

## CENTRAL BEDFORDSHIRE COUNCIL

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

Apologies for Absence: Cllrs T Nicols

Members in Attendance: Cllrs R A Baker  
P A Blaine  
D Bowater  
Dr R Egan  
A Fahn  
M Gibson  
Mrs S A Goodchild  
Ms A M W Graham  
Mrs D B Gurney

Cllrs D Jones  
Mrs J G Lawrence  
A A J Rogers  
P Snelling  
B J Spurr  
J Street  
Mrs C Turner  
B Wells  
J N Young

Officers in Attendance

Mr G Alderson	Director of Sustainable Communities
Mr J Atkinson	Head of Legal Services
Mr R Carr	Chief Executive
Mr R Ellis	Director of Customer and Shared Services
Mrs E Grant	Deputy Chief Executive and Director of Children's Services
Ms D Lester	Senior Democratic Services Officer
Mrs B Morris	Assistant Director Legal & Democratic Services and Monitoring Officer
Mrs J Ogle	Director of Social Care, Health and Housing

E/09/182 **Minutes**

### RESOLVED:

**The minutes of the meeting held on 9 February 2010 were confirmed as a correct record and signed by the Chairman.**

E/09/183 **Declarations of Interest**

(a) **Personal Interests:-**

None.

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

None.

E/09/184 **Chairman's Announcements**

There were no matters of communication.

E/09/185 **Disclosure of Any Exempt Information**

The Executive noted that Agenda Item No 17, External /Internal Decorations Contract 2010 -2015 contained an Exempt appendix which was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972. Accordingly the Executive agreed that should there be a need to consider the document it could not be dealt with in the public part of the meeting and therefore the press and public would need to be excluded from the meeting during its consideration.

E/09/186 **Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part 4 of the Constitution, the Executive received two 2 petitions as follows:-.

(i) Petition about Dog Fouling in Ivel Way, Flitwick

Mrs Waplington presented a petition from 66 residents in Ivel Way, Flitwick asking for action to be taken to alleviate a dog fouling problem in Ivel Way, Flitwick. In drawing attention to the problem, the Executive was presented with photographic evidence to show the extent of the problem.

The Executive in thanking Mrs Waplington for presenting the petition, advised that the evidence would be passed to the Portfolio Holder for Safer and Stronger Communities, Councillor David McVicar to investigate the problem and advise in due course about the steps that would be taken in response.

(ii) Petition seeking the continuation of School Buses for children going to a Faith School in Central Bedfordshire

Mrs Maria Pires presented a petition asking for the continuation of school buses for children going to a Faith School in Central Bedfordshire. As the issue related to Agenda Item No 8, School Transport Policy for Central Bedfordshire (minute Ex/09/198 below

refers) the Executive in receiving the petition, agreed that it would be taken into account as part of its deliberations on the item.

[NOTE: In accordance with the Council's petition procedure the lead petitioner was accordingly advised of the outcome of the Executive's decision on minute Ex/09/198 below.]

E/09/187 **Public Participation**

The Chairman announced that there were six requests to speak on Agenda Item No 8, Home to School Transport Policy. She explained that the Scheme of Public Participation allowed for up to three speakers on any particular agenda item. In view of the amount of public interest in this agenda item, additional representations would be allowed, following the addresses of the first three registered speakers, on any matters that had not been raised already.

E/09/188 **Home to School Transport Policy**

The Executive received a report from Councillor Anita Lewis, Portfolio Holder for Children's Services proposing a Home to School Transport Policy for Central Bedfordshire. Attention was drawn to the following documents that had been circulated with the Chairman's Briefing Note following circulation of the main Agenda:-

- Revised Appendices A and B and part of Appendix C (consultation process and outcomes).

[Note: Appendix C (consultation process and outcomes) was subsequently revised on 8 March 2010 and circulated to all Members of the Council.]

Prior to consideration of the report and in accordance with the Scheme of Public Participation set out in paragraph 2 of Annex 1 of Part A4 of the Council's Constitution, the Executive received representations and statements from the following members of the public and Diocesan authorities:-

1. Jon Reynolds - Diocese of St Albans

Mr Reynolds, whilst acknowledging that providing free denominational transport was a discretionary function and that the Council needed to save money, asked that consideration be given to phasing the proposed removal of free denominational transport. He commented that a phased approach would help families prepare for the removal, enable schools to adapt to the policy alteration and help the Council to adjust to the change.

