

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 9 February 2010.

### PRESENT

Cllr Mrs P E Turner MBE (Chairman)  
Cllr R C 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  
D McVicar  
T Nicols

Members in Attendance:	Cllrs	P N Aldis Mrs A Barker P A Blaine D Bowater A D Brown N B Costin Dr R Egan A Fahn	Cllrs	Mrs S A Goodchild J G Jamieson H J Lockey A A J Rogers P Snelling J Street Mrs C Turner B Wells
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Officers in Attendance	Mr G Alderson Mr J Atkinson Mr R Carr Mr R Ellis  Mrs E Grant  Mr C Heaphy Ms D Lester Mrs J Ogley	Director of Sustainable Communities Head of Legal Services Chief Executive Director of Customer and Shared Services Deputy Chief Executive/ Director of Children, Families and Learning Director of Corporate Resources Senior Democratic Services Officer Director of Social Care, Health and Housing
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E/09/163      **Apologies for Absence**

There were no apologies for absence.

E/09/164      **Minutes**

**RESOLVED:**

**The minutes of the meeting held on 12 January 2010 were confirmed and signed by the Chairman as a correct record.**

E/09/165 **Declarations of Interest**

(a) **Personal Interests:-**

None.

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

None.

E/09/166 **Chairman's Announcements**

The Chairman, on behalf of the Executive, conveyed her best wishes to Barbara Morris, Assistant Director Legal and Democratic Services / Monitoring Officer for a speedy recovery.

E/09/167 **Disclosure of Any Exempt Information**

The Executive noted that Agenda Item No 18, Toy Box Sandy – Ground Lease was likely to involve disclosure of exempt information as defined in the paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 and that the press and public would be excluded from the meeting during its consideration.

E/09/168 **Petitions**

There were no petitions presented to the Executive.

E/09/169 **Public Participation**

In accordance with the Scheme of Public Participation the Executive received a statement from Mr Andrew Hicks in connection with Agenda Item No 10, Capital Programme 2010/11 to 2014/15 (Minute E/09/172 below refers).

E/09/170 **Review and refresh of the Local Area Agreement**

The Executive considered a report from Councillor Mrs Tricia Turner, Chairman of the Executive and Leader of the Council setting out proposed changes to the Local Area Agreement (LAA).

**(NOTE: A copy of the report had been circulated with the Executive agenda to all Councillors.)**

The Executive was advised that the Council, as the Accountable Body for the Local Area Agreement, had a statutory duty to refresh the LAA annually. The refresh followed a light touch review of the existing LAA conducted by the Government Office for the East of England (GO-East), following closely on from the Comprehensive Area Assessment. It was noted that the review report being produced by GO-East would be available in early February 2010.

Members were informed that the LAA was entering the final year of its three year duration and the scope to alter the existing agreement this time round was relatively limited. As a result of negotiation, an amendment to two indicators that were frozen in 2009 due to the effects of the economic recession were proposed in respect of *NI 152 Working age people on out of work benefits* and *NI 154 Net additional homes provided*. It was noted that GO-EAST had confirmed that the proposed amendments were acceptable and that following approval by the full Council on 25 February 2010 the refreshed LAA document would be submitted to GO-East by the 12 March 2010 for formal sign-off by the Secretary of State.

Reason for decisions: Central Bedfordshire Council is the Accountable Body for the Local Area Agreement. The refreshed LAA therefore needs to go to full Council on the 25 February 2010, enabling it to then be submitted to the Government Office for the East of England (GO-East) on the 12 March. GO-East will then on the 17 March 2010 send it to the Secretary of State for formal sign off.

**RECOMMENDED:**

- 1. That the revised Local Area Agreement (LAA) target being proposed by Central Bedfordshire Council for National Indicator 152 working age people on out of work benefits, as detailed in paragraph 12 of the submitted report, be approved.***
- 2. That the revised LAA targets being proposed by Central Bedfordshire Council for National Indicator 154 Net additional homes provided, as detailed in paragraphs 13 and 14 of the submitted report, be approved.***

E/09/171

**3rd Quarter Budget Management 2009/10**

The Executive received a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources on the budget position as at 31 December 2009.

