

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 18 August 2009.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)

Cllr R Stay (Vice-Chairman)

Cllrs Mrs R J Drinkwater
Mrs C Hegley
M R Jones
Mrs A M Lewis

Cllrs S F Male
K C Matthews
T Nicols

Apologies for Absence: Cllrs D McVicar
B Wells

Members in Attendance: Cllrs P N Aldis
R A Baker
A R Bastable
D Bowater
Mrs C F Chapman MBE
Dr R Egan
A Fahn
Mrs R B Gammons

Cllrs M Gibson
Mrs S Goodchild
Ms A M W Graham
J G Jamieson
P Snelling
J Street
Mrs C Turner
P Williams

E/09/33 **Chairman's Announcements**

The Chairman announced that she was going to take Agenda Item 13 – Strategy for Managing Highways Lighting after Agenda Item 6 – Public Participation.

E/09/34 **Minutes**

RESOLVED:

That the minutes of the meeting held on 21 July 2009 were confirmed as a correct record subject to the inclusion of Councillors Dr R Egan, D Jones, D Lawrence, J Street and C Turner as present at the meeting.

E/09/35 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

E/09/36

Petitions

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

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

RESOLVED:

That the following petitions be referred for detailed consideration to future public meetings of the Portfolio Holder for Safer and Stronger Communities:

- 1. Road traffic and congestion on Heath Road and Heath Park Road, Leighton Buzzard – petition received from the residents in homes served by Heath Park Road asking that double yellow lines be applied without delay on both sides of Heath Park Road at its approach and junction with Heath Road from Green Gables.**
- 2. Introduction of re-surfacing at Boughton End, Lidlington – petition received from the residents of Boughton End, Lidlington regarding the state of the road asking for the whole road to be re-surfaced.**

E/09/37

Public Participation

In accordance with the Scheme of Public Participation the Executive received the following question from Mr Maurice Blackman from Leighton Buzzard:

Question – Can the appropriate Portfolio Holder explain the delay in replacing the lockers at Tiddenfoot Leisure Centre?

Responding to the question Councillor Stephen Male, Portfolio Holder for Culture and Skills acknowledged that the lockers had been an issue over the last year or so at the Tiddenfoot Leisure Centre. However, maintenance issues with the lockers had increased earlier in the year, primarily due to approaching lifecycle end and the consequential difficulties in procuring replacement parts. In April, Leisure Connection requested that new lockers be procured and in the meantime endeavoured to maintain as many functional lockers as possible. This had proved problematic with parts lead times of up to 12 weeks. However, new lockers were being sourced and would be replaced and this was expected to take place within the next month.

E/09/38

Strategy for Managing Highways Lighting

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities seeking approval to a proposed strategy for the provision, maintenance and renewal of street lighting with the aim of:

- saving on energy costs.
- Reducing the cost of capital renewals by adopting new local street lighting standards aimed at reducing the luminance levels, and therefore the number of lighting columns where it was safe to do so.
- applying similar lighting standards to new developments through the planning approvals process to reduce future energy, maintenance and renewal liabilities
- reducing energy consumption to meet the Council's Carbon Reduction Commitment (CRC)

The Executive noted that the proposed strategy would be piloted at two sites, one in Flitwick and one in Dunstable with works programmed to be completed by November. Customer and operational feedback from the pilot areas would be reported to the Executive in January 2010 before a final decision on whether to adopt use of LED lanterns as the preferred option for all highway lighting was taken.

Members noted that the Strategy had been endorsed by the Sustainable Communities Overview and Scrutiny Committee on the 4 August 2009 subject to the following conditions:

- that all new developments in Central Bedfordshire should be constructed with new LED lanterns.
- that in accordance with the proposed strategy local consultation should be undertaken with local communities to inform the application of the various approaches set out in the strategy.
- in principal the sooner LED lighting could be implemented throughout Central Bedfordshire the better.

During the general discussion that followed Members commended the proposed strategy and its benefits. Should the trials be successful it was hoped that the strategy would be rolled out across the whole of Central Bedfordshire.

