Note gross and Net are the same as all internally funded)

64. The budget includes £3.500M of funding for new 2016/17 schemes and deferred expenditure of £1.511M from previous years. There is £4.523M of budget allocated to Information Technology (IT) projects.

There are three major projects which are Digitisation (£2.000M), ICT Strategic Investment (£1.695M) & IT Infrastructure Rolling Programme (£0.828M). All are forecasting to achieve budget.

65. Other relates to the Office Rationalisation (Working Smarter) project.

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Central Bedfordshire Council

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

24 November 2016

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**Work Programme & Executive Forward Plan**

Advising Officer: Rebecca Preen, Scrutiny Policy Adviser  
[rebecca.preen@centralbedfordshire.gov.uk](mailto:rebecca.preen@centralbedfordshire.gov.uk)

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**Purpose of this report**

The report provides Members with details of the currently drafted Committee work programme and the latest Executive Forward Plan.

**RECOMMENDATIONS**

The Committee is asked to:

1. Consider and approve the work programme attached, subject to any further amendments it may wish to make, specifically relating to **appendix 2**;
2. Consider the Executive Forward Plan; and
3. Consider whether it wishes to suggest any further items for the work programme and/or establish any enquiries to assist it in reviewing specific items.

**Overview and Scrutiny Work Programme**

1. Throughout June and July 2016 residents were encouraged to propose items to be considered by the Council's overview and scrutiny committees.
2. In addition a workshop took place in June 2016 at which Members and partners were invited to propose additional items and to indicate the priorities that they would like to consider throughout 2016/17.
3. Throughout this process Members have been encouraged to adopt several key principles relating to ways of working that were previously agreed by the Overview and Scrutiny Co-ordination Panel, namely:-
  - Minimising duplication
  - Focusing on requested items
  - Focusing on outcomes and the 5-year plan

4. A long-list of items has been proposed, some of which have been included in the work programme of the relevant overview and scrutiny committee. At the request of the Overview and Scrutiny Coordination Panel the full list of items, including those specific to this OSC and those of a cross-cutting nature are included at **appendix 2**. The Committee are asked to consider the full list of items and highlight any that they feel ought to be added to the work programme as a priority.
5. This work programme aims to provide a balance of those items on which the Executive would be grateful for a steer in addition to those items that the Overview and Scrutiny Committee (OSC) has proactively requested to receive.
6. The Committee is requested to consider the work programme and the indicated outcomes at **appendix 1** and to amend or add to it as necessary.

### **Overview and Scrutiny Task Forces**

7. In addition to consideration of the work programme, Members may also wish to consider how each item will be reviewed, i.e. by the Committee itself (over one or a number of Committee meetings) or by establishing a Member Task Force to review an item in greater depth and report back its findings.

### **Executive Forward Plan**

8. Listed below are those items relating specifically to this Committee's terms of reference contained in the latest version of the Executive Forward Plan that are not presently included in the Committee's work programme. The full Executive Forward Plan can be viewed on the Council's website at the link at the end of this report:-

Item	Indicative Exec Meeting date
Leisure Management Contract	6 December 2016
Highways and grass cutting contract and food waste disposal contract	6 December 2016
Draft Local Plan for Central Bedfordshire	10 January 2017
2016 Economic Insight	07 February 2017
Parking Strategy	04 April 2017

### **Corporate Implications**

9. The work programme of the Overview and Scrutiny Committee will contribute indirectly to all 5 Council priorities. Whilst there are no direct implications arising from this report the implications of proposals will be details in full in each report submitted to the Committee.

### **Conclusion and next Steps**

10. Members are requested to consider and agree the attached work programme, subject to any further amendment/additions they may wish to make and highlight those items within it where they may wish to establish a Task Force to assist the Committee in its work. This will allow officers to plan accordingly but will not preclude further items being added during the course of the year if Members so wish and capacity exists.

### **Appendices**

**Appendix 1:** OSC work programme

**Appendix 2:** Suggestions arising from public survey

### **Background Papers**

Executive Forward Plan (can be viewed at any time on the Council's website) at the following link:-