Reason for decisions: To report to Members that robust budget monitoring has been undertaken since day one to ensure spend was delivered to budget and that resources have been allocated appropriately.

**RESOLVED:**

- 1. That the latest budget projections for the year and the continuing work to bring expenditure into line with budget for 2009/10, as detailed in the submitted report, be noted.**
- 2. That approval be given to the virements set out in paragraph 26 of the submitted report.**
- 3. That the remodelled use of the PFI reserve, as detailed in the submitted report, be approved.**

4. That approval be given to the new grant allocations as set out in paragraphs 15 and 39 of the submitted report.
5. That agreement be given to a further review of earmarked reserves.

E/09/172

### **Capital Programme 2010/11 to 2014/15**

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Executive received a statement from Mr Andrew Hicks, a member of the Clophill Parish Action Sub-Committee urging the Executive to include the £75K for the Old Church (St Mary's) Clophill in the 2010/11 Capital Programme to assist with building a lodge for a resident warden. The Executive was advised that the building works were part of a much wider project with EEDA and the development of the Greensand Ridge Walk. Mr Hicks explained that the money from the Council would enable further funding to be raised, including from English Heritage. The local Members contributed their perspectives on the project

The Executive then considered the report from Councillor Maurice Jones, Portfolio Holder for Resources setting out the proposed programme for 2010/11 to 2014/15 including the associated funding arrangements. Attention was drawn to two minor corrections to the report and a report from the Chairman of the Corporate Resources Overview and Scrutiny Committee, containing the comments and observations from the Overview and Scrutiny Committee, that had been circulated with the Chairman's Briefing Note.

**(Note: A copy of the report had been circulated with the Executive agenda to all Councillors.)**

Introducing the report, the Portfolio Holder explained that the provisional 2010/11 programme agreed in February 2009, plus the additional slippage from the legacy authorities had created serious financial challenges for the Council over the next three years and had raised expectations about the overall size of the programme. The proposed Capital Programme 2010/11 had therefore been comprehensively reviewed and prioritised against agreed criteria, and proposals for an affordable and sustainable programme were put forward for the approval of Council. It was noted that there had also been a change in approach with no slippage assumed to balance the programme.

The Portfolio Holder for Corporate Resources then tabled revised recommendations as follows:-

That the Executive recommends the Council to:-

- (1) Approve the Capital Programme 2010/11 to 2014/15 now submitted, subject to:-
  - (a) all borrowing associated with the Capital Programme being kept to the minimum necessary, with a target of achieving at least a 20% reduction in borrowing; and

- (b) reducing the value of the scheme known as 'ICT Infrastructure' in the 2010/11 starts by £247,000 and substituting it, to the same value, with the scheme known as 'Timberlands / Chiltern Way Travellers Site' from the reserve listing.
- (2) Note the future resourcing issues and risks associated with the delivery of a robust Capital Programme beyond 2011/12.
- (3) Approve the Housing Revenue Account Capital Programme as set out at Appendix F.
- (4) Agree therefore, having taken account of the comments of the Corporate Resources Overview and Scrutiny Committee:-
  - (a) that a further review of the Capital Programme should be undertaken at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12;
  - (b) that as part of the review referred to in (a) above:-
    - (i) the comments of the Overview and Scrutiny Committees relating to capital projects should be addressed; and
    - (ii) the position regarding the scheme for the extension of Sandy Sports and Recreation Centre should be considered.

The Portfolio Holder explained that the additional recommendation to ensure borrowing associated with the Capital Programme was kept to a minimum with a target of achieving a 20% reduction in borrowing, had been put forward because of the financial pressures the Council was facing. A further recommendation had also been added, in response to comments of the Corporate Resources Overview and Scrutiny Committee, to carry out a further review of the Capital Programme at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12.

The Executive then debated the report and revised recommendations during which the Portfolio Holder responded to questions and comments from the Executive and non Executive Members in attendance.

