

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 15 March 2011.

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
S F Male

Cllrs K C Matthews
D McVicar
T Nicols
Mrs C Turner

Apologies for Absence: Cllrs B Wells

Members in Attendance: Cllrs R A Baker
Mrs A Barker
A R Bastable
P A Blaine
D Bowater
Ms A M W Graham
Mrs D B Gurney
P Hollick
J G Jamieson

Cllrs D Jones
H J Lockey
J Murray
P Rawcliffe
P Snelling
B J Spurr
J Street
P Williams
J N Young

Officers in Attendance	Mr J Atkinson	Head of Legal and Democratic Services
	Mr R Carr	Chief Executive
	Mr R Ellis	Director of Customer and Shared Services
	Mr R Fox	Head of Development Plan
	Mrs E Grant	Deputy Chief Executive and Director of Children's Services
	Mrs S Hobbs	Committee Services Officer
	Mr A Lewis	Major Projects Officer
	Mrs J Ogle	Director of Social Care, Health and Housing
	Mr J Unsworth	Interim Assistant Director of Finance
	Mrs L Wade	Assistant Director Economic Growth and Regeneration

E/10/137 **Minutes**

RESOLVED

that the minutes of the meeting held on 15 February 2011 be confirmed as a correct record and signed by the Chairman.

E/10/138 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

E/10/139 **Chairman's Announcements**

The Chairman acknowledged the recent disasters that had occurred in Japan and expressed sympathy for the people suffering the impact of these.

E/10/140 **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:-

1. The Council to remove the requirement for a multi-storey car park to be situated at the existing Asda car park from the Dunstable Town Centre Masterplan.

The Chairman acknowledged that an e-petition had been received concerning the Dunstable Town Centre Masterplan and the requirement for a multi-storey car park to be situated at the existing Asda car park. The petition contained 106 signatures. The lead petitioner was not in attendance to present the petition. The Chairman explained that this issue would be discussed under agenda item 12 'Dunstable Town Centre Final Masterplan'.

2. The Council to reconsider its plans to redeploy the current Council employed carers from the "Courts" which were facilities for frail elderly people and included Lavender, Quince, Red House and St George's Courts.

Mrs Luscombe presented an e-petition on behalf of the lead petitioner on the care arrangements at Lavender, Quince, Red House and St Georges Courts. The petition contained 123 signatures.

Mrs Luscombe commented on matters including:-

- the consultation process;
- the Equality Impact Assessment; and
- financial matters.

- 3. To request the Council to reverse its decision and allow Red House Court, Houghton Regis to continue to provide, through the caring staff who manage the accommodation, the excellent service it does now.**

Mrs Luscombe presented a paper petition on behalf of the lead petitioner on the care arrangements at Red House Court, Houghton Regis. The petition contained 119 signatures.

Mrs Luscombe commented on matters including:-

- the future impact of the changes on the residents; and
- the communication of the proposals.

The Portfolio Holder for Social Care and Health thanked Mrs Luscombe for presenting both petitions and responded that at its meeting on 24 February 2011, the Council had approved efficiency savings affecting the Courts as part of its budget for 2011/12. The Portfolio Holder explained that a panel including residents and family members would be established to discuss further care arrangements at the "Courts" and these discussions would take place before the new arrangement were implemented by October 2011.

- 4. To request the Council to consider the impact on the residents of Eversholt if the licence for the 140 bus service was not renewed at the end of March.**

The Chairman acknowledged receipt of a paper petition concerning the impact on the residents of Eversholt if the licence for the 140 bus services was not renewed at the end of March. The petition contained 39 signatures. The lead petitioner was not in attendance to present the petition.

E/10/141

Public Participation

The following statement was received in accordance with the Public Participation Scheme:

1. Mr Konstantinidis – the Council's budget

Mr Konstantinidis explained that he had attended the previous Executive meeting held on 15 February 2011 and had raised various points in relation to the Statement of Accounts. Mr Konstantinidis called for:-

- an independent review of the budget; and
- the resignation of the Portfolio Holder for Finance, Governance and People if the audited records indicated errors.

