

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 8 June 2010.

### PRESENT

Cllr Mrs P E Turner MBE (Chairman)  
Cllr R C Stay (Vice-Chairman)

Cllrs Mrs R J Drinkwater  
M R Jones  
Mrs A M Lewis  
S F Male

Cllrs K C Matthews  
D McVicar  
T Nicols

Apologies for Absence: Cllr Mrs C Hegley

Members in Attendance: Cllrs P N Aldis  
R A Baker  
A R Bastable  
P A Blaine  
Mrs S A Goodchild  
Ms A M W Graham  
J G Jamieson  
J Murray

Cllrs P Snelling  
B J Spurr  
J Street  
Mrs C Turner  
B Wells  
P Williams  
J N Young

Officers in Attendance

Mr G Alderson	Director of Sustainable Communities
Mr M Bowmer	Assistant Director Financial 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
Mrs K John	Head of Democratic Services
Ms D Lester	Senior Democratic Services Officer
Mrs J Ogle	Director of Social Care, Health and Housing

E/10/11 **Minutes**

### RESOLVED

**The minutes of the meeting held on 4 May 2010 were confirmed as a correct record and signed by the Chairman.**

E/10/12 **Declarations of Interests**

(a) **Personal Interests:-**

None.

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

None.

E/10/13 **Disclosure of Exempt Information**

The Executive noted that Agenda Item No 15, BUPA Contract Extension was an exempt report as it contained information that was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972.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 the report 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/10/14 **Chairman's Announcements**

(a) **Creasey Park Community Football Development Centre**

The Chairman advised the Executive that in accordance with Section 100B (4) of the Local Government Act 1972, she had agreed that a report on Creasey Park Community Football Development Centre would be taken as Urgent Business on the grounds that the decision was urgent in order for consideration to be given to the Football Foundation Grant position.

The report contained an Exempt Appendix with information that was not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972. If there was a need for the Executive 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.

(b) **Variation in the Order of Business**

The Chairman advised the Executive that she was going to vary the order of business and take Agenda Item 16 - Creasey Park Community Football Development Centre after Agenda Item 14.

E/10/15 **Petitions**

There were no petitions received in accordance with the Scheme of Public Participation.

E/10/16 **Public Participation**

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

**Mr Anthony Michael Howitt Marshall – Gypsy & Traveller Pitch Increase at Magpie/Oaktree Site at Upper Caldecote**

Mr Marshall, Parish Councillor from Old Warden referred to a petition and letters from over 75% of parishioners in Old Warden objecting to the proposed Gypsy & Traveller pitch increase at the Magpie/Oaktree Site at Upper Caldecote, that had been handed in as part of the Preferred Sites Consultation process.

Mr Marshall referred to the new Government's intention to scrap the Regional Spatial Strategy figures upon which recent planning decisions had been based. He presented a copy of a letter to the Executive, from Alistair Burt MP to the Clerk of Old Warden Parish Council, explaining that he would be writing to Central Bedfordshire Council to ask what was the Council's intention in light of the new Government's policy. A map showing existing and proposed new pitches in Central Bedfordshire was also passed to the Executive.

The Chairman thanked Mr Marshall for his comments and explained that the petition and letter that had been submitted the previous day would be considered by the Local Development Framework Task Group as part of the Preferred Sites Consultation process. The Chairman then explained that she had written to the Secretary of State about the abolition of the Regional Spatial Strategy targets and the timescale for the publication of the new Government's legislation.

E/10/17 **Sustainable Community Strategy**

The Executive considered a report from Councillor Tricia Turner MBE, Leader of the Council proposing the first Sustainable Community Strategy (SCS) for Central Bedfordshire. The Strategy set out the shared long term vision for the area, along with key strategic priorities and actions to be delivered with the aim of improving the economic, social and environmental well-being of the area and people living there.