Reason for decision: So that best value may be obtained from the highways capital allocation for street lighting.

RESOLVED:

That the proposed strategy for the provision, maintenance and renewal of street lighting, as detailed in the submitted report, be approved.

E/09/39

Recovery and Improvement Programme for Adult Social Care

The Executive considered a report from Councillor Carole Hegley, Portfolio Holder for Social Care and Health proposing a draft Recovery and Improvement Programme approach and Governance arrangements to secure the delivery of adult social care services within Central Bedfordshire. Members were advised that the draft programme would need to be discussed and agreed with the Care Quality Commission (CQC) and may be amended following the national reporting by CQC in November of adult social care performance for 2008/09.

Councillor Mrs Hegley proposing the draft Recovery and Improvement Programme approach and Governance arrangements referred to the establishment of a Members' Reference Group to oversee and monitor the delivery of the Programme, recommended that this Group should meet monthly, not bi-monthly as referred to in the report. It was noted that the Portfolio Holder would discuss with the Chairman of the Social Care, Health and Housing Overview and Scrutiny Committee on how best to keep the Overview & Scrutiny Committee apprised of progress with the Recovery and Improvement Programme.

The Executive commended the Portfolio Holder and Director of Social Care, Health and Housing for the prompt action taken and the proposed Recovery and Improvement Programme.

Reason for decision: To ensure that the Council meets its statutory duties in respect of vulnerable adults and older people through its delivery of adult social care services.

RESOLVED:

1. **That the Executive endorses the draft Recovery and Improvement Programme approach as detailed in the submitted report and notes:**
 - (a) **the Recovery and Improvement Programme will be considered by the Care Quality Commission (CQC) at the September Business Meeting; and**
 - (b) **the Recovery and Improvement Programme may require amendment following the CQC national reporting of 2008/09 adult social care performance.**
2. **That the proposal to establish an Officer Recovery Programme Board, to be chaired by the Chief Executive, be noted.**
3. **That a Members' Reference Group of the Executive to meet on a monthly basis, as outlined in paragraph 5.7 of the submitted report as amended, be established to oversee and monitor the delivery of the Programme for the recovery and improvement of Adult Social Care Services and to make recommendations to the Executive thereon, as appropriate.**

E/09/40

Budget Management Report 2009/10 as at 30 June 2009

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources providing information on the budget position as at 30 June 2009, together with indicative forecast out turn for 2009/10. A briefing note from the Leader of the Council putting the Council's first budget monitoring report into context was also considered. The briefing note also contained a revised Appendix A setting out a summary of the revenue position.

The Portfolio Holder in presenting his report highlighted that there was a potential overspend of between £5.9m and £7.9m. However, this was based on the initial three months of activity and focused mainly on possible overspends. He explained that work was being undertaken to ensure effective budget monitoring and management is in place including the identification of potential underspends forecast to year end.

To address the potential overspend the Portfolio Holder recommended, in addition to the recommendations contained in his report, that budget monitoring reports detailing variances within each directorate should be brought to each meeting of the Executive. He also recommended that each directorate develop a Budget Action Plan to facilitate bringing the overall budget in line.

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

RESOLVED:

- 1. That the latest budget projections for the year as detailed in the submitted report and the need for further work to establish the likely out turn for 2009/10, be noted.**
- 2. That the actions proposed to bring the Council's forecast spend in line with budget, as set out in the submitted report, be noted.**
- 3. That officers undertake further detailed monitoring with particular emphasis on volatile demand led budgets.**
- 4. That budget monitoring reports detailing variances be submitted to each meeting of the Executive.**
- 5. That each directorate develop a Budget Action Plan to facilitate bringing the overall budget back in line.**

E/09/41

Total Place

The Executive considered a report from Councillor Richard Stay, Portfolio Holder for Business Transformation proposing the endorsement of the Total Place theme 'From Dependence to Self Reliance'.

