

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 17 August 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	Cllrs	A Shadbolt
		R A Baker		P Snelling
		P A Blaine		B J Spurr
		D Bowater		J Street
		Mrs C F Chapman MBE		Mrs C Turner
		Dr R Egan		A M Turner
		Mrs S A Goodchild		B Wells
		J G Jamieson		J N Young
		A A J Rogers		

Officers in Attendance	Mr G Alderson	Director of Sustainable Communities
	Mr J Atkinson	Head of Legal Services
	Mr M Bowmer	Assistant Director, Finance
	Mr R Carr	Chief Executive
	Mrs E Grant	Deputy Chief Executive and Director of Children's Services
	Ms D Lester	Senior Democratic Services Officer
	Mrs J Ogley	Director of Social Care, Health and Housing

E/10/46 **Minutes**

RESOLVED

the minutes of the meeting held on 13 July 2010 were confirmed as a correct record and signed by the Chairman.

E/10/47 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

E/10/48

Chairman's Announcements

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 12, Speed Limit through Husborne Crawley after Agenda Item 6, Public Participation.

E/10/49

Petitions

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

Petition requesting that action be taken to reduce the 60mph speed limit on the C140 at Higham Gobion

Mrs Sally Stapleton, Chairman of Shillington Parish Council, presented a petition to the Executive containing approximately 128 signatures in support of a speed limit on the C140 at Higham Gobion. The petition also included suppliers and customers to the local businesses and people's homes. Mrs Stapleton in presenting the petition referred to the increase in traffic volume and speed on the C-140 running through the hamlet and a number of traffic accidents on the road. She explained that a speed limit would also enable a bus stop to be included with the hamlet. The Parish Council appreciated the financial constraints on the Council and were willing to work with partners to achieve both a speed limit and bus stop for the benefit of residents and the continued expansion of local businesses.

The Chairman then allowed a local resident from Higham Gobion, Mr Ian Daye to speak in accordance with the Scheme of Public Participation set out in Appendix A of Part A4 of the Constitution:

Support for a speed limit on Higham Road in Higham Gobion

Mr Daye explained that cars regularly travel at 60mph and above past his property on Higham Road causing the property to shake. He referred to a car going into the back of his vehicle resulting in a whiplash injury and damage to his car and his wife being hit by a car as she walked along the road with no pavement. He also referred to an accident when a speeding car took down the power lines by ploughing through a neighbour's hedge and causing houses to be without power. Mr Daye explained that with no footpath, residents attending church services towards the top of the hill put themselves in danger by walking along a busy road. The road was also dangerous for cyclists and horse riders.

The Chairman thanked Mrs Stapleton for presenting the petition to the Executive and Mr Daye for his comments in support of the petition. The petition would be given detailed consideration by the Safer Communities and Healthier Lifestyles Portfolio Holder, who would arrange a further opportunity to discuss the issue with both the lead petitioner and the relevant ward Members.

Petition seeking the provision of a Skateboarding Park in Dunstable Town Centre

Councillor Nigel Young, on behalf of young people in Dunstable and surrounding areas, presented a petition to the Executive containing 682 names seeking the provision of a skateboarding park in Dunstable Town Centre. Councillor Young explained that the young people were seeking the release of some land to enable a skateboarding park to be set up and had identified three possible locations in Dunstable. The young people hoped to work in partnership with the Council or a community association. The Executive was advised that where support had been given to setting up a skateboarding park in Dorchester, an area comparable to Dunstable, that by enabling young people to take responsibility there had been a 70% reduction in local crime and anti-social behaviour. It was noted that the petition would also be presented to Dunstable Town Council.

The Chairman thanked Councillor Young for presenting the petition. The petition would be considered by the Portfolio Holder for Safer Communities and Healthier Lifestyles, Councillor David McVicar. It was noted that consultation with young people would be carried out as part of that consideration. The lead petitioner would be advised in due course of the conclusions reached on the way forward.

E/10/50

Public Participation

The Chairman advised the Executive that there were three requests to speak in accordance with the Scheme of Public Participation set out in Appendix A of Part A4 of the Constitution on Agenda Item 12, Speed Limit through Husborne Crawley which she would take at the start of the agenda item.