<http://centralbeds.moderngov.co.uk/mgListPlans.aspx?RPId=577&RD=0>

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## Appendix A

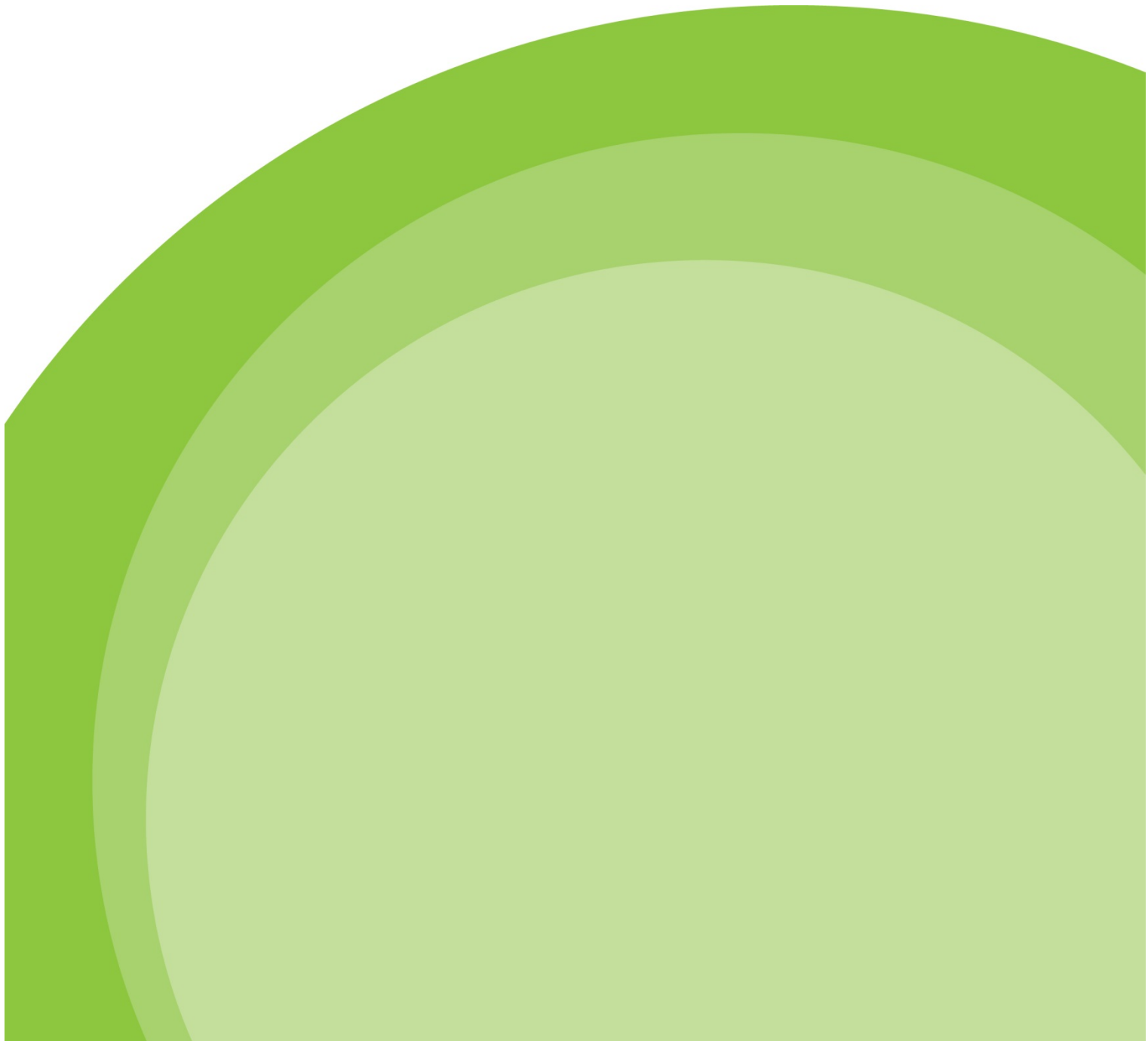
Meeting date	Report Title	Outcomes we are seeking to achieve	Contact
12 January 2017	Q2 BMR report	To receive a presentation on the relevant quarterly budget information	Sue Templeman
12 January 2017	Q2 Performance report	To receive a presentation on the relevant quarterly performance information	Heather Price
12 January 2017	Draft Budget, Capital and Medium Term Financial Plan 2017/18-20/21	To consider the draft Budget, updated Medium Term Financial Plan and Capital Programme pertaining to the Regeneration and Community Services Directorate only. Information that is relevant to the other directorates will be considered in the other relevant OSC meetings. Members are requested to submit their comments, observations and recommendations in respect of the Executive's proposals with particular reference to the Regeneration and Community Services Directorate proposals, to the meeting of the Executive	Charles Warboys
16 March 2017	TBC	-	-

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## Appendix 2

# Overview & Scrutiny work programmes (2016/17)



# OSC work programmes

## Items proposed for 2016/17

In June 2016 all Members were invited to attend a session to discuss the items that they would like to receive at the Overview and Scrutiny Committees during 2016/17.

At this session we discussed those principles that we were most keen to encourage. Namely to have shorter agendas, to include more requested items and to encourage policy development.

At the conclusion of the meeting those who attended had highlighted the items listed below as those that they would like to discuss at the Overview and Scrutiny Committees.

The list of items overleaf are those that are currently not listed on the work programme of any of the overview and scrutiny committees. For each item an indication is provided of the:-

- Report title:** the title that was provided by Members or the public
- Parent committee:** the suggested committee with responsibility for the item unless it is cross-cutting
- Originated from:** whether the item originates from the Member workshop earlier this year or the residents survey

Members are asked to indicate those items that they are particularly keen to receive at a formal meeting of the relevant Overview and Scrutiny Committee.