Councillor Stay reminded the Executive that Central Bedfordshire and Luton were one of 13 national 'Total Place' pilot programmes, an ambitious and challenging programme bringing together elements of central government and local agencies within a place to achieve three things around a priority issue:

- Service transformations that can improve the experience of local residents and deliver better value
- Efficiencies that respond to the challenging budget climate
- A body of knowledge about how more effective cross-agency working delivers the above.

The proposed theme 'from dependence to self reliance', had been agreed by the Chief Executive's Forum, following development with partners and Government. Endorsement was now required by Central Bedfordshire and Luton Borough Councils as well as the Local Strategic Partnerships for each area.

It was noted that the next stage of the project, with the involvement of partners, was the development of up to 5 sub themes. Along with the results of a 'high level counting exercise' detailed in the report an Outline Business Case would then be submitted to Government on 18 September.

Responding to comments the Portfolio Holder advised that it was good news for the Council to be part of this national pilot project. With the financial position of the Country being unsettled the authority, along with partners, would be best placed to make better use of available resources and influence future funding in Bedfordshire. It was noted that a briefing note on the project would be sent to all members .

Reason for decision: To provide clarity to the broad partnership of public sector organisations in Central Bedfordshire and Luton that Central Bedfordshire Council supports the Total Place theme. This theme, alongside the results of the 'high level counting' exercise, will be reported to the Government on the 18th September to feed into the pre-budget report.

RESOLVED:

That the Total Place theme 'from dependence to self reliance', as detailed in the submitted report, be endorsed.

E/09/42

Luton Dunstable Busway

The Executive considered a report from Councillor Tom Nicols, Portfolio Holder for Sustainable Development seeking approval for funding advanced works on the Luton Dunstable Busway.

Councillor Nicols advised the Executive that advanced funding was required to ensure site clearance was completed before the start of the bird breeding season at end February / early March 2010 and ensure there were no works related delays at the start of the contract. As the scheme currently benefited from Government Conditional Approval status an unsecured loan was

considered to provide the most cost effective way forward, accepting that there was a small risk to the Council if the scheme should not receive Full Approval. However, the Council would seek to recover the money if for any reason the project did not go ahead.

Members noted that the report was considered by the Sustainable Communities Overview and Scrutiny Committee at its meeting on 4 August 2009 who endorsed the recommendation to the Executive.

Reason for decisions: So that an at risk funding loan can be made available to enable tenderers provide a more reliable tender cost and mitigate against any possible early claim.

RESOLVED:

- 1. That approval be given to advanced funding of up to £180K for advanced works on the Luton Dunstable Busway as detailed in the submitted report.**
- 2. That delegated authority be given to the Directors of Sustainable Communities and Corporate Resources, in consultation with the Portfolio Holders for Sustainable Development, Economic Growth and Regeneration and Corporate Resources, to seek to limit the impact on Central Bedfordshire Council through the reallocation of Growth Area Funding for 2009/10 to underwrite this funding.**

E/09/43

Historic Building Grant Aid Scheme for Central Bedfordshire

The Executive considered a report from Councillor Tom Nicols, Portfolio Holder for Sustainable Development summarising the proposed new Historic Building Grant Aid Scheme for Central Bedfordshire Council including eligibility for grant aid. Revised financial implications that had been circulated with the Chairman's briefing notes were also considered detailing funding provided for in the Council's approved capital programme.

The submitted report sought continuation of the previously existing Historic Building Grant Aid Schemes for Mid and South Bedfordshire District Councils, using the existing capital programme allocation, and consolidated the qualifying criteria for eligibility for grant assistance. It was noted that the principal aim of the grant aid scheme was to secure, if possible, the urgent repair of listed buildings that were identified as:

- buildings at *extreme* or *grave risk*,
- buildings included in the most recent 'buildings at risk' survey and register
- buildings which have subsequently been identified as meeting the *at risk* criteria.

Councillor Nicols advised that whilst funding had been provided for in the Capital Programme, in accordance with the Council's Constitution, the Executive's approval was required for the release of funding for the grant scheme.