2. Francis Image – Representative from Roman Catholic Diocese

Ms Image referred to the history of providing free denominational transport which dated back to 1944. She commented that the Government's 2007 Home to School Transport and Travel Guidance

included reference to the fact that local authorities should ensure that transport supports local choice. Ms Image stated that the Diocesan authorities did not support the withdrawal of free denominational transport, but should the Executive be minded to do so, Members were urged to phase the removal.

3 Deidre Viana

Ms Viana referred to the detrimental impact that the proposed withdrawal of free denominational transport would have upon her family as well as others, especially low income families and those with more than one child. She also commented on the cost and pressures on parents whose children were already attending a faith school and the effect that it would have on those in the process of studying for their GCSEs and on those who had chosen their subjects for their GCSEs based upon being at a faith school.

4. Paula Allen

Ms Allen commented upon the financial evaluation that the Council had used to support the proposals and suggested that a detailed breakdown of the cost of providing free transport to other groups of children had not been undertaken. She also referred to the consultation papers which she had found to be difficult to access on the Council's website. Ms Allen explained that she had attended the two meetings of the Overview and Scrutiny Committees but that whilst the proposals had been debated, the three options included in the Executive report were not discussed by the Committee.

Councillor Anita Lewis, Portfolio Holder for Children's Services then introduced her report.

The Portfolio Holder explained that the Council had inherited its current Home to School Transport policy from the former County Council, which had been reviewed to make the service as cost effective as possible in the current economic climate. The proposed policy strengthened the existing policy by clarifying the eligibility criteria, ensuring that those in most need could access the service, or were able to purchase concessionary passes, and by supporting the needs of looked after children. All proposed changes to the policy met current legislative requirements, as detailed in the legal implications section of the report under Corporate Implications, and ensured that the assessment of eligibility for free home to school transport would be fair and equitable for all families.

Members' attention was drawn to the public consultation process that had taken place between 4 January and 19 February 2010; the consultation period had been extended by one week beyond the statutory minimum to allow further time for the Diocesan authorities to respond and to provide a further opportunity for members of the public to give their views. It was noted that the results of the consultation had been circulated to all Members of the Council and had been made publicly available.

The Executive was advised that the proposed changes had been considered by the Overview and Scrutiny Committee on 2nd February 2010. The Committee also received the results of the public consultation at a special meeting on 24 February, along with additional information requested at its initial meeting. It was noted that changes that the Committee had proposed to the draft policy had been incorporated in the report now being considered, with the exception of a recommendation to phase out denominational transport which was not included so as to not to fetter the decision of the Executive.

The Executive then debated the proposed policy.

The Portfolio Holder explained that the draft policy was not proposing any changes for children from low income families or those with disabilities who would continue to be entitled to free transport in line with the current criteria. Entitlement to transport based on distance and nearest school, based on the specific duties in the Education Act 1996 and the Education and Inspections Act 2006, would also continue. Transport would also continue to be provided for children who, due to their special education need, attended a residential school.

Councillor Mrs Lewis explained that the proposed withdrawal of discretionary free denominational transport from 1 September 2010 was only one element of the draft policy. The Authority would also be looking at improved ways of commissioning transport to achieve better value for money. A review of school routes would also be undertaken with the aim of making them safer for those that choose to walk or cycle.

The Executive was mindful that the proposed policy could cause difficulties for certain families and for this reason agreed that the Diocesan authorities and parents would be invited to meet with the Authority to consider how best families affected could be supported during the implementation of the proposed policy.

Reason for decision: To ensure that Central Bedfordshire Council meets its statutory obligations and offers a fair and equitable home to school transport service.

## **RESOLVED**

**that the Home to School Transport Policy, as set out at Appendix A to the submitted report, be adopted with effect from 1 September 2010.**

E/09/189

## **Pledge to Children in Care**

The Executive considered a report from Councillor Anita Lewis, Portfolio Holder for Children Services proposing a written Pledge to Children in Care.

