

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 6 April 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

Members in Attendance: Cllrs P N Aldis
R A Baker
A R Bastable
P A Blaine
D Bowater
Dr R Egan
Mrs S A Goodchild

Cllrs Ms A M W Graham
A A J Rogers
B J Spurr
J Street
Mrs C Turner
B Wells
J N Young

Officers in Attendance

Mr M Bowmer	Assistant Director Financial Services
Mr R Carr	Chief Executive
Mr A Fleming	BEaR Project Director, Sustainable Communities
Ms D Lester	Senior Democratic Services Officer
Mrs B Morris	Assistant Director Legal & Democratic Services and Monitoring Officer
Mrs J Ogley	Director of Social Care, Health and Housing
Mr M Pratt	Deputy Director Children Families and Learning and Assistant Director Specialist Services

E/09/205 **Apologies for Absence**

There were no apologies for absence.

E/09/206 **Minutes**

RESOLVED:

The minutes of the meeting held on 9 March 2010, subject to the inclusion of Councillors N Aldis and B Wells being in attendance, were confirmed as a correct record and signed by the Chairman.

E/09/207 **Declarations of Interest**

(a) **Personal Interests:-**

The following Executive and non-Executive Members in attendance declared personal interests in Agenda Item 9 Approval of Schools Capital Projects and Programmes (Minute E/09/213 refers):

Councillor Susan Goodchild declared a personal interest as a School Governor of Fithe Farm Lower School.

Councillor Christina Turner declared a personal interest as a School Governor of Etonbury Middle School.

Councillor Tom Nicols declared a personal interest as a School Governor of Parkfields Middle School.

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

None.

E/09/208 **Chairman's Announcements**

There were no communications.

E/09/209 **Disclosure of Any Exempt Information**

The Executive noted that Agenda Item No 11, Central Bedfordshire Energy and Recycling (BeaR) Project contained an Exempt Appendix with information that was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972.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/09/210 **Petitions**

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

- (i) Petition calling upon Central Bedfordshire Council to provide a public swimming facility in Sandy for the benefit of the people of Sandy and Beeston and the surrounding parishes.

Councillor Geoffrey White, Town Mayor of Sandy presented a petition from 1169 residents of Sandy, Beeston and surrounding parishes asking Central Bedfordshire Council to provide a public swimming facility in Sandy, preferably at the Upper School and Sports College in Sandy. Councillor White explained that if this was not possible, an alternative

could be to upgrade the swimming pool at the Middle School and make it available for community use when not being used by the school.

The Executive in thanking Councillor White for presenting the petition, agreed that the petition would be referred to the Portfolio Holder for Safer Communities and Healthier Lifestyles, Councillor David McVicar to consider the matter, in consultation with the Portfolio Holder for Children's Services, Councillor Mrs Lewis. .

(ii) Petition objecting to proposals to discontinue Hitchmead Foundation Special School

A petition signed by parents, guardians and carers of children attending Hitchmead Foundation Special School was received objecting to proposals to discontinue the school from 31 August 2010. As the petition related to Agenda No 8, Statutory proposals to merge Sunnyside and Hitchmead Special Schools (minute No EX/09/below refers) the Executive in receiving the petition, agreed that it would be taken into account as part of the deliberations on the item.

[Note: In accordance with the Council's petition procedure the lead petitioner was accordingly advised of the Executive's decision on Minute Ex/09/212 below.]

E/09/211

Public Participation

In accordance with the Scheme of Public Participation the Executive received the following statement:

Mr Harry Maughn – Luton and Dunstable Branch of Unite the Union – Sustainable Transport into the Future

Mr Maughn presented the Executive with a copy of Britain's Growing Railway – An A-Z Guide of Rail Openings: Fifth Edition published by Railfuture and Listings Restored and New Stations and Routes from the Luton and Dunstable Branch of Unite the Union. The publication was offered to the authority in the interests of sustainable transport into the future.

The Chairman, on behalf of the Executive, thanked Mr Maughn for the book which would be placed in the Members' library for perusal.

The Chairman then announced that there were four requests to speak on Agenda Item No 8, Statutory proposals to merge Sunnyside and Hitchmead Special Schools which would be taken at the start of the agenda item. 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/09/212

Statutory proposals to merge Sunnyside and Hitchmead Special Schools

The Executive received a report from Councillor Anita Lewis, Portfolio Holder for Children's Services recommending that the statutory proposals published on 15th January 2010 to discontinue Hitchmead Foundation Special School and make an enlargement by expansion to Sunnyside Community Special School, with effect from 31 August and 1 September 2010 respectively, be approved. The report also set out the responses to the consultation on the matter and the legal framework for making the decision.