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

The report set out the statutory process that had been carried out with partners and stakeholders to develop the strategy and key priorities. The priorities identified for tackling local quality of life issues, whilst having regard to the Government's current priorities for public services, had been set from a clear analysis of local needs. It was noted that the priorities and actions had widespread support from partners and stakeholders.

Members were advised that the shared long term local vision was to ensure that Central Bedfordshire was:

“Globally connected, delivering sustainable growth to ensure a green, prosperous and ambitious place for the benefit of all”.

The Strategy’s 8 key priorities were:

- (a) Maximising employment opportunities and delivering housing growth to meet the needs of our communities
- (b) Ensuring our local people have the skills to prosper
- (c) Getting around and caring for a green and clean environment
- (d) Supporting and caring for an ageing population and those who are most vulnerable
- (e) Promoting health and reducing health inequalities
- (f) Educating, protecting and providing opportunities for children and young people
- (g) Keeping our communities safe
- (h) Nurturing a sense of pride and belonging.

During the ensuing discussion, it was noted that the Strategy would be reviewed every year and refreshed every three years to ensure it continued to reflect the priorities for Central Bedfordshire, based on the views of residents and the latest available evidence for the area.

Reason for decision: To ensure the Council meets its statutory requirement to work in partnership to develop a Sustainable Community Strategy for the area. To ensure partners work together to deliver actions against a shared set of priorities and long-term vision for Central Bedfordshire.

***RECOMMENDED TO COUNCIL***

***that the Sustainable Community Strategy 2010 - 2031, attached as Appendix A to the submitted report, be adopted.***

E/10/18

**Community Engagement Strategy**

The Executive considered a report from Councillor Richard Stay, Portfolio Holder for Policy and Performance proposing the final draft of the Community Engagement Strategy and delivery plan. The aim of the Strategy was to deliver greater added value to citizens by understanding their needs and issues, providing a greater involvement in the decision-making process and access to public sector services.

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

The report outlined how the Strategy had been developed by Central Bedfordshire Together (the Local Strategic Partnership – “LSP”) including in discussion with Ward Councillors, Town and Parish Councils and partner organisations. Following formal consultation on the Strategy, a three year

delivery plan had been developed. It was noted that each of the main concerns and issues identified through the consultation process had been taken into consideration. Members were advised that significant progress had been made already in implementing a number of key elements of the delivery plan, as outlined in the submitted report.

The Portfolio Holder drew attention to the five key principles of the Strategy:

1. Giving more people more opportunities to influence decisions;
2. Enabling Ward Councillors to be leaders in and for their communities;
3. Enhancing the role of Town and Parish Councils;
4. Building the capacity of local people to engage; and
5. Ensuring a strategic and joined-up, co-ordinated partnership approach.

Councillor Stay explained that the Strategy would enable the Council to establish new relationships with individuals and organisations and help communities understand the tough choices and decisions that would have to be made because of the current economic climate. The Strategy would also be used to manage expectations about service levels and the way some services would need to be provided in the future. The Strategy also supported the Government's plans to enable citizens, communities and local government to come together to solve problems and improve localities.

During the ensuing discussion, the principle of enabling Ward Councillors to be leaders in and for their communities was debated. Responding to comments about the merit or otherwise of providing each Councillor with small individual budgets to spend locally in their wards, Councillor Stay explained that this element of the Strategy would enable each Member to have an influence over local expenditure based on community requests. Given the costs involved, this proposal would have to be considered alongside all other budget proposals as part of the normal annual budget process. Therefore, the Portfolio Holder moved the following amendment to his recommendation which was duly seconded:-

'that an additional sentence be added to the second of the five key principles for a successful Community Strategy titled 'Enabling Ward Councillors to be leaders in and for their communities', detailed at bullet point two on page 61 of the submitted report, to make explicit that providing each Councillor with a budget to spend locally in their wards would be considered alongside all other budget proposals as part of the normal annual budget process.'