With regard to the Clophill Parish Action Sub-Committee's request for assistance with the project at the Old Church, Clophill, the Portfolio Holder for Sustainable Development explained that the Old Church ruins were owned by the Council and on Council owned land; the £75,000 included in the Capital Programme was for essential maintenance. However, officers had been asked to investigate an alternative way forward for the project.

Concerning a question about why the 'ICT Infrastructure' scheme was proposed to be reduced in value in the 2010/11 starts by £247,000, Councillor Jones explained that because additional ICT spend was included in the Accommodation Programme the opportunity had been taken to include the scheme known as 'Timberlands / Chiltern Way Travellers Site' from the reserve listing, which inadvertently had been omitted from the programme. It was noted that the Site should correctly be known as the 'Timberlands Travellers Site'.

In response to various comments about capital schemes previously approved by the Executive and which had been rescheduled, including the scheme for the extension of Sandy Sports and Recreation Centre, the Portfolio Holder explained that these could be revisited as part of the further review of the capital programme which was proposed alongside other competing priorities.

Following comments that the proposed capital programme did not include new school provision, Members were reminded that the Council was in the process of reviewing its educational vision for Central Bedfordshire and the future direction for school organisation. It was noted that decisions on the building of new schools could not be made until the area reviews in the four geographical areas, which would determine how school organisation in each area could best meet the Vision's aspirations, were completed. With regard to concern that S106 money could be lost, the Portfolio Holder for Sustainable Development reported that a schedule of S106 agreements was being compiled to address this.

Responding to comments, the Portfolio Holder advised that whilst the Highways capital budget had been reduced it still included a £10.9M investment. It was noted that the reduction included Parish Partnership capital money in the LTP programme being moved to 2011/12 and a reduction in the ambitious replacement street lighting programme. Members were assured that whilst the replacement Street lighting programme would be curtailed, unsafe street light columns would continue to be removed and/or replaced.

The comment was made that whilst the rephrasing of schemes was disappointing, given the financial pressures the Council was facing it was right for the programme in the short term to focus on schemes delivering priorities and efficiencies. It was noted that there were certain schemes, for example the Flitwick Leisure Centre, that would use half of the Directorate's budget if they were to proceed in 2010/11.

The Portfolio Holder explained that whilst capital receipts were unlikely in the short term, the longer term prospects for Central Bedfordshire were better. Future capital programme planning would need to be informed by the Council's emerging Asset Management Plan and an analysis of the current stock of properties and facilities.

Councillor Maurice Jones, Portfolio Holder for Corporate Resources concluded by proposing the Capital Programme 2010/11 to 2014/15 to the Council on 25 February 2010.

Reason for decisions: To agree new capital schemes to commence in 2010/11.

**RECOMMENDED:**

***The Executive proposes to the Council:-***

1. ***the Capital Programme 2010/11 to 2014/15 now submitted, subject to:-:***
  - (a) ***all borrowing associated with the Capital Programme being kept to the minimum necessary, with a target of achieving at least a 20% reduction in borrowing; and***
  - (b) ***reducing the value of the scheme known as 'ICT Infrastructure' in the 2010/11 starts by £247,000 and substituting it, to the same value, with the scheme known as 'Timberlands Travellers Site' from the reserve listing;***
2. ***that the future resourcing issues and risks associated with the delivery of a robust Capital Programme beyond 2011/12 be noted;***
3. ***the Housing Revenue Account Capital Programme as set out at Appendix F;***
4. ***that, having taken account of the comments of the Corporate Resources Overview and Scrutiny Committee:-***
  - (a) ***a further review of the Capital Programme should be undertaken at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12;***
  - (b) ***that as part of the review referred to in (a) above:-***
    - (i) ***the comments of the Overview and Scrutiny Committees relating to capital projects should be addressed; and***
    - (ii) ***the position regarding the scheme for the extension of Sandy Sports and Recreation Centre should be considered.***

E/09/173

## **Medium Term Financial Plan and Budget 2010/11 to 2014/15**

The Executive received a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing the Council's Medium Term Financial Plan 2010/11 to 2014/15 and the Council Tax increase for 2010/11, with indicative figures for future years. Attention was drawn to a number of typographical amendments to the report and a report from the Chairman of the Corporate Resources Overview and Scrutiny Committee, containing the comments and observations from the Overview and Scrutiny Committees, that had been circulated with the Chairman's Briefing Note.