Mr Konstantinidis also commented on the Council's voting procedures.

The Portfolio Holder for Finance, Governance and People thanked Mr Konstantinidis for his comments. He explained that appropriate financial procedures were being implemented and he was confident that the errors that had occurred in the Statement of Accounts for 2009/10 would not be repeated. The Executive's budget proposals had been reviewed by the Overview and Scrutiny Committees.

E/10/142 **Child Poverty Strategy**

The Executive considered a report from the Portfolio Holder for Children's Services setting out a draft strategy to reduce child poverty and alleviate its effects in Central Bedfordshire.

The Portfolio Holder for Children's Services explained that the Children's Services Overview and Scrutiny Committee would be considering the impact of Children's Centres on children's wellbeing in due course. A query was raised by a non-Executive Member about the background information on the number of children living in poverty. The Portfolio Holder agreed to provide the relevant Member with a written response.

Reason for decision: To enable the local authority to meet its legislative duties as set out in the Child Poverty Act 2010 to publish by April 2011 and keep under review its local Child Poverty Strategy.

RESOLVED

that the Child Poverty Strategy be approved.

E/10/143 **Children and Young People's Plan**

The Executive considered a report from the Portfolio Holder for Children's Services that presented the Central Bedfordshire Children and Young People's Plan (2011-2014). Members noted that partner organisations had indicated their support for the ongoing development of partnership working within the framework for the Children's Trust and for a Children and Young People's Plan. The Plan had been refreshed following consultation with over 4,000 children, young people, parents, carers and stakeholders.

Reason for decision: To ensure that Central Bedfordshire Council meets its statutory duty as set out in the Children Act 2004 to make arrangements to promote co-operation with partners to improve the well-being of children in the authority's area.

RESOLVED

that the Central Bedfordshire Children and Young People's Plan be endorsed.

RECOMMENDED TO COUNCIL

that the Central Bedfordshire Children and Young People's Plan (2011-2014) be approved.

E/10/144 **Post 16 Transport Policy**

The Executive considered a report from the Portfolio Holder for Children's Services setting out the Post 16 Transport Policy for Central Bedfordshire. The Portfolio Holder recommended Option B as her preferred option which was to adopt the Policy subject to the following amendment to paragraph 26 in the Policy:

"Subsidised transport will be available for students aged 16 – 18 whose home address is more than 3 miles, but no more than 20 miles, from the school or college they are attending".

The Portfolio Holder for Children's Services advised that there was an appeal process that parents could follow including where the journey distance was longer than 20 miles.

Members noted that a further review of the policy would be carried out for implementation in 2012/13 to secure a focus on supporting the "truly vulnerable". The review would also consider the impact of the raising of the participation age from September 2013, the value of a post 16 travel pass and any new Post 16 Transport guidance issued by the Department for Education.

Reason for decision: to ensure that the Council meets its statutory obligations and that the Council adopts a fair, equitable and transparent policy to help students to access post 16 education.

RESOLVED

1. **that the draft Post 16 Transport Policy be approved, subject to the amendment of paragraph 26 so that it reads:**

"Subsidised transport will be available for students aged 16 – 18 whose home address is more than 3 miles, but no more than 20 miles, from the school or college they are attending";

2. **that the Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, be delegated the authority to approve any subsequent minor variations to the Post 16 Transport Policy; and**
3. **to approve a further review of the Post 16 Transport Policy for implementation in 2012/13.**

E/10/145 **Review of Centrally Commissioned and Managed School Meals Contract**

The Executive considered a report from the Portfolio Holder for Customers, Systems and Assets which set out the outcome of the consultation process undertaken with schools in respect of the Council managed school meals service and the options for the service in the future. To address some of the concerns and issues raised during the consultation, a proposed transition support package was outlined at Appendix 2 to the report to help schools make their own arrangements for the future.