Report Title	Parent committee(s)	Originated from
Admissions arrangements	Children's Services OSC	Member Workshop
School places, expansions and new schools (viability) & 6th form viability	Children's Services OSC	Member Workshop
Children's services transformation programme	Children's Services OSC	Member Workshop
Curriculum for life	Children's Services OSC	Member Workshop
Speech and language service	Children's Services OSC	Member Workshop
Info, advice and guidance for school pupils	Children's Services OSC	Member Workshop
Teacher Recruitment Strategy	Children's Services OSC	Member Workshop
Young people being work ready	Children's Services OSC	Member Workshop
Meeting the needs of the less academic & skills needs of local employers.	Children's Services OSC	Member Workshop
Children With Disabilities	Children's Services OSC	Member Workshop
Academy & maintained school performance and Ofsted judgements (results) incorporating EYFS, KS2, 4 & deprived gap and performance	Children's Services OSC	Member Workshop
Children's Centres	Children's Services OSC	Member Workshop
Education Partnership Vision	Children's Services OSC	Member Workshop
Better school outcomes & reputation	Children's Services OSC	Member Workshop
Teaching school	Children's Services OSC	Member Workshop
Children's services transformation programme	Children's Services OSC	Member Workshop
Guidance on schools performance	Children's Services OSC	Member Workshop
Curriculum for life & budget management	Children's Services OSC	Public survey
Higher Education	Children's Services OSC	Public survey
Working Smarter	Corporate Resources OSC	Member Workshop
Legal Services	Corporate Resources OSC	Member Workshop
Council responsiveness	Corporate Resources OSC	Member Workshop
Communication between Member/Officer & Public/Officer	Cross-cutting	Member Workshop
Preparing for Adulthood	Cross-cutting	Member Workshop
ELFT (Q1 and Q2 performance)	Cross-cutting	Member Workshop
Partnership working with top councils	Cross-cutting	Member Workshop
Delegation to local towns and parishes and its implications	Cross-cutting	Member Workshop
Building, creating facilities for	Cross-cutting	Member Workshop

Report Title	Parent committee(s)	Originated from
addicts/carers		
School transport	Cross-cutting	Member Workshop
Right Homes for the right people in the right place ("Right Homes"; housing rent affordability; housing improvements)	Cross-cutting	Member Workshop
Improved mental health for young people	Cross-cutting	Public survey
Safer crossings (access to schools)	Cross-cutting	Public survey
Asset disposal	Cross-cutting	Public survey
Language of complaints handling	Cross-cutting	Public survey
Cost effectiveness	Cross-cutting	Public survey
Fit for Op	Social Care, Health & Housing OSC	Member Workshop
Excess Weight Strategy	Social Care, Health & Housing OSC	Member Workshop
Policy for housing assistance	Social Care, Health & Housing OSC	Member Workshop
Dementia Strategy	Social Care, Health & Housing OSC	Member Workshop
Step up step down service in Chiltern vale & LB localities	Social Care, Health & Housing OSC	Member Workshop
Quality accounts	Social Care, Health & Housing OSC	Member Workshop
Preparing for adulthood strategy	Cross-cutting	Member Workshop
Primary care strategy	Social Care, Health & Housing OSC	Member Workshop
Re-procurement of community mental health services	Social Care, Health & Housing OSC	Member Workshop
Meeting residents needs	Social Care, Health & Housing OSC	Member Workshop
Health education	Social Care, Health & Housing OSC	Member Workshop
Care Act 2014 (phase 2)	Social Care, Health & Housing OSC	Member Workshop
Better Care Fund II	Social Care, Health & Housing OSC	Member Workshop
The Integration of Health and Social Care in Central Bedfordshire.	Social Care, Health & Housing OSC	Member Workshop
Musculoskeletal Services (MSK)	Social Care, Health & Housing OSC	Public survey
Linking with the UK Border Force	Sustainable Communities OSC	Member Workshop
Dunstable Leisure Centre Update	Sustainable Communities OSC	Member Workshop
Links between the SCHHOSC & community safety plan	Sustainable Communities OSC	Member Workshop
Community Infrastructure Levy	Sustainable Communities OSC	Member Workshop
Public engagement strategy (everything but especially the local plan)	Sustainable Communities OSC	Member Workshop
Retail structure of South Bedfordshire	Sustainable Communities OSC	Member Workshop
Planning Enforcement	Sustainable Communities OSC	Public survey

Report Title	Parent committee(s)	Originated from
Local Plan (incorporating the G&T Plan)	Sustainable Communities OSC	Public survey
Protecting the greenbelt	Sustainable Communities OSC	Public survey
Site selection criteria and various planning considerations	Sustainable Communities OSC	Public survey
Traffic congestion	Sustainable Communities OSC	Public survey



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