**(NOTE: A copy of the report had been circulated with the Executive agenda to all Councillors.)**

The Portfolio Holder for Corporate Resources then tabled revised recommendations as follows:-

1. That the comments of the Overview and Scrutiny Committees be noted.
2. That the Executive recommends the Council to:-
  - (a) Agree the Revenue Budget for 2010/11 and the Medium Term Financial Plan 2010/11 to 2014/15 as set out in Appendix A.
  - (b) Note the requirement to achieve targeted efficiency savings of £12.074M and instruct the Corporate Management Team to implement these savings, or to propose compensatory savings, where any specific proposal now identified cannot be delivered.
  - (c) Note the Council Tax Base as set out in Appendix E.
  - (d) Agree a Band D Council Tax of:-
    - (i) £1,308.33 for residents in the north of Central Bedfordshire (ie: within the area of the former Mid Bedfordshire District Council as listed in Appendix E (i)); and
    - (ii) £1,344.15 for residents in the south of Central Bedfordshire (ie: within the area of the former South Bedfordshire District Council as listed in Appendix E (i)).
  - (e) Approve the Housing Revenue Account Business Plan set out in Appendix I.
  - (f) Agree, to delegate authority to the Portfolio holder, in consultation with the Director of Social Care, Health and Housing to amend the rent increase accordingly, in the event of the final HRA rent/subsidy determination being amended.



- (g) Agree that, having taken into account the views of the Corporate Resources Overview and Scrutiny Committee, that any additional savings being identified, over and above those already included within the Revenue Budget now submitted:-
- (i) should be separately identified;
  - (ii) should not be retained within the service budget within which the savings originated, but should be returned to reserves and the original service budget adjusted accordingly; and
  - (iii) should not be utilised without the approval of the Executive.

The Portfolio Holder introduced the revised recommendations and explained that recommendation 2(b) above had been added in order to achieve targeted efficiency savings of £12.074M. It was clarified that in instructing the Corporate Management Team (CMT) to implement the savings, where any specific proposal identified could not be delivered, CMT would propose compensatory savings to the Executive. As an example, the Chief Executive pointed out that the outcome of certain consultation processes could not be pre-empted.

In response to a Member question, the Portfolio Holder for Corporate Resources confirmed that the purpose of recommendation (g) was not to fetter Directors in the normal operation of their departments and that the carrying out of virements would continue as set out in the Council's constitution.

Councillor Maurice Jones, Portfolio for Corporate Resources concluded by proposing the Council's Medium Term Financial Plan 2010/11 to 2014/15 and the Council Tax rates for 2010/11 to the Council on 25 February 2010.

Reason for decisions: To enable Central Bedfordshire to set a legal and robust Medium Term Financial Plan

**RECOMMENDED:**

***The Executive proposes to the Council:-***

- (a) ***the Revenue Budget for 2010/11 and the Medium Term Financial Plan 2010/11 to 2014/15 as set out in Appendix A of the submitted report;***
- (b) ***that the requirement to achieve targeted efficiency savings of £12.074M be noted and that the Corporate Management Team be instructed to implement these savings, or to propose compensatory savings, where any specific proposal now identified cannot be delivered, to the Executive;***
- (c) ***a Council Tax Base for 2010/11 as set out in Appendix E;***
- (d) ***a Band D Council Tax for 2010/11 of:-***