Reason for decision: To enable arrangements to be made for school meals when the current contract comes to an end in July 2011 following the contract's negotiated extension from March 2011.

RESOLVED

1. **that the extension of the current School Meals contract up to the end of the Summer Term 2011, be noted;**
2. **that the cessation of a centrally negotiated school meals contract from the end of the Summer Term 2011 be approved, and that in consequence all schools will need to make their own arrangements to provide school meals, commencing at the beginning of the new academic year (Autumn Term 2011); and**
3. **that Officers work with schools to enable a smooth transition to schools making their own arrangements for the provision of school meals.**

E/10/146 **LDF (North): Site Allocations Development Plan Document**

The Executive considered a report from the Portfolio Holder for Sustainable Development that set out the LDF (North): Site Allocations Development Plan Document (DPD). The DPD had recently been through public examination and the Inspector's report had found the DPD to be 'sound'.

In accordance with the Public Participation Procedure as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution, the Chairman invited the members of the public who had registered to speak on this item to address the Committee:

- Mr Zerny was concerned that the proposed development in the DPD would blight the Georgian market town of Potton. He contended that the Potton Town Council and residents were opposed to the developments.
- Mr Belcher commented on the lack of support from Potton Town Council and residents for the proposed development for Potton and expressed his doubts about the provision of community facilities.

The Portfolio Holder for Sustainable Development explained that the DPD would provide an appropriate basis for the planning of the area over the next 15 years and would enable the Council to exercise appropriate control over development. He acknowledged the work of the Development Management Task Force and the Sustainable Communities Overview and Scrutiny Committee and pointed out that a full consultation process had been undertaken including with members of the public.

The Portfolio Holder moved the following revised recommendations, which were duly seconded:

- “1. that the Inspector’s conclusions that the Site Allocations Development Plan Document is sound be endorsed; and
2. that the Executive endorses the Inspector’s conclusions that the Site Allocations Development Plan Document is sound and recommends the plan to Council.”

Reason for decision: To ensure the Council complies with the statutory requirement to produce a Development Plan through the production of the Local Development Framework (North).

RESOLVED

that the Inspector’s conclusions that the Site Allocations Development Plan Document is sound be endorsed.

RECOMMENDED TO COUNCIL

that the Executive endorses the Inspector’s conclusions that the Site Allocations Development Plan Document is sound and recommends the plan to Council.

E/10/147

Dunstable Town Centre Final Masterplan

The Executive considered a report from the Portfolio Holder for Economic Growth, Skills and Regeneration setting out the final Dunstable Town Centre Masterplan that would be used as Interim Technical Guidance for Development Management purposes.

In accordance with the provisions of the Council’s Public Participation Procedure, the Chairman invited the members of the public who had registered to speak on this item to address the Committee:

- Mr Carrington, representative of the Dorchester Close Group, explained that he had concerns regarding the demolition of properties in Dorchester Close and the possible use of Compulsory Purchase powers
- Mrs Stear expressed her concern about the effect that the demolition of Dorchester Close and the erection of a multi-storey car park would have on her quality of life and future mobility.

The Portfolio Holder for Economic Growth, Skills and Regeneration acknowledged the e-petition to remove the requirement for a multi-storey car park at the existing Asda car park from the Dunstable Town Masterplan. The Portfolio Holder tabled a list of proposed wording changes to the Masterplan, attached at Appendix A, which included deleting the words “multi storey”.

The Portfolio Holder moved the following revised recommendations, which were duly seconded:

- “1. that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Economic Growth, Skills and Regeneration, be delegated authority to make minor amendments to the wording prior to final publication of the Dunstable Town Centre Masterplan; and
2. that the Dunstable Town Centre Final Masterplan, as amended, be used as Interim Technical Guidance for Development Management purposes.”

