

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 6 November 2012.

PRESENT

Cllr J G Jamieson (Chairman)
Cllr M R Jones (Vice-Chairman)

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|---------------------------|-------|---|-------|---|
| Executive Members: | Cllrs | Mrs C Hegley B J Spurr R C Stay | Cllrs | Mrs P E Turner MBE M A G Versallion J N Young |
| Deputy Executive Members: | Cllrs | A L Dodwell D J Hopkin A M Turner | Cllrs | B Wells R D Wenham |
| Apologies for Absence: | Cllrs | A D Brown Mrs S Clark | | I Dalgarno |
| Members in Attendance: | Cllrs | P N Aldis Mrs A Barker A R Bastable R D Berry M C Blair D Bowater Cllr Mrs G Clarke P A Duckett C C Gomm | Cllrs | Mrs S A Goodchild D J Lawrence D McVicar J Murray T Nicols B Saunders A Shadbolt I Shingler Miss A Sparrow |
| Officers in Attendance | | Mr S Andrews Mr J Atkinson Mr R Carr Ms D Clarke Mr A Fleming Mr R Fox Mrs E Grant Mrs S Hobbs Mrs J Ogley Mr D Pywell Mr C Warboys | | Strategic Planning and Housing Team Leader Head of Legal and Democratic Services Chief Executive Interim Assistant Chief Executive (People & Organisation) Service Director - Business Services Head of Development Planning and Housing Strategy Deputy Chief Executive/Director of Children's Services Committee Services Officer Director of Social Care, Health and Housing Regeneration Lead Chief Finance Officer |

E/12/60 **Minutes**

RESOLVED

that the minutes of the meeting held on 2 October 2012 be confirmed as a correct record and signed by the Chairman.

E/12/61 **Members' Interests**

None were declared.

E/12/62 **Chairman's Announcements**

The Chairman advised Members that Agenda item 15 'Consultation on Admission Arrangements 2014/15' would be taken after Agenda Item 12 'Determination of Admission Arrangements to Greenleas Lower School (Sandhills) for September 2013.

The Chairman congratulated Councillor Richard Wenham and officers on the Council's success in securing the Excellence in Digital Communications Award, sponsored by the multi national company, GovDelivery. The Award was in recognition of the Council's progress in developing electronic channels to both inform and engage with local residents and businesses.

The Chairman referred to the Prime Minister's recent visit to Central Bedfordshire to discuss the Council's joint working with local organisations to reduce crime.

E/12/63 **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. Petition to Request Central Bedfordshire Council to Arrange for the Closure of the Urban Footway between St Neots Road and Bellan Way, Sandy

Councillor Aldis presented a paper petition on behalf of residents in Sandy, containing a total of 18 signatures urging the Council to close an urban footway between St Neots Road and Bellan Way, Sandy. Councillor Aldis explained that the footway was blighting residents lives due to anti-social behaviour. He also explained that the local Police were in support of the petition.

The Executive Member for Sustainable Communities – Services thanked Councillor Aldis and explained that the Council had been in contact with local residents and the Police about the anti-social behaviour in the footway. Officers had investigated the ownership of the footway.

There appeared to be no record of any public rights or liability over the south-western half of the path the Council had no legal interest in the footpath and no power to close it. The owner of the property that abutted the south-western half of the path had been advised by the Council that if no record was found than he might be entitled to close the footway. However, in doing so he would have to ensure that it did not infringe any private rights of access or easement and it could cause precipitated complaints and possibly a claim under the Wildlife and Countryside Act 1981 for a public footpath to be recorded.

2. Petition to Request Central Bedfordshire Council to Pay Sufficient Compensation to the Shopkeepers in Dunstable who have Suffered due to the Road Works in Kingsway, Court Drive and Queensway

Mr Bloye presented a paper petition on behalf of the shopkeepers in Dunstable, containing a total of 24 signatures, requesting compensation for the shopkeepers whose trade and profit had been affected adversely by the road works in Dunstable.

The Executive Member for Sustainable Communities – Strategic Planning and Economic Development thanked Mr Bloye for presenting the petition. The Executive Member explained that a one way system had been introduced whilst road works were taking place to enable them to be completed faster, thereby causing less disruption. He also explained that Mr Selous MP, local councillors, officers and Amey had met with shopkeepers in the area to discuss measures to reduce the impact of the works. As a result, extra signage and publicity had been arranged. Also, a lay-by had been installed opposite Mr Bloye's business replacing the double yellow lines that had been in place previously.