- (i) £1,308.33 for residents in the north of Central Bedfordshire (ie: within the area of the former Mid Bedfordshire District Council as listed in Appendix E (i)); and**
  - (ii) £1,344.15 for residents in the south of Central Bedfordshire (ie: within the area of the former South Bedfordshire District Council as listed in Appendix E (i));**
- (e) the Housing Revenue Account Business Plan as set out in Appendix I;**
- (f) that delegated authority be given to the Portfolio Holder for Housing, in consultation with the Director of Social Care, Health and Housing, to amend the rent increase accordingly, in the event of the final HRA rent/subsidy determination being amended;**
- (g) having taken into account the views of the Corporate Resources Overview and Scrutiny Committee, that any additional savings being identified, over and above those already included within the Revenue Budget now submitted:-**
  - (i) should be separately identified;**
  - (ii) should not be retained within the service budget within which the savings originated, but should be returned to reserves and the original service budget adjusted accordingly; and**
  - (iii) should not be utilised without the approval of the Executive.**

**It was also RESOLVED:**

**That the comments of the Overview and Scrutiny Committees be noted.**

E/09/174

### **Asset Management Plan**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing an Asset Management Plan (AMP) for the Council for the period 2009/11. It was noted that a revised AMP had been circulated with the Chairman's Briefing Note that replaced the version circulated with the main agenda.

The Portfolio Holder advised Members that the Council's property assets would play a key role in supporting and enabling the delivery of improved public services. The AMP took into account the Council's Medium Term Property Strategy 2009/12 and provided a framework for the use of the Council's assets in the most efficient, effective and economic way possible. In response to a question about allotments on land at Beeston, Councillor Jones explained that the AMP would enable the Council to consider whether the land was potentially classed as surplus and whether it could be released for that purpose.

Reason for decision: The Asset Management Plan sets out the principles which provide the platform from which the Council's priorities will be delivered

**RESOLVED:**

**That the Asset Management Plan, as attached to the Chairman's Briefing Note, be approved as Central Bedfordshire Council's approach to management of its assets.**

E/09/175

**Let's Rent - Housing Option**

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing proposing an innovative private sector housing option that allowed households in Central Bedfordshire with access to a regulated private sector home, with all requisite support mechanisms for tenancy sustainment, if required.

It was noted that the Housing Overview & Scrutiny Committee had considered the proposals at its meeting on 5 November 2009 and had asked that its support for the Scheme be reported to the Executive.

Reason for decision: So that the diverse housing needs of customers can be met across Central Bedfordshire, whilst increasing customer choice and control and promoting high quality sustainable homes.

**RESOLVED:**

**That the "Let's Rent" innovative Housing Option scheme, as detailed in the submitted report, be endorsed for formally launching in March 2010.**

E/09/176

**'Transforming People's Lives' - Transforming Care and Support Through Personalisation**

The Executive considered a report from Councillor Mrs Hegley, Portfolio Holder for Adult Social Care and Health proposing a response to the national "Putting People First" concordat and local transformation plans which would improve performance, be financially sustainable and result in better outcomes for local people.

The Portfolio Holder explained that Putting People First was launched by the Government in December 2007 which set the direction for adult social care over the next ten years. The changes would be a key element of the Council's transformation programme and would be developed in partnership with NHS Bedfordshire; especially the personal health budget initiatives. 'Transforming People's Lives', the name of the programme for Central Bedfordshire, would give people more choice and control over how care and support was provided. The proposals included earlier involvement with customers through preventative services rather than waiting until critical intervention was needed.

A short DVD was played to the Executive which showed real life experiences of how the personalisation approach to care and support actually transformed people's lives.

Members, in supporting the enabling proposals that would improve the quality of life for local people, noted that as the strategy developed, further reports would be brought back to the Executive, including details of the financial implications of the approach. In terms of the proposed governance arrangements, the Portfolio Holder agreed to look at the scope for strengthening the Overview and Scrutiny role as the strategy moved forward.

Reason for decisions: Central Bedfordshire Council is required to respond to the national Putting People First concordat and develop local transformation plans which will improve performance, be financially sustainable and result in better outcomes for local people.