Reason for decision: To enable the Council and its partners to deliver greater added value to our citizens by understanding their needs and issues, and giving them a greater involvement in the decision-making process and access to public sector services. The Strategy and delivery plan are based on developing a joined-up, strategic and co-ordinated partnership approach, which is consistent with our aspirations for Total Place.

## **RESOLVED**

**that an additional sentence be added to the second of the five key principles for a successful Community Strategy titled 'Enabling Ward Councillors to be leaders in and for their communities', detailed at bullet point two on page 61 of the submitted report, to make explicit that providing each Councillor with a budget to spend locally in their wards would be considered alongside all other budget proposals as part of the normal annual budget process.**

## ***RECOMMENDED TO COUNCIL***

***that the Community Engagement Strategy 2010 – 2013 and its proposed delivery plan, as amended in resolution 1 above and attached as Appendices A & B to the submitted report, be adopted, with the Head of Partnerships & Community Engagement working with directorates and partners to implement the Strategy.***

E/10/19

## **Provisional Outturn 2009/10**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Finance, Governance and People on the budget position as at 31 March 2010 to enable decisions to be taken on resource allocation and service delivery.

The report drew attention to the significant effort that had been made to manage the budget pressures during the course of the year to minimise an overspend against the approved budget. The Council had had to contend with a number of uncontrollable and non recurring costs, including contract resolution costs and the need to reassess the value of investments held on the Balance Sheet, as detailed in the submitted report.

Councillor Jones explained that as part of the process of closing the accounts, there had been a review of earmarked reserves policy and balances. Consequently, if the review proposals were accepted, General Reserves would be £4.8M as at 31 March 2010 which exceeded the Medium Term Financial Plan aspirations of £2.8M. It was noted, however, that the proposed change in policy provided for potential draw downs in year as the Authority would not be holding any equalisation reserves.

The Portfolio Holder proposed, given that work on the closure of the 2009/10 accounts were still to be completed, the following revision to his recommendations, which was duly seconded:

**'That the decision on the level of Earmarked Reserves be delegated to the Portfolio Holder for Finance, Governance & People and the Chief Finance Officer when work on the closure of the 2009/10 accounts is complete.'**

Reason for decision: To facilitate effective financial planning.

## **RESOLVED**

- 1. That the report setting out the budget position as at 31 March 2010 be noted.**
- 2. That the proposed transfers to General Fund and Earmarked Reserves, as set out in Appendix E of the submitted report, be noted and the decision on the level of Earmarked Reserves be delegated to the Portfolio Holder for Finance, Governance & People and the Chief Finance Officer when work on the closure of the 2009/10 accounts is complete.**

E/10/20

### **Budget Process 2011/12**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Finance, Governance and People proposing the process and timetable for the formulation of the 2011/12 to 2015/16 Medium Term Financial Plan. The process would commence earlier, provide greater opportunity for policy development and consultation, ensure resources were aligned with priorities and provide a clearer role for scrutiny.

The Portfolio Holder drew Members' attention to the deliberations of the Budget Task Force, formed by the Customer & Central Services Overview and Scrutiny Committee to undertake a review of the 2010/11 Budget Process. The findings and recommendations arising from the review, which also included broader financial management matters, were reported to the Overview and Scrutiny Committee on 17 May 2010 and were set out at Appendix A to the submitted report.

Councillor Jones then drew attention to the outcomes from a subsequent meeting of the Task Force which had reconvened to assess its original recommendations, as detailed in the Chairman's Briefing Note at Item 11(a).

To enable due consideration to be given to the further observations and recommendations of the Budget Task Force, the Portfolio Holder proposed the following revised recommendations, which were duly seconded:

1. that the Portfolio Holder for People, Finance and Governance be authorised to review and respond to the further observations and recommendations of the Budget Task Force, as circulated with the Chairman's briefing note.
2. that the proposed budget process for 2011/12, as set out in Appendix B of the submitted report, be approved subject to any further adjustments which the Portfolio Holder wishes to make following review of the further observations and recommendations of the Budget Task Force, as referred to in 1 above.