E/10/51

Speed Limit through Husborne Crawley

Under the provisions of Executive procedure Rule 9.4 the Executive considered the following request from Councillor Fiona Chapman, MBE:

‘In response to considerable public demand and to comply with the Government’s policy of localism, the Executive be urged to reconsider the decision of the Traffic Management meeting on 6 July 2010 on the request by Husborne Crawley Parish Council to alter the speed limit through the village to 30mph and outside the school to 20 mph and allow gateways at the entrance to the village.’

The Chairman explained that in the light of new information she had agreed that the request should be re-considered by the Executive.

Councillor Chapman MBE then updated the Executive on the additional information. She explained that the Chairman of the Parish Council had received a letter from the Chief Constable stating that the Police would support a speed limit through the village of 30mph and outside the school, of 20 mph, as long as suitable traffic management measures were put in place such as zig-zag lines, gateways into the village or slow down signs.

Prior to consideration of the request 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:-

1. Mrs Jess Minikin – Statement in support of a speed reduction

Mrs Minikin stated that residents were asking for parity with other villages that benefit from 20 and 30mph speed limits. Mrs Minikin commented that she had recently moved to the village and had received a warm welcome from local people who were proud of their village and its community. She explained, however, that the village was suffering from the ferocity of speeding traffic and residents were concerned that they were living in an increasingly dangerous environment. The community believed that the village met the criteria of the 2004 DoT guidance for a 30mph speed limit. The community recognised the financial constraints that the Council was encountering and were willing to work with the Authority to address the request for a reduction in the speed limit.

2. Mrs Pat Peachey – Statement in support of a speed reduction

Mrs Peachey stated that she lived on Turnpike Road and was a Local Authority Governor at Husborne Crawley Lower School. She explained that the school was based in a Grade 2 listed building with a small car park. She referred to the danger that the children and parents experienced when crossing over School Lane which had a 40mph speed limit. Mrs Peachey concluded by stating that there was a very clear need for a 30mph speed limit in the village and a 20mph limit outside the school.

3. Dr Christine Chalk – Statement in support of a speed reduction

Dr Chalk explained that she had lived at Turnpike Close for 17 years and during this time her garden wall had been hit at least 8 times by speeding vehicles. She drew attention to two accidents that had occurred on the same day and a pedestrian that had been hit near her garden wall. She also explained that if two wide HGVs passed each other there was little room to spare. Dr Clark concluded by urging the Executive to take sensible measures and reduce the speed limit through the village.

The Chairman then invited Councillor McVicar, Portfolio Holder for Safer Communities and Healthier Lifestyles to update the Executive on the decision of the Traffic Management meeting on 6 July 2010 not to reduce the speed limit through the village.

Councillor McVicar explained that the request had been re-considered at the Traffic Management Meeting on 6 July following the calling-in of the decision of the Traffic Management Meeting on 15 April by the Overview and Scrutiny Committee from its meeting on 18 May. Upon considering the evidence put to the meeting on 6 July, the original decision not to reduce the speed limit was confirmed. However, it was agreed that road warning signs of a school would be added on the approach to the village and officers would speak with the Parish Council about the possibility of funding some of the future works.

The Executive was advised that the Assistant Director, Highways had subsequently met with the Parish Council and Amey to consider the way forward and discuss measures that could be put in place. This meeting, however, had taken place before the new information from the police stating that they would support a reduction in the speed limit.

Members were advised that a significant number of motorists travelled in excess of 40mph through the village and that changing a speed limit and signing had minimal effect and would not automatically change driver behaviour. To achieve a 30mph speed limit, additional design measures to slow the traffic down would be needed such as speed humps. It was noted that as an A road, the road had been designated as a HGV route.

Councillor Chapman explained that the villagers felt very strongly about the need for a reduction in the speed limit and were willing to work with the Council to implement supporting measures such as gates to the village. It was noted that residents had offered to provide and erect gates at far less cost than it would cost the Council.

The Executive debated at length the issues and concerns expressed by residents about the speed of vehicles travelling through the village. Members recognised it was a situation replicated in many other villages throughout the Authority's area although each request for a speed reduction had to be assessed on a case by case basis.

It was moved and seconded:

'That the recommendation of the Overview and Scrutiny Committee from its meeting on 18 May that the speed limit in Husborne Crawley be reduced to 30mph and 20mph in the area outside the school be agreed; and

That a wider review of speed limits across Central Bedfordshire Council be carried out to consider how best to support and work with those communities concerned about speed achieve their objectives'.