The Pledge was a simple statement setting out the support services children and young people in care could expect to receive from the Council. The Pledge, which had been developed with children and young people, was in accordance with the expectations of the Care Matters agenda and consistent

with the Council's priority to educate, protect and provide opportunities for children and young people.

Reason for decision: To ensure that the Council complies with the expectations on them under the Care Matters agenda.

**RESOLVED**

**that Central Bedfordshire Council's Pledge to Children in Care, as set out at Appendix A to the submitted report, be adopted.**

E/09/190 **Corporate Parenting Panel - Terms of Reference**

The Executive considered a report from Councillor Anita Lewis, Portfolio Holder for Children's Services which proposed amendments to the Terms of Reference of the Corporate Parenting Panel (CPP), following consideration by the Panel and the Constitution Advisory Group.

Reason for decisions: To approve changes recommended by the Corporate Parenting Panel and the Constitution Advisory Group to the Terms of Reference of the Corporate Parenting Panel.

**RESOLVED**

- 1. that the revised Terms of Reference of the Corporate Parenting Panel, as set out at Appendix A to the submitted report, be approved;**
- 2. that the Monitoring Officer, after consultation with the Portfolio Holder for Children's Services and the Deputy Chief Executive and Director of Children, Families and Learning, be authorised to approve future amendments to the Terms of Reference of the Corporate Parenting Panel where these have been recommended by the Panel itself.**

E/09/191 **Transforming Teaching and Learning: Central Bedfordshire's Educational Vision**

Further to minute Ex/09/57 of the meeting held on 15 September 2009, the Executive considered a report from Councillor Anita Lewis, Portfolio Holder for Children Services proposing an Education Vision for Central Bedfordshire and the direction for school organisation in the future.

The Portfolio Holder explained that the proposed Education Vision had been developed following extensive consultations with headteachers, chairs of governors, elected members and others. The Vision was underpinned by the principle of schools working together in strongly governed partnerships to

improve outcomes for all young people from 0-19. This would be achieved by the schools developing the best approaches within their community and family of schools.

The Executive's attention was drawn to the deliberations of the Overview and Scrutiny Committee on 2 February, outlined at Appendix B to the submitted report, where Members considered the proposed vision. The Chairman of the Committee explained that Members' recognised that the main priority was to improve performance. He explained that the continuity of provision across the 0 – 19 age range was an innovative approach that should be welcomed.

With regards to the Overview and Scrutiny Committee's comments that a fuller debate around the development of trusts, federations and partnerships and their potential benefits was needed, Councillor Mrs Lewis explained that the Council would facilitate meetings with schools about this matter, noting that officers were already working with different groups on these issues.

A Member commented on Bedford Borough Council's decision to move to a two tier system and the impact that this would have on residents in Cranfield, a catchment area for Wooton Upper School. The Portfolio Holder assured Members that there would be flexibility within the system for catchment areas that bordered neighbouring authorities. The Executive was advised that discussions concerning the Wooton Pyramid were already taking place. It was noted that residents would be kept informed when initial discussions progressed to a stage where there was something to report upon. It was also noted that discussions were also taking place with schools in the Sandy area about future arrangements.

During the ensuing discussion a Member commented that the whole purpose of the Vision was to raise the educational attainment for young people and was not a debate about future structures. However, the four geographical areas would be individually reviewed, beginning with Dunstable and Houghton Regis, to determine how school organisation in each area could best meet the needs of the Vision.

The Portfolio Holder advised Members that paragraph 1.9 of the submitted report contained an error and for this reason moved that the Vision be approved subject to paragraph 1.9 being amended to state:

‘ that the results of the vision about improving the condition of existing school should state that the results of the school building surveys undertaken by building surveyors during 2009 were being analysed on an on-going basis in order to address the key findings and to assist in the prioritisation of the Council's Modernisation capital programme . ’

Reason for decision: So that there is an agreed way forward in improving outcomes for young people particularly by developing partnership arrangements between schools so there is a seamless, 0 to 19 approach to teaching and learning.