E/12/64

Public Participation

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

1. Mr M Stonnell

Mr Stonnell spoke to Agenda item 9 'Development Strategy for Central Bedfordshire'. Mr Stonnell enquired about the funding of the proposed Luton North bypass and the sequencing of new housing and infrastructure. He also asked a question about the response to the consultation and the line of the Luton North bypass appearing to be passing through the urban extension rather than the outer edge creating noise for surrounding homes and problems associated with the separation of the proposed community.

The Executive Member for Sustainable Communities – Strategic Planning and Economic Development explained that the Luton North Consortium had agreed to fund the A6-M1 link road from Sundon Park Road to the A6. The road would be a wide single carriageway with the provision to upgrade it to a dual carriageway if further investment was received from the Highways Agency. It was anticipated that the first part of the development would be a rail freight interchange. The proposed recommended route for the bypass would be available in the near future.

E/12/65 **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 December 2012 to 30 November 2013 be noted.

E/12/66 **Capital Programme Review**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that outlined adjustments to the General Fund Capital Programme for 2012/13 onwards following the completion of a review. The revenue implications of the proposals resulting from the review, together with the proposed inclusion in the Programme of the Woodside Link and Bedfordshire Energy and Recycling project were outlined in the report. Proposals were made to progress the development of a Capital Programme for inclusion within the Medium Term Financial Plan 2013 – 2017.

The Deputy Leader and Executive Member for Corporate Resources moved an additional recommendation, which was duly seconded:-

“note that the Council remains committed to regeneration of the Quadrant and will consider any investment proposal in that context.”

Reason for decision: To progress the development of a Capital Programme for the Council’s Medium Term Financial Plan 2013 – 2017 and revise capital budgets for 2012/13.

RECOMMENDED to Council

- 1. that the changes to the Capital Programme 2012/13 to 2015/16, as outlined in the report at paragraphs 33 to 37, tables 3 and 4, be approved;**
- 2. to include in the Capital Programme a maximum of £35m to support the Bedfordshire Energy and Recycling (BeaR) Project from 2013/14 to 2015/16 as outlined in the exempt Appendix B to the report. It is anticipated this would be funded by Prudential Borrowing, with its associated revenue implications as set out in the report;**

3. ***that the estimated receipts for the periods 2016/17 and 2017/18, be earmarked to repay any Prudential Borrowing undertaken in respect of the BeaR project; and***
4. ***that the Woodside Link scheme be included in the Capital Programme from 2012/13 to 2017/18 with the consequential impact for Prudential Borrowing and associated revenue implications as set out in the report, whilst noting that officers continue working to confirm the extent of external contributions to the scheme.***

RESOLVED

1. **that the forecast for capital receipts at paragraphs 48 to 50 and table 7 in the report be noted;**
2. **that Officers prepare a full Capital Programme for the period of the Medium Term Financial Plan (2013-2017) as part of the budget setting process in February 2013; and**
3. **that the Council remains committed to regeneration of the Quadrant and will consider any investment proposal in that context.**

E/12/67

Development Strategy for Central Bedfordshire

The Executive considered a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that presented the draft Pre-Submission version of the Development Strategy. The Development Strategy was an overarching planning policy document that set out the overall approach to new development in Central Bedfordshire for the period to 2031, including new homes, jobs and infrastructure and detailed policies to guide decisions on planning applications.

Members noted the comments from the Sustainable Communities Overview and Scrutiny Committee, Councillor Nicols' comments and the response to these comments from the Executive Member.

The Executive Member moved revised recommendations, which was duly seconded:-

- “1. That the draft Pre-Submission Development Strategy, attached at Appendix A to the report, be approved for the purposes of Publication and Submission to the Secretary of State.
2. To delegate authority to the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development, to make any minor amendments to the Development Strategy, including any saved policies from the adopted North Core Strategy:
 - (i) prior to Publication;
 - (ii) after Publication but before Submission; and
 - (iii) during the Examination Process.”

The Executive Member responded to questions from Non-Executive and Executive Members about the M1-A6 link road, the density of the housing, the requirement for 30% of all qualifying sites to provide affordable housing and the need to provide appropriate accommodation for older people. A Task Force was currently compiling the Housing Strategy and once this document had been approved it would become a supplementary planning document.