**RESOLVED:**

- 1. That the Executive approves the adoption of Putting People First, the national strategy, and supports the local draft vision statement for 'Transforming People's Lives' so consultation with stakeholders can commence.**
- 2. That the proposed local partnership approach and governance arrangements, as detailed in paragraphs 21 – 26 of the submitted report, be supported.**

E/09/177

**Electricity Supply Contract for Streetlighting**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities proposing that the Council use the Central Buying Consortium's flexible energy contract for electricity supplies to streetlighting for the period October 2010-2012. The report also sought approval for future tender decisions for streetlighting electricity supply to be delegated to the Director of Sustainable Communities, in consultation with the Portfolio Holders for Safer and Stronger Communities and Corporate Resources.

The Portfolio Holder proposed a further recommendation that in exercising the delegations referred to in his report, that due regard should be had to the Council's carbon reduction aspirations.

Reason for decisions: To ensure the Council procures electricity supplies for streetlighting at competitive rates and according to recommended best practice for local government.

**RESOLVED:**

- 1. That approval be given to Central Bedfordshire Council using the Central Buying Consortium's flexible energy contract for electricity supplies to streetlighting for the period October 2010-2012 on a "Purchase within Period" basis.**

2. **That the Director of Sustainable Communities be given delegated authority to accept tender prices for an interim 6 month fixed price contract for the period April – September 2010.**
3. **That future tender decisions for streetlighting electricity supply be delegated to the Director of Sustainable Communities, in consultation with the Portfolio Holders for Safer and Stronger Communities and Corporate Resources.**
4. **That in exercising the delegations referred to in resolutions 1 to 3 above, due regard shall be had to the Council's carbon reduction aspirations.**

E/09/178

### **The Gambling Act 2005 - Gambling Policy**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities proposing a Statement of Principles Policy under the Gambling Act 2005.

**(NOTE: A copy of the report has been circulated with the Executive agenda to all Councillors.)**

The Portfolio Holder advised the Executive that the Council, as the licensing authority, was required under the Gambling Act 2005 to adopt a 'Statement of Principles' policy every three years in line with statutory dates. Due to the transition to a Unitary Authority, the Council was required to ensure the policy was in place by the 1 April 2010.

The report advised that the policy must promote the three licensing objectives:

- Preventing gambling from being a source of crime, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling was conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Executive noted that the draft policy had been endorsed by the Licensing Committee on 13 January 2010. It was also noted that two responses had been received to the consultation which supported the policy.

Reason for decisions: So that the 'Statement of Principles' policy required by the Gambling Act 2005 can go to Full Council on the 25 February 2010 for adoption.

#### **RECOMMENDED:**

1. ***That the Gambling Act 2005, 'Statement of Principles' policy, as attached to the submitted report, be adopted.***

2. ***That delegated authority be given to the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer and Stronger Communities, to undertake any necessary minor amendments to the policy prior to its publication.***

E/09/179 **Forward Plan**

The Forward Plan for the period 1 March 2010 to 28 February 2011 was received.

E/09/180 **Exclusion of Press and Public**

**RESOLVED:**

**That under Section 100A of the Local Government Act 1972 the Press and Public were excluded from the meeting for the following item of business on the grounds that consideration of the item was likely to involve the disclosure of exempt information as defined in the paragraph 3 of Part I of Schedule 12A of the Act.**

E/09/181 **Toy Box Nursery Sandy - Ground Lease**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources seeking agreement to the termination of the existing ground lease with Toy Box Nursery at a site at Sandy Upper School and proposals for its replacement. The proposals included additional and replacement of some fencing to enable the school grounds to be secured and to provide independent access to the nursery.

Reason for decision: To enable the nursery to be financially viable, meet current demands, have its own access and provide security for the school site.

**RESOLVED:**

**That a ground lease be granted to Toy Box Nurseries Limited to occupy a site at Sandy Upper School on the terms detailed in the submitted report subject to:-**

- (a) the termination of the existing lease; and**
- (b) additional fencing being built and relocated and the existing gate relocated at the Council's expense. Any amendment to the design of the fence to be agreed by all parties.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.55 a.m.)