As background, Members were reminded that the Executive at its meeting on 23 June 2009 (minute Ex/09/09 refers) had resolved to carry out a consultation on the options for the future of special schooling in the east of Central Bedfordshire. The outcome of the initial consultation was reported to the Executive on 8 December 2009 (minute Ex/09/125 refers). At that meeting, it had been agreed that statutory notices should be published for the discontinuance of Hitchmead Foundation Special School and the enlargement by expansion of Sunnyside Community Special School.

Prior to consideration of this item 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:

1. Sheila Grayston – Chair of Temporary Joint Working Group

Mrs Grayston explained that the Temporary Joint Working Group were in agreement that the right way forward was to work in unison to deliver quality education for all pupils. The Joint Working Group was in the process of consulting upon alternative staffing structures; there were no planned redundancies and most staff would be slotted in. Members were advised that should the Executive be minded to support the proposed merger, Ivel Valley had been chosen as the new name for the School. Mrs Grayston concluded by seeking assurances that the proposed funding was sufficient to enable the necessary works that would need to be made to Hitchmead School.

2. Andrew Rutt – Chair of Governors at Sunnyside School

Mr Rutt advised the Executive that the Governors of Sunnyside School fully supported the proposed merger of the two schools. He questioned whether the School's current deficit would be written off to enable the "new" school to start with a balanced budget.

3. Tim Ilett – Chair of Governors at Hitchmead School

Mr Ilett referred to the objections and concerns Hitchmead Governing Body had to the proposed merger, previously circulated to Members of the Executive. Mr Ilett explained that the School had requested that a new consultation take place, that funding arrangements be reviewed and that a new school be established.

4. Mrs James – Parent Governor

Mrs James spoke about the unease of parents on the proposals to discontinue Hitchmead School and the loss of an outstanding special school should the proposed merger of the two schools go ahead. Mrs James also questioned the validity of the consultation process that had been carried out .

Councillor Mrs Lewis thanked everyone for attending the meeting and making their representations.

Responding to the points raised, the Portfolio Holder explained that the authority was not in a position to build a new school and that the Council was committed to the best possible outcomes for the pupils at the two schools. She explained that the £70k capital funding would be allocated from the 2010/11 Schools Access Initiative budget to enable the necessary modifications to be made to the Hitchmead premises. It was noted that the capital funding was an indicative figure and would be kept under review. She explained that whilst the management of school budgets was the responsibility of the school and governing body, officers would work with Hitchmead school to limit any adverse impact from its current deficit to ensure the new school started with a sound financial base.

Councillor Mrs Lewis assured the meeting that the consultation process had met statutory requirements, as detailed in the submitted report. With regards to the governance arrangements of the temporary Joint Working Group, Members were advised that the Group was properly constituted with representation from both schools' and attendance by officers from the Council. It was noted that should the proposed merger go ahead, key decisions, including staff structure, name of the school, uniform etc, would be effectively delegated to the Joint Working Group

With regard to the Children Families and Learning Overview & Scrutiny Committee recommendation from its meeting held on 30 March, the Portfolio Holder agreed to look into the future use of Section 106 agreements in relation to special schools provision in Central Bedfordshire, in consultation with the Portfolio Holder for Sustainable Development.

The Executive then debated the proposed merger. It was noted that the proposed merger would address the concern about the financial viability of Hitchmead School and the size of accommodation issue at Sunnyside School. It would also secure efficient and effective delivery of special schooling in the east of Central Bedfordshire. It was further noted that the proposed merger would release £111,000 revenue funding which would be redistributed through the funding formula.

Members noted that an accessibility audit had been undertaken by Mouchel Partnership which had been used to determine what modifications would have to be made to the Hitchmead premises to improve accessibility to the building and changing/WC facilities for disabled pupils. It was noted that any health and safety matters arising from the works would be addressed

Concluding, the Portfolio Holder reminded Members that the decision was deemed urgent and exempt from call-in as the Council had a duty to determine the statutory proposals within two calendar months of the expiry of the six week representation period, 26 April 2010; otherwise the proposals would have to be referred to the Office of the Schools Adjudicator for decision.