Reason for decision: To respond to a request made under the provisions of Executive procedure Rule 9.4 that the speed limit in Husborne Crawley be reduced.

RESOLVED

1. **that the current speed limit in Husborne Crawley be reduced from 40mph to 30mph with the exception of the area around the school in which the speed limit should be reduced from 40mph to 20mph.**
2. **that a wider review of speed limits across Central Bedfordshire Council be carried out to consider how best to support and work with those communities concerned about speed achieve their objectives.**

E/10/52

Budget Management Report - Quarter 1

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Finance Governance and People on the forecast financial position of the Council for 2010/11, based on information as at 30 June 2010.

The report set out details of financial pressures that the Council faced which gave rise to a forecast overspend of £5.809M. It was noted that the majority of this reflected demographic pressures in Adult Social Care, increased safeguarding referrals in Children's Services and inflationary pressures on Sustainable Community contracts. In addition, the Council was having to address the in-year spending reductions announced by Government in June 2010 with the potential for further cuts as a result of the Government's Comprehensive Spending Review to be announced in October 2010.

Each Portfolio Holder then commented on actions they were taking to address the potential projected overspend at year end.

Councillor Jones in moving his paper emphasised that the report was work in progress and in view of the further measures that had been put in place to address the pressures since the report had been published, tabled revised recommendations which replaced the recommendations contained in the submitted report.

Reason for decision: To facilitate effective financial management and planning.

RESOLVED:

1. **that the forecast outturn position at the end of the First Quarter for 2010 indicating a potential overspend at the year end of £5.809M, as detailed in the submitted report, be noted and that Directors, in consultation with their Portfolio Holders, take such action as is necessary to bring their budgets into balance.**

2. **that Directors, in consultation with their Portfolio Holders, continue to deliver the approved efficiencies and bring forward plans to correct the identified overspends;**
 - i). **in Children's Services by restructuring the heads of services posts and teams managed within Learning and Strategic Commissioning, which is estimated will achieve new efficiencies of £915k;**
 - ii) **in Customer and Shared Services by introducing a recovery plan in September 2010;**
 - iii) **in Sustainable Communities by bringing the overspend in waste services back into budget by September 2010; and**
 - iv) **in Social Care, Health and Housing by reviewing the usage of learning disability and other significant contracts and placements commencing in September 2010 which is estimated will achieve new efficiencies of £800k;**
- and that the Portfolio Holder for Finance, Governance and People be authorised to approve these efficiency proposals once they have been finalised in consultation with the relevant Directors, Portfolio Holders and the Chief Finance Officer.**
3. **that the £0.366M of compensatory efficiencies, as detailed in Appendix B1 of the submitted report, be approved.**
4. **That the £0.700M pressure arising from costs set out in Appendix E of the submitted report and the need to bring forward further efficiency savings to compensate for these costs, be noted.**
5. **That the reduced contribution of £0.167M to the Redundancy Reserve, as set out in paragraph 36 of the submitted report, be noted.**

E/10/53

Budget Strategy (Medium Term Financial Strategy 2011/12 to 2015/16)

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for People, Finance and Governance proposing a medium term financial planning framework from 2011/12 to 2015/16.

The Portfolio Holder explained that the report provided an initial update on the current economic climate and the impact on Local Government finance. However, the focus of the report was a revision of the assumptions in the existing Medium Term Financial Plan and the proposed strategy to address the financial challenges faced by Central Bedfordshire. Members were advised that the impact on the Council of the Government's Spending Review announcement scheduled for 20 October would be reported to a future meeting of the Executive.

Councillor Jones clarified that the Executive was being asked to note the emerging outcomes for the Council under the adopted priorities as the basis for further work as opposed to endorsing the outcomes.

Reason for decision: To put in place a framework to meet the financial challenges faced by Central Bedfordshire over the medium term.

RESOLVED:

1. **that the overall financial outlook and the impact on Central Bedfordshire Council, as set out in the submitted report, be noted.**
2. **that the update to the Medium Term Financial Plan, as detailed in the submitted report, be noted.**
3. **that the emerging outcomes for Central Bedfordshire Council under the adopted priorities, as set out in the submitted report, be noted as the basis for further work.**

E/10/54

Supporting Excellence: An Adult Social Care Workforce Strategy for Central Bedfordshire

The Executive considered a report from Councillor Carole Hegley Portfolio Holder for Social Care and Health proposing a cross sector Adult Social Care Workforce Strategy and action plan for 2010/11.