Reason for decision: To enable progress on the draft Development Strategy prior to its formal submission to the Secretary of State in May 2013 and during the Examination period.

RECOMMENDED to Council

- 1. that the draft Pre-Submission Development Strategy, attached at Appendix A to the report, be approved for the purposes of Publication and Submission to the Secretary of State; and***
- 2. to delegate authority to the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development, to make any minor amendments to the Development Strategy, including any saved policies from the adopted North Core Strategy:***
 - (i) prior to Publication;***
 - (ii) after Publication but before Submission; and***
 - (iii) during the Examination Process.***

E/12/68

Commissioning for Outcomes : Development of a Framework Agreement for Domiciliary Care

The Executive considered a report from the Executive Member for Social Care, Health and Housing about the retendering of the current domiciliary care block contracts and the proposed contractual arrangements to be adopted.

Members welcomed the proposed strategic approach to the future commissioning of domiciliary care services as this would provide access to the widest choice of service from high quality providers and support the shift to care based on more personal and flexible arrangements. In response to a question about customers using this service as way of receiving social interaction, the Executive Member acknowledged this concern which was not the purpose of the services provided and confirmed other approaches to tackling the issue of loneliness were being developed.

Reason for decision: A Framework Agreement would enable the Council to shape the domiciliary care market, and give value for money, by commissioning services from a number of high quality domiciliary care providers who were able to meet customer's personalised outcomes, whether customers were publicly or privately funded.

RESOLVED

that the establishment of a Framework Agreement to replace current block and spot contracting arrangements for domiciliary care providers be approved.

E/12/69

Commissioning for Outcomes: Approach to Standards and Quality of Dementia Care, Fee Levels for Care Homes, and Planned Withdrawal from Existing Block Contract Arrangements

The Executive received a report from the Executive Member for Social Care, Health and Housing that presented an overview of the work planned to secure good quality care for some of the Council's most vulnerable residents. The report contained proposals which were designed to ensure that the social care market was able to meet current care needs and the demands of the future.

Reason for decision: To enable the Council to deliver services to vulnerable and frail people that shifts the balance of care to more personal and flexible arrangements.

RESOLVED

- 1. that the establishment of a dementia quality accreditation scheme from January 2013 be approved;**
- 2. that the introduction of an incentive scheme for all dementia related residential care home payments from January 2013 be approved;**
- 3. to authorise the Director of Social Care, Health and Housing to undertake a procurement exercise, in consultation with the Executive Member for Social Care, Health and Housing, to establish a Framework Agreement for engaging with providers of care homes in the future;**
- 4. that the establishment of a quality system for informing general residential and nursing care home fee levels from 2013/14 be approved;**
- 5. that the proposals in respect of the Central Bedfordshire Council Procurement Procedure Rules as set out in exempt Appendix C to the report be approved;**
- 6. that the proposed arrangements for the current contract as described in exempt Appendix C to the report be approved; and**
- 7. that the granting of new leases as described in exempt Appendix C to the report be approved.**

E/12/70

Determination of admission arrangements to Greenleas Lower School (Sandhills) for September 2013

The Executive considered a report from the Executive Member for Children's Services that set out the proposed admissions 'over subscription' criteria for Greenleas Lower School (Sandhills), in the context of the previously approved statutory proposals to expand the school onto a second site.

Reason for decision: To determine the admission criteria for Greenleas Lower School (Sandhills), Leighton Buzzard.

RESOLVED

- 1. that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2009 be noted, which the bringing forward of the proposals outlined in the report has complied with;**
- 2. that the statutory notice and the proposed admissions arrangements as set out in Appendix A to the report, issued on 11 June 2012 under Section 19(1) of the Education and Inspections Act 2006 for Greenleas Lower School be noted; and**
- 3. that the recommended admission criteria as set out in the report, for September 2013, be approved.**

E/12/71

Consultation on Admission Arrangements 2014/15

The Executive considered a report from the Executive Member for Children's Services that sought approval to commence consultation on Admission Arrangements for 2014/15, specifically the Council's co-ordinated admissions scheme and admission arrangements for Community and Voluntary Controlled Schools. Members noted the proposal to remove the catchment areas for Community and Voluntary Controlled schools and to move to an open admissions policy.