Reason for decisions: To implement the Council's commitment to reducing the number of Buildings At Risk, that appear in the most recent Buildings At Risk registers, and to support and to encourage a high standard in the sympathetic repair of historic buildings throughout Central Bedfordshire. This would therefore make a contribution towards the Council's vision by enhancing the unique character of our communities and our environment.

RESOLVED:

- 1. That the proposed Central Bedfordshire Council Historic Building Grant Aid Scheme, as set out in the submitted report, be approved.**
- 2. That the release of capital from the provision contained in the approved Capital Programme in respect of Historic Building Grant Aid, for the purpose of funding grants in accordance with the criteria set out in the submitted report, be approved.**

E/09/44

Central Bedfordshire Community Safety Partnership - Statutory Plans

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities setting out the statutory plans agreed for Central Bedfordshire by the Central Bedfordshire Community Safety Partnership.

Members were reminded that the Central Bedfordshire Community Safety Partnership was a new partnership, formed as part of the transition into the new unitary authority. The Council was represented by the Portfolio Holder for Safer and Stronger Communities and the Director for Sustainable Communities, who was also Chair of the Executive Group.

The Executive noted that the responsible authorities of the Community Safety Partnership (police, police authorities, local authorities, fire and rescue authorities and primary care trusts (PCTs)) have a statutory duty to work in partnership with other local agencies and organisations to develop and implement strategies to tackle crime and disorder, including anti-social and other behaviour adversely affecting the local environment, as well as the misuse of drugs in their area. The Partnership also have a duty to identify community safety priorities and develop a partnership plan for the area.

Members were advised that the Community Safety Plan 2009-2011 showing how community safety priorities will be addressed over the next two years was agreed by the Community Safety Partnership Executive on 25 June 2009. Endorsement of the Plan was now required from each partner organisation.

Also submitted for approval were a Domestic Abuse Strategy and an Alcohol Strategy which supported the overarching Community Safety Plan. These strategies which supported the priorities within the Partnership Plan were also agreed at the Partnership Executive meeting on 25 June 2009. Members were advised that as the Community Safety Partnership is a thematic group of the Local Strategic Partnership the Community Safety Plan would normally go to the Local Strategic Partnership for agreement prior to

being brought to the Executive. However, in view of delays in producing the Plan for 2009, due to the transition to unitary authorities and the formation of the new Community Safety Partnership, Executive endorsement was being sought prior to sign off by the Local Strategic Partnership. It was noted that should any amendments be necessary following consideration by the Local Strategic Partnership the Plan would be updated and re-circulated to all members prior to formal approval by Council.

During the general discussion that ensued a member in referring to the increasing requirement from government to work in partnership questioned what the Partnership, and the former Community Safety Partnership, was achieving. The Director of Sustainable Communities in explaining that the process for next year's plan started in September/October and emphasising that it was the performance of Central Bedfordshire going forward that needed to be the focus, advised that this could be looked at, where data is available, as part of the process in developing the next plan.

Reason for decisions: Central Bedfordshire Council is a responsible authority of the Community Safety Partnership under the Crime and Disorder Act 1998. The Act places a statutory duty on the local authority to work with other responsible authorities to develop and implement a strategy for reducing crime and disorder. The strategy must cover a district, borough or unitary area.

RESOLVED:

- 1. That the draft Community Safety Plan and associated strategies recommended by the Central Bedfordshire Community Safety Partnership, as detailed in the submitted report, be endorsed.**
- 2. That delegated authority be given to the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer and Stronger Communities, to amend the draft Community Safety Plan and associated strategies, as appropriate, following consideration by the Local Strategic Partnership.**

RECOMMENDED:

That the Council be recommended to approve the draft Community Safety Plan and associated strategies, subject to any further amendments to be made to the Plan in accordance with resolution 2 above.