Reason for decision:

- a) There is a need for the Council to determine the proposals within two months of the end of the statutory representation period. The proposals are consistent with the Council's aims of improving the future of special schooling in the east of Central Bedfordshire and the development of area special schools to support the SEN/Inclusion programme as part of the Council's Education Vision.
- b) An appropriate amount of capital funding has been identified as being required to enable improved ramped access to the site and to provide more appropriate changing and WC provision for disabled pupils.

RESOLVED:

- 1. that Executive approves the statutory proposals to discontinue Hitchmead Foundation Special School (Biggleswade) and make an enlargement by expansion to Sunnyside Community Special School (Biggleswade) with effect from 31 August and 1 September 2010 respectively.**
- 2. that £70k capital funding be allocated from the 2010/11 Schools Access Initiative budget to enable the necessary modifications to be made to the Hitchmead premises to improve accessibility and the provision of more appropriate changing/WC facilities for disabled pupils.**

E/09/213

Approval of Schools Capital Projects and Programmes

The Executive considered a report from Councillor Anita Lewis, Portfolio Holder for Children's Services proposing a number of schools' capital projects which were ready to commence and the Schools Accessibility Strategy for Central Bedfordshire. The report also set out details of four capital schemes approved under delegated powers which were rolling programmes or projects between £200,000 and £500,000.

During the ensuing discussion, the Executive noted that the focus of the Schools Accessibility Strategy was on accessibility for pupils; however Appendix D of the submitted report addressed schools' duties in relation to employment under the Disability Discrimination Act 1995 (DDA) Part 2.

Reason for decision: To enable capital projects to proceed to detailed design, procurement and construction; to approve the Schools Access Strategy as the

basis for prioritising the allocation of funding under the Schools Access Initiative; and to note details of capital schemes approved under delegated powers.

RESOLVED

- 1. that the Executive approves:**
 - (a) the commencement of the following capital projects:**
 - (i) Etonbury Middle School – provision of additional pupil places at a capital cost of £941k (S106 funded);**
 - (ii) the refurbishment of Tithe Farm Lower School at a capital cost of £1.774m (DCSF funded – Primary Capital Programme); and**
 - (iii) specialist provision for Autistic Spectrum Disorder at Holmemead Middle School at a capital cost of £550k;**
 - (b) the Schools Accessibility Strategy, as attached at Appendix D to the submitted report, and the use of the Schools Access Initiative funds (£579k) across all community, Voluntary Controlled and Foundation schools in accordance with the priorities set out in the Strategy;**
- 2. that the Executive notes the approval of the following capital projects under the Council’s Scheme of Delegation:**
 - (a) alterations to Arnold Middle School at a capital cost of £457k;**
 - (b) teaching/learning practical food skills at Gilbert Inglefield Middle School at a capital cost of £323k (DCSF grant and S106);**
 - (c) teaching/learning practical food skills at Parkfields Middle School at a capital cost of £324k (DCSF grant and S106);and**
 - (d) rolling programme of improvements to school kitchens and dining rooms at a total cost of £622k across 24 schools (DCSF grant).**

E/09/214

Homelessness Strategy

The Executive received a report from Councillor Rita Drinkwater, Portfolio Holder for Housing, proposing a Homelessness Strategy for Central Bedfordshire for the period April 2010 to March 2015.

The strategy was a statutory requirement under the Homelessness Act 2002 and the first one for Central Bedfordshire following the recent local government review. The strategy would continue to build upon the achievements made by the previous districts to tackle homelessness, as well as enhance existing services and develop new initiatives. It was noted that the strategy had been developed in consultation with service users and partner agencies, in particular Aragon Housing Association.

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 the following representation:

Mr Alan Knowles – Leighton Linlade Homeless Service Charity

Mr Knowles whilst welcoming the proposed homelessness strategy expressed concern that no attention was given to homeless people whose circumstances fell outside of the strategy's definitions of priority need. He drew attention to the Leighton Linlade Homeless Service Charity that dealt with all forms of homelessness. He explained that, to the best of his knowledge, no other body dealt with the non-priority homeless in Central Bedfordshire. Mr Knowles asked whether the work of the charity could be acknowledged in the Homelessness Strategy.

The Portfolio Holder thanked Mr Knowles for attending the meeting and drawing the Executive's attention to the work of the charity. She explained that a meeting would be arranged with the charity to develop a fuller understanding of its work.