The Portfolio Holder commented that Compulsory Purchase powers would only be used as a last resort and in the public’s interest. Members debated the Masterplan and the Portfolio Holder responded to questions from Executive and non-Executive Members in attendance.

Reason for decision: To enable the Town Centre Final Masterplan to provide a strategic lead regarding the delivery of the regeneration of Dunstable Town Centre.

RESOLVED

- 1. that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Economic Growth, Skills and Regeneration, be given delegated authority to make minor amendments to the wording prior to final publication of the Dunstable Town Centre Masterplan; and**
- 2. that the Dunstable Town Centre Final Masterplan, as amended, be used as Interim Technical Guidance for Development Management purposes.**

E/10/148

Quarter 3 Budget Management Report 2010

The Executive considered a report from the Portfolio Holder for Finance, Governance and People that set out the actual spend to date and the forecast year end financial position of the Council for 2010/11, based on the information available as at 31 December 2010. Members noted that the latest revenue forecast to year end identified pressures of £1.954M over budget. This was a significant improvement of £1.297M on the quarter 2 position.

The Portfolio Holder moved a revised recommendation 3:

“that the likelihood that the year end close process would have a beneficial impact on the outturn position, be noted.”

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

RESOLVED

- 1. that the improved forecast position of £1.954M over budget which was a £1.297M reduction when compared to the quarter two report and the expectation that the budget would be in balance at year end, be noted;**
- 2. that the in-year management actions that had been successful in reducing forecast pressures experienced to date, be noted;**
- 3. that the likelihood that the year end close process would have a beneficial impact on the outturn position, be noted; and**
- 4. that the permanent compensatory efficiencies set out at Appendix A3 to the report which have been approved by the Portfolio Holder for Finance, Governance and People under delegated responsibility, be noted.**

E/10/149

Energy Contracts

The Executive considered a report from the Portfolio Holder for Finance, Governance and People that proposed that Central Bedfordshire Council should continue to use the Central Buying Consortium’s flexible energy contract for electricity and gas supplies to Council buildings and street lighting for the period 1 October 2012 – 30 September 2016.

Reason for decision: To ensure the Council procures gas and electricity supplies for Council buildings at competitive rates and according to recommended best practice for local government and to reflect the environmental and sustainability priorities of the Council.

RESOLVED

- 1. that Central Bedfordshire Council continues to use the Central Buying Consortium’s flexible energy contracts for electricity and gas supplies to Council buildings for the period 2012-2016, and continues to make these contracts available for schools to use should they wish; and**
- 2. that the continued procurement of electricity on a ‘green’ tariff where there is no additional cost to the Council above non-‘green’ tariffs, be endorsed.**

E/10/150 **Proposals for Services to Schools**

The Executive considered a report from the Portfolio Holder for Finance, Governance and People that set out the Services to Schools price list for the period 2011/12, together with the underpinning principle of full cost recovery for these services. The principles, costs and charges relating to the Council's "traded" services offered to schools had been the subject of a comprehensive review recently and as a result the report set out a proposed charging philosophy and pricing structure for 2011/12.

The Portfolio Holder clarified that the report had been drafted by the Overview and Scrutiny Manager who at the time had been acting as a Project Manager for Schools Support Services. He also advised Members that the Council's approved revenue budget for 2011/12 was predicated on the organisation achieving an income optimisation target of £1.25m and not £1.5m as set out in the report.

Reason for decision: To enable the Council to be clear regarding its recovery of costs policy and to have approved the Services to Schools price list for the period 2011/12.

RESOLVED

- 1. to confirm the principle of full cost recovery regarding the provision of discretionary traded services to schools; and**
- 2. that the Services to Schools price list for the period 2011/12, attached at Appendix A to the report, be approved.**

E/10/151 **Public Protection Statutory Service Plans 2011-2012**

The Executive considered a report from the Portfolio Holder for Safer Communities and Healthier Lifestyles that proposed the approval of the Food Law Enforcement Service Plan 2011-2012, the Age Restricted Sales Plan 2011-2012 and the Health and Safety (as a Regulator) Service Plan 2011-2012. The Council was required by Government to adopt annual service plans to guide its activity in respect of regulatory services. The Council was required to ensure that these plans were in place by 1 April 2011.