(Note: a revised copy of the Plan incorporating any amendments will be submitted to the meeting of the full Council)

E/09/45

Contract for a Managed Service for the Supply of Temporary Labour

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources seeking approval to enter into a contract with Carlisle Managed Solutions for the managed service of the supply of the services temporary labour with the provision to extend the scope of the agreement as required.

Reason for decision: To provide the optimum solution in managing demand for temporary labour across all service areas (excluding Schools).

RESOLVED:

- 1. That approval be given to Central Bedfordshire Council, from 1 September 2009, to enter into a contract for the provision of a managed service for the supply of the services of short term temporary and contingent labour and the option to increase the scope as specified in the contract elements with Carlisle Staffing PLC trading as Carlisle Managed Services, subject to agreement of contractual terms and the process of due diligence.**
- 2. That the Director of Corporate Resources be authorised to approve the entering into the final Contract, subject to Luton Borough Council and, in turn, Central Bedfordshire Council being satisfied with the agreement of contractual terms and process of due diligence.**

E/09/46

Procurement of a new Housing Management System

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing seeking approval to the preferred option for the procurement of an upgrade to existing Housing Management System within the Social Care, Health and Housing Directorate.

Reason for decision: The procurement of the new system through the OGC buying solutions framework would avoid the need to go through the formal Official Journal of the European Union (OJEU) tender exercise enabling the Council to save significant amount of investment in terms of financial, time and resources.

RESOLVED:

That approval be given to funding of up to £159K for the acquisition of the QL Housing Management system through the Office of Government Commerce buying solutions framework for the reasons outlined in the submitted report.

E/09/47

Flitwick Leisure Centre Redevelopment and Football Development Project

The Executive considered a report from Councillor Stephen Male, Portfolio Holder for Culture and Skills seeking approval to capital expenditure allocated in the Capital Programme to Flitwick Leisure Centre to enable a Football Foundation Bid to be submitted. The report also sought approval to the approach for the next stage for football development and Leisure Centre redevelopment.

The redevelopment of Flitwick Leisure Centre was identified as a priority in the Council's Strategic Plan 2009-11 adopted by Executive 5 August 2008. It was also identified as an early priority in the Children, Families and Learning Directorate Plan, adopted by Executive 30 September 2008. It was noted that

the project would help deliver those plans and support the Local Area Agreement targets to reduce the health inequalities of children and families in Central Bedfordshire, increase young people's participation in positive activities and increase adult participation in sport.

The Portfolio Holder advised the Executive that the scheme which had full local member support had taken ten years of negotiation to reach the current position. The proposal to bring forward capital expenditure of £130k allocated for Flitwick Leisure Centre from 2010/11 to 2009/10 would enable the necessary planning applications to be drawn up and for work on the football bid to be commenced. It was noted that the majority of the £130,000 was to undertake surveys and ground investigations required for the project and to develop a business case for football development so that a detailed bid could be made to the Football Foundation for £600,000.

Members noted that the Football Foundation bid would form the basis of a detailed business case for Executive to consider around April 2010. At the same time Executive would be asked to select a preferred contractor to build the football development project, and approve an outline business case on the redevelopment of the leisure centre.

During consideration of the report questions were raised about the timing and appropriateness of the request. The Portfolio Holder advised that should the Executive be minded to not approve the request £600k potential funding could be lost, paragraph 1.3 of the submitted report refers. He clarified that the funding was not over what was already identified in the capital programme.

The Portfolio Holder for Corporate Resources expressed reservations about the building of a Leisure Centre/football complex at a cost of £10m in the current economic climate and for this reason was unable to support the proposal.

Reason for decisions: So that a detailed business case can be produced for the football development project and an application to the Football Foundation be made by October 2009. To agree a preferred approach to the next stage of the football development and leisure centre redevelopment.