Introducing the report, the Portfolio Holder explained the proposed strategy presented a real opportunity to address the needs of homeless people in Central Bedfordshire and ensure those needs were taken into account in the emerging Housing and Sustainable Communities Strategies. It was noted that the strategy would be reviewed regularly, as set out in the Homelessness Act 2002, which would be flexible to take account of changing circumstances.

Whilst welcoming the Homelessness Strategy and acknowledging the importance of private sector housing, some concern was expressed that Aragon Housing Association had studio flats that had been vacant for over a year whilst people were homeless. The Portfolio Holder, whilst agreeing to raise the issue with Aragon, explained that the choice based lettings system showed that the demand for such accommodation had declined in recent years.

Reason for decision: So that the Council can meet the statutory requirements of the Homelessness Act 2002

RESOLVED:

that the Homelessness Strategy for Central Bedfordshire, as set out at Appendix A to the submitted report, be approved.

E/09/215

Central Bedfordshire, Energy and Recycling (BEaR) Project - Business Case Approval

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Communities & Healthier Lifestyles proposing a Project Business Case for the Central Bedfordshire, Energy and Recycling (BEaR) scheme. The report included detail of the revised project scope as a bespoke scheme for Central Bedfordshire, funding options and affordability envelope. Attention was also drawn to the Chairman's Briefing Note containing an updated assessment of the Financial Implications section following the Chancellor's budget announcement that the Landfill Escalator would increase to £80 per tonne in 2014/15 as opposed to ending at £72 per tonne in 20013/14 as previously proposed, together with the minute of the Sustainable Communities Overview and Scrutiny Committee held on 25 March 2010.

Prior to consideration of the report, a presentation was made highlighting the options available to the authority and an overview of the financial appraisal undertaken for the options open to the Council.

Introducing the report, Councillor McVicar explained that the BEaR Project would deliver a waste treatment solution capable of diverting the authority's residual waste from landfill. The solution would transfer significant risk from the authority to the private sector and provide long term comfort over the price of waste disposal. The procurement would be open to all options available, allowing innovative solutions to come forward and would ultimately be awarded to the Most Economically Advantageous Tender (MEAT). Additional infrastructure was also included in the procurement process to facilitate an examination of a more integrated solution.

During consideration of the report, the Portfolio Holder explained that the anticipated amount of residual waste requiring treatment would be 60,000 tonnes per annum. He confirmed that the Project was technology neutral and that detailed proposals would come back to a future meeting of the Executive. It was noted that the project team would ensure that any sites under consideration were in line with the emerging Waste Core Strategy.

Reason for decision: Approval of the above recommendations would allow Central Bedfordshire to commence the procurement of the waste treatment contract at the earliest possible date.

RESOLVED:

- 1. that the detail of the BEaR Project Business Case, as outlined in the submitted report, be noted;**
- 2. that approval be given to the Project Governance Structure, as outlined in paragraph 11 of the submitted report and detailed in the Business Case;**

3. that the modelled affordability position of the residual treatment element over the period 2016 to 2041, as outlined in the Exempt Appendix A – Financial Appraisal be endorsed;
4. that approval be given to the inclusion of the additional infrastructure elements within the procurement, as outlined in the submitted report, subject to an affordability review and further report to the Executive;
5. that approval be given for the Project to move into procurement at the earliest possible date;
6. that the Executive re-affirms its commitment to achieving 60% recycling/composting by 2020.

E/09/216

Community Safety Partnership Plan 2010 - 2012

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Communities & Healthier Lifestyles proposing the adoption of the proposed Community Safety Partnership Plan.

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

Councillor McVicar advised Members that the Council, as a responsible authority of the Community Safety Partnership, had a statutory duty under the Crime and Disorder Act 1998, to work with the other responsible organisations to tackle crime and disorder, including identifying priorities for the area and the creation of the Community Safety Partnership Plan.

The priorities identified for Central Bedfordshire for 2010-2012 through the partnership strategic assessment process were:

1. Reduce Reoffending
2. Reduce Substance Misuse – Drugs & Alcohol
3. Reduce Serious & Acquisitive Crime – Domestic Burglary, Robbery & Theft from Motor Vehicle
4. Reduce Anti-Social Behaviour
5. Reduce Domestic Abuse
6. Casualty Reduction – road safety.