The Portfolio Holder commented that the relevant Officers had been trained appropriately.

Reason for decision: To ensure that the service continues to meet its obligations with respect to its relevant enforcement responsibilities in 2011-2012 in accordance with statutory guidance.

RESOLVED

- 1. that the Food Law Enforcement Service Plan 2011-2012, attached at Appendix A to the report, be approved;**

2. **that the Age Restricted Sales Plan 2011-2012, attached at Appendix B to the report, be approved;**
3. **that the Health and Safety (as a Regulator) Service Plan 2011-2012, attached at Appendix C to the report, be approved; and**
4. **that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer Communities and Healthier Lifestyles, be authorised to make any necessary minor amendments to the Plans prior to publication.**

E/10/152

Community Safety Partnership Priorities and the Community Safety Partnership Plan for 2011 - 2012

The Executive considered a report from the Portfolio Holder for Safer Communities and Healthier Lifestyles that set out the proposed Community Safety Partnership Plan for endorsement by the Executive and adoption by Council. Members acknowledged that the Plan had been endorsed by Central Bedfordshire Together Board, the Community Safety Partnership and the Sustainable Communities Overview and Scrutiny Committee. The three priorities identified for Central Bedfordshire for 2011-2012 were:

- anti-social behaviour
- reduce reoffending
- domestic abuse.

The Chairman of the Sustainable Communities Overview and Scrutiny Committee confirmed that a letter had been sent to the Secretary of State for Justice requesting that offenders be released on Mondays rather than Fridays as this would support the priority of reducing reoffending.

The Portfolio Holder for Safer Communities and Healthier Lifestyles clarified that the Safety Advisory Group did not have a statutory responsibility for the Plan.

Reason for decision: Central Bedfordshire Council was a Responsible Authority of the Community Safety Partnership under the Crime and Disorder Act 1998. The Act placed 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.

RESOLVED

that the Strategic Assessment of the Community Safety Partnership Priorities be endorsed.

RECOMMENDED TO COUNCIL

that the Community Safety Partnership Plan 2011-2012 be adopted.

E/10/153 **Quarter 3 Performance Report**

The Executive considered a report from the Deputy Leader that highlighted the key quarter 3 performance indicators for Central Bedfordshire Council.

It was noted that overall, performance was generally strong even though the Council had set itself challenging performance targets and was operating within a difficult financial climate. The Deputy Leader congratulated the schools in Central Bedfordshire on achieving results higher than the national average for GCSE exams.

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

RESOLVED

that the Quarter 3 Performance Report setting out the Council's overall performance position be noted.

E/10/154 **Central Bedfordshire Council Membership of South East Midlands Local Enterprise Partnership**

The Executive considered a report from the Leader of the Council seeking approval to the Authority becoming a formal member of the South East Midlands Local Enterprise Partnership (SEMLEP).

Reason for decision: That Central Bedfordshire Council be represented in the new proposed Local Enterprise partnership structures developed in response to the Coalition Government's Localism agenda and the ending of the regional development agencies and regional architecture.

RESOLVED

- 1. that the membership and active participation of Central Bedfordshire Council in the South East Midlands Local Enterprise Partnership (SEMLEP) in the form of a company limited by guarantee, be approved; and**
- 2. that the Chief Executive, in consultation with the Leader, be given delegated authority on the development and supporting activities of SEMLEP.**

E/10/155 **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 March 2011 – 28 February 2012 be noted subject to the outcomes of the review of transforming teaching and learning in Dunstable and Houghton Regis being deferred from 5 April 2011 to 31 May 2011.

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.45 p.m.)

Chairman

Dated