The Executive Member for Sustainable Communities – Services advised Members that the Council would only pay travel expenses to the nearest available school and therefore if Academies take children from other areas, the Academies should make this clear to the parents.

Reason for decision: To enable the Council to meet its statutory obligations to consult on admission arrangements.

RESOLVED

- 1. that the situation regarding Greenleas School referred to in agenda item 12 be noted;**

2. **that the commencement of consultation for Central Bedfordshire's co-ordinated admissions scheme as set out in the report be approved;**
3. **that the proposed admission arrangements for Community and Voluntary Controlled Schools for the academic year 2014/15 be approved; and**
4. **that the commencement of the consultation for Central Bedfordshire's admission arrangements for Community and Voluntary Controlled Schools for the academic year 2014/15 be approved.**

E/12/72

Food Waste Disposal & Collection Contracts

The Executive considered a report from the Executive Member for Sustainable Communities that sought approval to retender the two contracts, the Food Waste Disposal Contract and the Food Waste Collection Contract, that were operating in the north of Central Bedfordshire.

Reason for decision: To ensure that the disposal and collection of food waste can continue in the interim period prior to the implementation of the Bedfordshire Energy and Recycling (BEaR) waste management solution and the subsequent procurement of contracts for the collection of all household waste.

RESOLVED

1. **that the procurement of the following two waste management contracts be approved in accordance with the Council's Code of Procurement Governance:**
 - (a) **the disposal of Food Waste;**
 - (b) **the Collection of Food Waste; and**
2. **to delegate the award of the two contracts to the Director of Sustainable Communities, in consultation with the Executive Member of Sustainable Communities Services, subject to successful procurement processes.**

E/12/73

Assets Disposals List

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that recommended that the properties set out in the exempt Appendix A be disposed of to achieve the best value for money and to realise capital receipts as soon as possible. The estimated value of the properties on the disposal list were based on the current economic climate.

The Deputy Leader and Executive Member for Corporate Resources moved the following revised recommendations, which was duly seconded:-

- “1. that the disposal of the properties included in the Assets Disposal List, as shown in the exempt Appendix A to the report be approved, and the Service Director, Business Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, be authorised to approve the terms of disposal provided that the sale price does not fall below the estimated value of the property shown in Appendix A by more than £250,000 or 10% of the estimated value whichever amount is greater; and
2. that the transfer, subject to individual business cases, of suitable residential properties to the Housing Revenue Account.”

The Deputy Leader and Executive Member for Corporate Resources confirmed that relevant ward Members would be consulted before any decision was taken on any property.

Reason for decision: So that completion of the disposals could be effected sooner and more efficiently and to avoid having to come back to the Executive every time a sale was likely to exceed £500,000. This would also allow the early use of suitable residential property by the Housing Revenue, where appropriate.

RESOLVED

- 1. that the disposal of the properties included in the Assets Disposal List, as shown in the exempt Appendix A to the report be approved, and the Service Director, Business Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, be authorised to approve the terms of disposal provided that the sale price does not fall below the estimated value of the property shown in Appendix A by more than £250,000 or 10% of the estimated value whichever amount is greater; and**
- 2. that the transfer, subject to individual business cases, of suitable residential properties to the Housing Revenue Account.**

E/12/74

Exclusion of the Press and Public

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 of Part I of Schedule 12A of the Act.

E/12/75 Former Barton Training Centre (Orchard School), Higham Road, Barton-Le-Clay

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought consent to dispose of the former Barton Training Centre (Orchard School), Higham Road, Barton-Le-Clay. This property had previously been used by the former Bedfordshire County Council as a Training Centre, but leased to Orchard Independent School since November 2001.

Reason for decision: To dispose of a surplus property to enable the school to invest and expand.

RESOLVED

that the sale be approved of the unencumbered freehold of the property, at a sale price as set out in the report, to be received upon completion of the transfer documentation.

E/12/76 Capital Programme Review

See minute E/12/66 for details.

E/12/77 Commissioning for Outcomes: Approach to Standards and Quality of Dementia Care, Fee Levels for Care Homes, and Planned Withdrawal from Existing Block Contract Arrangements

See minute E/12/69 for details.

E/12/78 Assets Disposals List

See minute E/12/73 for details.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.30 a.m.)

Chairman

Dated

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