The Portfolio Holder explained that there was a statutory requirement to have a cross sector adult social care workforce strategy. The strategy was essentially a framework document that ensured compliance with statutory requirements and had been developed in line with the Putting People First transformation programme known as Transforming People's Lives' in Central Bedfordshire. It was noted that over the next 18 months the strategy would be further developed with partners alongside a proposed action plan.

As part of the deliberations, the Executive noted the comments from the Overview and Scrutiny meeting on 8 April 2010 which had endorsed the strategy.

Reason for decision: The strategy and action plan have been developed with partners and endorsed by the Adult Social Care Strategic Workforce Board. The designated Director of Adult Social Services has a statutory duty to ensure there is a local cross sector workforce strategy.

RESOLVED

that the 'Supporting Excellence: An Adult Social Care Workforce Strategy for Central Bedfordshire' and the Action Plan 2010/11, attached as Appendix A to the submitted report, be approved.

E/10/55

Central Bedfordshire Energy and Recycling (BEaR) Project - Additional Elements Approval

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer Communities and Healthier Lifestyles proposing the inclusion of additional elements into the scope of the BEaR Project procurement exercise, together with a revised Appendix B containing confidential information and a revised recommendation number 4 that replaced the corresponding recommendation in the submitted report that had been circulated with the Chairman's Briefing Note.

The report included detail of the additional elements proposed to be included in the procurement exercise previously approved by the Executive on 6 April 2010 (minute E/09/215 refers) and the reasons for doing so, the key benefits and risks of including them and a financial appraisal of each element.

The Executive was advised that an integrated contracting approach would enable several services to be delivered via a single procurement exercise and produce efficiency savings for the Council. Significant savings could also be achieved through the co-location of new infrastructure and the economy-of-scale of the contract itself. It was emphasised that the procurement process would allow for innovative solutions to come forward. It was noted that ultimately the contract would be awarded to the Most Economically Advantageous Tender.

The Executive discussed the option of including the Highway's depot in the scope of the contract. It was noted that the financial savings that could be achieved through the inclusion of additional elements within the scope of the contract did not include the provision of a highways depot. As there was a potential that including a highways depot could dilute submissions coming forward and as the Highways Services contract was not due for renewal until 2016, the Executive agreed that such a depot should not be included in the scope of the contract.

Reason for decision: To enable the current procurement process to be expanded to include residual treatment services, so as to provide an integrated disposal solution at a lower cost than securing elements separately. Endorsement of a modelled affordability position would provide confidence to the market that the authority was committed to delivering the Project and would ensure best competition.

RESOLVED

- 1. that approval be given to the inclusion of the following elements within the scope of the contract for the Central Bedfordshire Energy and Recycling (BEaR) Project;**
 - **The redevelopment of three and relocation and development of one Household Waste Recycling Centre (HWRC) and delivery of the service for the contract period;**
 - **The provision of Waste Transfer Services as required as part of an integrated solution;**
 - **The provision of organic waste treatment services; and**
 - **The provision of salt storage facilities.**

2. **that a Highways depot be not included within the scope of the contract.**
3. **that the updated affordability position for the Project over the period 2016 to 2041, as outlined in exempt Appendix B circulated with the Chairman's Briefing Note, incorporating the approved elements and the previously approved residual waste treatment element, be endorsed.**
4. **that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer Communities and Healthier Lifestyles and the Chief Finance Officer, be given delegated authority to make the necessary amendments to the procurement evaluation criteria, previously approved by Executive, following the outcome of recommendations 1 – 3 above.**

E/10/56

Local Enterprise Partnerships

The Executive considered a report from Councillor Ken Mathews, Portfolio Holder for Economic Growth, Skills and Regeneration proposing that a Local Enterprise Council (LEP) be formed on the basis of the South East Midlands Functional Economic Area.

The Portfolio Holder advised the Executive that with the ending of Regional Development Agencies, the Government intended that LEPs would provide strategic leadership for economic development.

The submitted report set out a range of considerations for the role, functions and geography of an LEP and how these might relate to the Council's functions going forward. Current Government guidance was that more than one LEP covering a single area would not be supported, though joint working between LEPs would be welcomed. Business engagement with LEPs was a key requirement by Government which would mean equal representation of business and public sectors bodies on the boards of LEPs.