## **RESOLVED**

**that the educational Vision to improve teaching and learning in Central Bedfordshire's schools and improve outcomes for all young people, as set out at Appendix A to the submitted report be approved subject to:**

- **paragraph 1.9 of the vision about improving the condition of existing school buildings being amended to state that the results of the school building surveys undertaken by building surveyors during 2009 were being analysed on an on-going basis in order to address the key findings and to assist in the prioritisation of the Council's Modernisation capital programme .**

### **E/09/192 Contaminated Land Strategy 2010 - 2015**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Stronger Communities proposing a Contaminated Land Strategy for 2010-2015. The proposed five year Strategy, which would be reviewed annually, would ensure the Council met its legal duties of identifying and remediating contaminated land within the area.

Reason for decision: To ensure that the service continues to meet its obligations with respect to statutory requirements.

## **RESOLVED**

- 1. that the Contaminated Land Strategy 2010-2015, as set out at Appendix A to the submitted report, be approved;**
- 2. that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer and Stronger Communities, be authorised to undertake any necessary minor amendments to the strategy prior to publication.**

### **E/09/193 Public Protection Statutory Service Plans 2010 - 2011**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Stronger Communities proposing a Food Law Enforcement Service Plan 2010-2011, the Age Restricted Sales Plan 2010-2011 and the Health and Safety (as a Regulator) Service Plan 2010-2011.

The Portfolio Holder advised Members that the Council was required to adopt annual service plans to guide its activity in respect of regulatory services and that the plans had to be in place by 1 April 2010.

The Executive noted that the Health and Safety (as a Regulator) Service Plan had been considered by the Regulation Committee on 24 February 2010.



Reason for decision: To ensure that the service continues to meet its obligations with respect to its relevant enforcement responsibilities in 2010-2011 in accordance with statutory guidance.

## **RESOLVED**

- 1. that the Food Law Enforcement Service Plan 2010-2011, the Age Restricted Sales Plan 2010-2011 and the Health and Safety (as a Regulator) Service Plan 2010-2011, as set out at Appendices A, B and C respectively, be approved;**
- 2. that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer and Stronger Communities, be authorised to undertake any necessary minor amendments to the plans prior to publication.**

E/09/194

### **People Strategy**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing a People Strategy for 2010 – 2012.

The Portfolio Holder advised Members that the People Strategy was a high level document describing the Council's targets and aspirations for its staff over the next two years and would be delivered through a number of supporting plans. It was noted that a plain English version of the proposed Strategy would be published and made available to all staff.

Reason for decision: Any well managed and progressive Council needs a People Strategy in place.

## **RESOLVED**

**that Central Bedfordshire Council's People Strategy 2010-2012, as set out at Appendix 1 to the submitted report, be approved.**

E/09/195

### **Quarter 3 Performance Report**

The Executive considered a report from Councillor Richard Stay, Portfolio Holder for Business Transformation highlighting the key Quarter 3 performance indicators for Central Bedfordshire Council. The report set out areas of strong performance as well as areas for improvement. It was noted that the Overview and Scrutiny Committees continued to monitor the indicators relating to their service areas.

During the ensuing general discussion the Portfolio Holder highlighted that the indicators and targets had been developed to underpin delivery of the Council's current priorities but over time would need to be reviewed alongside changes to the Council's area of focus. Councillor Stay stressed that the relevant Overview and Scrutiny Committee should be holding the Executive to account by looking

at each Portfolio Holder's indicators once the performance report had been considered by the Executive.

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

## **RESOLVED**

- 1. that the Quarter 3 Performance report be noted;**
- 2. that the issues arising from the report be looked at by the relevant Overview and Scrutiny Committee, noting in particular the comments associated with the Road Accident Casualties indicator.**

E/09/196

### **Private Sector Housing Renewal Strategy**

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing proposing a Private Sector Housing Renewal Policy for Central Bedfordshire Council.

The Portfolio Holder explained that the proposed policy set out the package of grants and loans that the Council would provide for eligible, vulnerable households in need of assistance to repair or maintain their homes. The proposed policy was clear that the Council would only provide the proposed grants and loans if sufficient capital resources were available.

The Executive's attention was drawn to the deliberations of the Social Care, Health and Housing Overview and Scrutiny Committee meeting on 4 February 2010 which had recommended that the Executive adopt the proposed policy, with a requirement to review smaller grant payment cases within six months of policy adoption.

Reason for decision: So that the Council can meet statutory and Government requirements as well as providing a clear and consistent policy for housing renewal in Central Bedfordshire.