RESOLVED:

- 1. That approval be given for expenditure of up to £130,000 from the scheme contained in the capital programme in respect of 'Flitwick Leisure Centre' which will require bringing forward this amount from 2010/11, in order that a detailed business case for football development can be prepared for a bid to the Football Foundation in October 2009 and enable the Council to undertake a tendering exercise on the football development project.**
- 2. That agreement be given to approach the next stage for football development and leisure centre redevelopment as set out in paragraph 2.1.4 of the submitted report.**

3. **That the consultants currently engaged in producing the employer's requirements on the football development project be appointed to undertake the role of employer's agent for the football development project, and to advertise in the Official Journal of the European Union for consultants to produce the employer's requirements and to undertake the role of employer's agent for the leisure centre.**

E/09/48 **Forward Plan**

The Forward Plan for the period 1 September 2009 to 30 September 2010 was received.

E/09/49 **Rushmere Park - acquisition of land in partnership with the Greensand Trust**

The Executive considered a report from Councillor Stephen Male, Portfolio Holder for Culture and Skills seeking approval to the commitment of external funding resources (registered in the capital programme) for the purchase of land for open access, as part of the provision of new green infrastructure for the Growth Agenda, in a partnership arrangement with the third sector body The Greensand Trust.

The submitted report set out the background to the proposal to acquire Rushmere Park, 210 acres of mature former parkland and woodland (with a wide variety of wildlife habitat and flora, including open grassland, lakes, open heath, mixed woodland, dense areas of conifers and pines and mature Wellingtonia) with 2 lakes in Heath and Reach, just north of Leighton Buzzard.

The Park was formerly part of the Stockgrove Park Estate and had been the subject of long term multi-agency interest from organisations involved in green space and outdoor access as it provides the opportunity, by linking it with the existing Stockgrove Country Park (80 acres) and Oak Wood (100 acres) to create a strategic level (regional) 400 acre Country Park.

The report also set out details of the proposal together with external funding opportunities to fund the acquisition and details of partnership acquisition and management.

During detailed discussion of the report the Portfolio Holder responded to questions and comments posed by members. The Portfolio Holder confirmed that all of Rushmere Park would be open to the public, except areas of Special Scientific Interests (SSIs). However, these would be minimal and change over time.

Members expressed their support for more green open space in the Luton and South Beds Growth Area, acquisition and development of Rushmere Park was directly relevant to this aim. It was acknowledged that many of the Council's Plans and related objectives supported the protection and enhancement of the Council's green infrastructure and spaces including the Green Infrastructure Plan. The proposal was also relevant to the aims of the Council's ten year

strategic Outdoor Access Improvement Plan for Central Bedfordshire's Countryside Access Service.

The Portfolio Holder re-assured members that acquiring Rushmere Park would not have a negative impact on projects that needed to come forward in the future. The use of external grant funding was money that if not claimed during 2009/10 would be lost.

Concluding the discussion members agreed that acquiring Rushmere Park would bring unique opportunities. It was noted that the site also had longer term potential which would be the subject to further reports to the Executive in future years.

Reason for decisions: To authorise the Countryside Access Service, working with Property and Legal Services to enter into negotiations to secure acquisition of the land and to enter into long term (at least 25 years) partnership arrangements with the Greensand Trust subject to the following factors :

- valuation and purchase price,
- confirmation of funding sources
- agreement of terms and conditions to the purchase and agreement with the Greensand Trust.

RESOLVED:

- 1. That approval be given to the purchase of the Rushmere Park site at a price not exceeding that set out in the submitted report and that such a purchase is wholly conditional upon the meeting of the conditions referred to at paragraph 7.2.2 of the submitted report.**
- 2. That agreement be given to the commitment of external funding resources (registered in the capital programme) to the purchase of the land for open access as part of the provision of new green infrastructure for the Growth Agenda in a partnership arrangement with the third sector body The Greensand Trust.**
- 3. That the Portfolio Holder for Culture and Skills be requested to develop commercial proposals to maximise the revenue generated by this acquisition.**
- 4. That the longer term potential for this site, the development of which will be the subject of further reports to the Executive in future years, be noted.**

The Portfolio Holder for Corporate Resources abstained from voting on this item.

(Note: The meeting commenced at 9.30am and concluded at 12.44pm)