Responding to comments about the need for effective challenge of budget proposals, Councillor Jones explained that whilst there was no strong comparative data for the first year of the Council's operation, more robust financial benchmarking data and performance monitoring information would be available for 2011/12. It was recognised, however, that the Council, along with all other local authorities, was operating in a difficult financial climate and was entering a period where the delivery of historical levels of local service was likely to change over the medium term.

Reason for decision: To enable Central Bedfordshire to commence work on its 2011/12 budget proposals at the earliest opportunity with a clear and timely process to follow.

## **RESOLVED**

- 1. that the Portfolio Holder for People, Finance and Governance be authorised to review and respond to the further observations and recommendations of the Budget Task Force, as circulated with the Chairman's briefing note.**
- 2. that the proposed budget process for 2011/12, as set out in Appendix B of the submitted report, be approved subject to any further adjustments which the Portfolio Holder wishes to make following review of the further observations and recommendations of the Budget Task Force, as referred to in resolution 1 above.**

E/10/21

## **Harmonisation**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Finance, Governance & People proposing that the Council does not continue with plans to harmonise pay, terms and conditions of service in the way intended originally. The proposal had arisen following the receipt of new legal advice on the matter and the resulting revised financial cost of implementing the harmonisation process.

The Portfolio Holder advised Members that the matter had been considered by the General Purposes Committee on 3 June and that the Committee supported the proposed recommendation, recognising that staff that had transferred from the three legacy authorities on 1 April 2009 were protected under TUPE.

Reason for decision: To avoid putting additional ongoing pressures on the Authority's budget, recognising the current and likely future financial position.

## **RESOLVED**

**that Central Bedfordshire Council will not implement plans to harmonise pay, terms and conditions of service as envisaged originally, for the reasons set out in the submitted report, recognising that staff who transferred from the three legacy authorities on 1 April 2009 are protected under TUPE.**



E/10/22 **Conservation Area Reviews**

The Executive considered a report from Councillor Tom Nicols, Portfolio Holder for Sustainable Development proposing a three-year timetable for the review of the Central Bedfordshire's Conservation Areas; including a review of the boundaries and production of Conservation Area Character Appraisals with a view to adoption of such statements as Guidance for Development Management purposes.

The Portfolio Holder advised Members that the Conservation Area Reviews would underpin the Council's commitment to maintaining and improving the quality of the built environment and promoting sustainable development and healthy communities. The reviews would also reinforce the Government's commitment to the historic environment and its heritage assets through the following objectives:

- Delivering sustainable development by policies and decisions concerning the historic environment;
- Conserving heritage assets in a manner appropriate to their significance; and
- Contributing to the knowledge and understanding of the past by ensuring opportunities are taken to capture evidence from the historic environment and to make this publically available.

Responding to comments about the methodology for assessing the need and priority for the three year programme of reviews, the Portfolio undertook to ensure that the appropriate Parish and Town Councils, as well as Ward Members, were advised when reviews were to take place.

Reason for decision: To meet the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies CS15: Heritage and DM13: Heritage in Development of the Local Development Framework for the North area (the former Mid Bedfordshire area) Adopted 2009 and policies of the South Bedfordshire Local Plan Review Adopted 2004.

**RESOLVED**

**that the three-year programme for conservation area reviews, as set out in Paragraph 20 of the submitted report, be approved.**

E/10/23 **Forward Plan**

The Forward Plan for the period 1 June 2010 to 31 May 2011 was received.

E/10/24 **Urgent Business**

In accordance with Section 100B (4) of the Local Government Act 1972 the Executive considered the following item of Urgent Business (Minute E/10/25 refers) .

E/10/25

## **Creasey Park Community Football Development Centre**

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Communities and Healthier Lifestyles proposing a budget of £3,041,000 to undertake the development of Creasey Park Community Football Development Project, and, subject to that decision, appointment of the preferred contractor.