## **RESOLVED**

**that the Private Sector Renewal Policy for Central Bedfordshire, as set out at Appendix A to the submitted report, be approved and that the comments of the Overview and Scrutiny Committee, as set out at Appendix B, be taken forward.**

E/09/197 **External / Internal Decorations Contract 2010 - 2015 For Council Housing Stock**

The Executive considered a report from Councillor Rita Drinkwater, Portfolio Holder for Housing proposing the award of the External / Internal Decorations contract 2010 – 2015.

Reason for decision: To deliver the External / Internal Decoration programme and to protect the asset value of the Council's housing stock.

**RESOLVED**

**that the External / Internal Decorations Contract 2010-2015 for Central Bedfordshire Council housing stock be awarded to Contractors F, G and I, as outlined in the submitted report.**

E/09/198 **Review of Eligibility Criteria for Fair Access to Care Services**

The Executive considered a report from Councillor Mrs Carole Hegley, Portfolio Holder for Social Care and Health proposing new eligibility criteria for Fair Access to Care Services (FACS) for Central Bedfordshire.

Councillor Hegley explained that as a result of recent national consultation by the Department of Health on its intended approach for transforming adult social care, a review had been undertaken to ensure that the Council could respond to the Government's 'Putting People First' agenda which introduced personal budgets and placed significant emphasis on prevention.

The Executive noted that the proposed eligibility criteria had been extensively consulted upon and would deliver the Council's vision to 'improve the quality of life of all in Central Bedfordshire' and its priority of 'supporting and caring for an ageing population'. This policy change, which would come into effect from 1 April 2010, would allow for the provision of one-off, short term, time limited or occasional services to prevent people falling into the situation where more complex care was required.

Reason for decision: So that Central Bedfordshire Council has a policy that is fit for purpose and in accordance with the revised guidance.

**RESOLVED**

**that the eligibility policy criteria for Fair Access to Care Services for Central Bedfordshire, as set out at Appendix A to the submitted report, be approved with effect from 1 April 2010.**

E/09/199 **Senior Management Review**

The Executive considered a report from Councillor Tricia Turner, Leader of the Council and Chairman of the Executive concerning senior management structures for Central Bedfordshire.

It was noted that whilst consultation on detailed implementation was still taking place, the overarching shape of the proposals were unlikely to change.

With regards to the proposed Children Service's structure, set out at page 48 of the report circulated with the Chairman's briefing Note, it was noted that the Head of Partnerships and Head of Workforce Development posts had been merged.

The Executive, whilst recognising that consultation was ongoing and that decisions on structures was delegated to the Chief Executive, supported the emerging and developing configuration.

Reason for decision: The Executive gave the Chief Executive the authority to implement a revised structure that achieves a 20% cost reduction. The report had been brought forward so that Members note the shape of the proposals developed in response to this.

**RESOLVED**

**that the Executive notes the report setting out the proposed senior management structures for the 4 Directorates and the Office of the Chief Executive, having already delegated implementation of the structure to the Chief Executive.**

E/09/200 **Forward Plan**

The Forward Plan for the period 1 April 2010 to 31 March 2011 was received.

E/09/201 **Urgent Business**

In accordance with Section 100B(4) of the Local Government Act 1972 the Chairman agreed to take the following item as urgent business.

E/09/202 **Proposed Waste to Energy Facility at Rookery Pit**

The Executive considered a report from Councillor Tom Nicols, Portfolio Holder for Sustainable Communities which proposed that authority for responding to consultations for a waste to energy plant at Rookery Pit be delegated to the Director of Sustainable Communities in consultation with the Portfolio Holder for Sustainable Communities.

Reason for decision: So that the Authority was able to respond within short consultation periods.

**RESOLVED**

**that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Sustainable Development, be given delegated authority for responding to consultations for a waste to energy plant at Rookery Pit.**

E/09/203 **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/09/204 **Decision Taken on Urgency Grounds - Exempt**

The Executive considered a report from Council Mrs Carole Hegley, Portfolio Holder for Social Care and Health setting out details of a decision that had been taken on urgency grounds.

Reason for decision: To report to Executive a decision taken on urgency grounds.

**RESOLVED**

**that the confidential report setting out a decision taken on urgency grounds be noted.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.00 p.m.)