The Executive supported the option of forming a South East Midlands Local Enterprise Partnership, detailed in Appendix 5 to the submitted report, whilst noting the exact membership had still to be determined with neighbouring authorities and business partners. It was noted that as proposals needed to be submitted to Government by 6 September, the Chief executive and the Leader of the Council would need to be given delegated authority to sign-off the joint submission.

Reason for decision: So that Central Bedfordshire is represented in the new proposed Local Enterprise Partnership structures proposed by the Coalition Government.

RESOLVED

1. **that the option of forming a South East Midlands Local Enterprise Partnership, be actively pursued, the exact membership to be determined.**
2. **that the Chief Executive, in consultation with the Leader of the Council, be authorised to approve the final joint submission for a Local Enterprise Partnership to the Government in order to meet the 6 September 2010 deadline.**

NOTE: This decision was exempt from call-in due to the requirement to submit an agreed LEP proposal to Government by the 6 September 2010 deadline.

E/10/57

Civil Parking Enforcement - Recommendations from the Sustainable Communities Overview and Scrutiny Committee

The Executive noted the recommendations from the Sustainable Communities Overview and Scrutiny Committee from its meeting on 22 June 2010 regarding the current civil parking enforcement structure and options for the future civil parking enforcement.

In noting the recommendations, the Executive agreed that they should be considered as part of the Transport Strategy review which the Overview and Scrutiny Committee would be involved with.

Reason for decision: To respond to the recommendations of the Overview and Scrutiny Committee.

RESOLVED

that the views and recommendations from the Sustainable Communities Overview and Scrutiny Committee from its meeting on 22 June 2010 in relation to the current civil parking enforcement structure and options for the future civil parking enforcement be noted and considered as part of the Transport Strategy review which the Overview and Scrutiny Committee will be involved with.

E/10/58

Forward Plan of Key Decisions

The Forward Plan for the period 1 August 2010 to 31 July 2011 was received.

E/10/59 **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 paragraph 3 of Part I of Schedule 12A of the Act.

E/10/60 **NIRAH Project (National Institute for Research into Aquatic Habitats)**

The Executive considered a report from Councillor Ken Matthews, Portfolio Member Economic Growth, Skills and Regeneration updating Members on the key issues relating to the NIRAH project and the Bedfordshire Consortium.

The Portfolio Holder advised Members that NIRAH was making progress in securing capital from private investors for the next stage of the project. For NIRAH to secure the investment, a restructuring of the debt and equity relating to the company, NIRAH Holdings Ltd would be required.

The Executive recognised that if NIRAH was able to move forward to the next stage, the prospects of securing a transformational freshwater project that would drive inward investment into the area would be greatly enhanced.

Members noted that legal advice that had been provided to the Bedfordshire Consortium and Central Bedfordshire Council by Mills & Reeve Solicitors. It was noted that State Aid issues remained relevant to any decision made which must follow the Market Economy Investor Principle that required the Consortium and Council to act in the same way as any other private investor in setting out terms of conditions during commercial negotiations. For this reason the confidential report contained details of the parameters that would be put in place should the Executive be minded to enter into negotiations with NIRAH regarding the repayment of the Council loan.

The Executive concurred with the view that every effort should be made to secure the project's delivery but that the Council's interests should be protected so far as was possible if this did not prove possible

Reason for decision: To enable the NIRAH Holdings Ltd. to secure the next stage of seed capital to deliver the NIRAH project in Bedfordshire.

RESOLVED:

- 1. That progress NIRAH has made in securing seed capital from private investors to enable the project to proceed, as detailed in the confidential report, be noted.**

2. **That the request received from NIRAH for the repayment of the debt owed to the Bedfordshire Consortium, Central Bedfordshire Council and Bedford Borough Council to be restructured, be noted.**
3. **That the Director of Sustainable Communities be authorised to enter into negotiations with NIRAH regarding the repayment of the Council loan.**
4. **That delegated authority be given to the Director of Sustainable Communities, in consultation with the Chief Finance Officer and the Portfolio Holders for Economic Growth, Skills and Regeneration, Policy and Performance and Finance, Governance and People, to approve the repayment terms having regard to the parameters set out in paragraph 16 of the confidential report.**

NOTE: This decision was exempt from call-in as any delay caused by the call-in process could prevent NIRAH Holdings Ltd. securing the next stage of seed capital to deliver the NIRAH project in Bedfordshire.

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.30 p.m.)

Chairman

Dated