In addition to the priorities outlined above, the Plan supported the Council's own priority of creating safer communities.

Members were advised that the proposed Community Safety Plan, which showed how the priorities would be addressed by the Partnership over the next two years, had been approved by the Community Safety Partnership Executive, subject to the agreement by Central Bedfordshire Council, at its meeting on 23 March 2010.

The Executive noted that the Sustainable Communities Overview and Scrutiny Committee at its meeting on 26 January 2010 had resolved to support the Community Safety Partnership priorities for 2010 – 2012.

Reason for decision: 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.

RECOMMENDED

that the Community Safety Partnership Plan and strategic assessment priorities identified for 2010 – 2012, as set out at Appendix A to the submitted report, be adopted.

E/09/217

Web Development Strategy

The Executive considered a report from Councillor Richard Stay, Portfolio Holder for Policy and Performance proposing a corporate web strategy for the Council. The strategy outlined how a review of the authority's online approach would save the Council money, give customers a better service and make community engagement easier and more relevant. To support delivery of the above objectives, five core strands of work were recommended, referred to as the 5 pillars of the strategy.

The Executive's attention was drawn to the deliberations of the Business Transformation Overview and Scrutiny Committee held on 22 March 2010, circulated with the Chairman's Briefing Note, which supported the proposed strategy. Councillor Stay thanked Members of the Task Group for their contribution in developing the customer and engagement element of the strategy.

Reason for decisions: The development of a comprehensive web strategy is fundamental to the transformation of the Council's services. The significant cost savings that could be unlocked by moving services online would become essential for the delivery of the corporate strategy.

RESOLVED

- 1. that approval be given to the Web Strategy objectives and approach, as outlined at Appendix A to the submitted report;**
- 2. that the core strands of activity referred to as the 5 pillars of the strategy, as set out in paragraph 7 of the report, be approved.**

E/09/218

The Central Bedfordshire Council Communication Strategy

The Executive considered a report by Councillor Richard Stay, Portfolio Holder for Policy and Performance proposing a Communications Strategy for the Council.

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

Councillor Stay reminded Members that communications were fundamental to the work of the Council in supporting Members, customers, colleagues and partners of the Council and helped the authority to achieve its core objectives.

The proposed Communications Strategy provided focus and direction to the way in which the Council would deliver planned, sustained and two way communication with its key audiences. It was noted that the strategy drew on local research and national best practice in recommending key objectives, critical performance indicators, priority audiences, messages and services.

Members' were advised that the strategy also proposed seven priority campaigns for the period 2010 -11;

- Enhancing communication channels – including the website and News Central
- Stakeholder communications – improving our relationship with key organisations and individuals
- Delivering core campaigns
- Developing internal communications
- Developing relations with the local and national media
- Improving our ways of working

The Executive noted that the proposed strategy had been considered by the Business Transformation Overview and Scrutiny Committee at its meeting on 22 February and the feedback provided by the Committee had been incorporated.

Reason for decision: So that communication activity within the Council could be focused on priority actions to enhance customer satisfaction.

RESOLVED

that the strategic objectives, core strands of activity and performance measures within the Communications Strategy, attached as Appendix A to the submitted report, be endorsed.

RECOMMENDED

that the Communications Strategy, attached as Appendix A to the submitted report, be approved for implementation.

E/09/219 **Forward Plan**

The Forward Plan for the period 1 May 2010 to 30 April 2011 was received.

E/09/220 **Exclusion of the 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/09/221 **Lease of Health Centre, Bedford Square Community Centre to Bedfordshire PCT**

The Executive considered a report from Councillor Stephen Male, Portfolio Holder for Customers, Systems & Assets proposing terms for the grant of a 10 year lease to the NHS to enable the opening of a new Health Centre in Houghton Regis.

Reason for decision: To allow for the provision of an improved Health Centre for Houghton Regis. The proposal meets a number of the Council's key priorities, including supporting and caring for an ageing population, protecting children and young people and promoting healthier lifestyles, as well as generating income from its assets.

RESOLVED:

that a 10-year lease be granted to the NHS Houghton Regis Health Centre on the basis of the Heads of Terms, as set out in Appendix A to the submitted report, to enable the opening of the new Health Centre in Houghton Regis.

(Note: The meeting commenced at 9.30 a.m. and concluded at 12.38 p.m.)

Chairman

Dated