The report set out the background to the proposed project that had been inherited from South Bedfordshire District Council. At the same time as providing a community sporting opportunity, the facility would deliver wider social outcomes of inclusion, crime reduction, health improvement and civic pride. It was noted that the facility would be the home of Dunstable Town Football Club, AFC Dunstable and linked the Brewers Hill Middle School site with Peppercorn Park to provide additional community pitches within the area.

Members were advised that due to the deficit in quality football facilities in the area, the Football Foundation and Football Association (FA) had identified the project as a strategically relevant scheme for funding in 2009/10 and the Council had been successful in bidding for £780k (£700k capital and £80k revenue) support for the project. As the Football Foundation had expressed concerns about delays to the project due to the intention to include the project in the Capital Programme Review to be considered by the Executive in September, it had been agreed that consideration of the scheme should be brought forward to avoid the potential loss of the FA grant money.

Members noted that the procurement exercise for the project had involved substantial re-scoping and value engineering to secure the best contract cost. As the project costs exceeded the capital allocation of £2.5million by £511k, it was proposed that the shortfall should be met from grant income and Council funds, as detailed in the submitted report. As the proposals required the 2010/11 Capital Programme Reserve Scheme to be reduced by £91k, the Portfolio Holder put forward an additional recommendation which was duly seconded:

‘that the scheme proceeds subject to the Portfolio Holders for Safer Communities & Healthier Lifestyles and Finance, Governance & People, in consultation with the Director of Sustainable Communities and the Chief Finance Officer, identifying £91,000 from existing Sustainable Communities Schemes in the approved Capital Programme to bridge the current funding gap’.

Reason for decision: So that the redevelopment of the football facilities can be undertaken and the Section 106 contributions and Football Foundation and Growth Area Fund grant can be utilised.

### **RESOLVED**

- 1. that approval be given to a project budget of £3.041 million to build a new Community Football Development at Creasey Park, Dunstable using income and Council funds, as detailed in paragraphs 7 and 8 of the submitted report;**

2. **that the preferred contractor, as detailed in exempt Appendix 4 of the submitted report, be appointed to carry out the building works;**
3. **that authority be delegated to the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer Communities and Healthier Lifestyles, to agree management arrangements for the facility in accordance with the Community Engagement Strategy;**
4. **that the scheme proceeds subject to the Portfolio Holders for Safer Communities & Healthier Lifestyles and Finance, Governance & People, in consultation with the Director of Sustainable Communities and the Chief Finance Officer, identifying £91,000 from existing Sustainable Communities Schemes in the approved Capital Programme to bridge the current funding gap.**

E/10/26 **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/10/27 **BUPA Contract Extension**

The Executive considered a report from Councillor Mrs Hegley, Portfolio Holder for Social Care and Health proposing the extension of the contract arrangements (currently led by Bedford Borough Council) with BUPA to allow the Council time to adopt a strategic approach to addressing future requirements for access to care homes and “extra care” accommodation within Central Bedfordshire.

Members were advised that whilst the contract extension was through Bedford Borough Council, Central Bedfordshire would monitor the performance of the contractor over the period of the contract extension for Central Bedfordshire homes. Central Bedfordshire would also determine how and when the Council’s care homes were re-provided.

The Executive noted that a needs assessment for current and likely requirements for residential/nursing home care and extra care forms of housing for Central Bedfordshire would be brought to a meeting of the Executive in the Autumn.

Reason for decision: The contract extension will allow for a strategic approach to the development of the residential and care home market. It will also secure the provision of care and provide stability for residents and staff in the homes while the strategic direction is established.

**RESOLVED:**

- 1. that the contract through Bedford Borough Council with BUPA be extended until 29/03/2013, for the reasons set out in the submitted report.**
- 2. that the Council's Procurement Procedure Rules be waived in this instance to allow the contract to be extended on the grounds that a change of supplier would cause disproportionate technical difficulties, diseconomies of scale or significant disruption to Council services.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.45 a.m.)

Chairman .....

Dated .....