

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 27 May 2014.

### PRESENT

Cllr J G Jamieson (Chairman)

Executive Members:	Cllrs	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 D Brown Mrs S Clark I Dalgarno A L Dodwell	Cllrs	D J Hopkin A M Turner B Wells R D Wenham
Apologies for Absence:	Cllr	M Jones		
Members in Attendance:	Cllrs	P N Aldis Mrs A Barker A R Bastable R D Berry D Bowater Mrs B Coleman Mrs R J Drinkwater P A Duckett C C Gomm Mrs S A Goodchild	Cllrs	Ms A M W Graham D Jones Mrs J G Lawrence D J Lawrence K C Matthews J Murray B Saunders A Shadbolt I Shingler Miss A Sparrow
Officers in Attendance		Mr S Andrews Mr R Carr Ms D Clarke Mrs M Clay Dr D Cox Mr R Fox Mrs S Frost Mrs E Grant Mrs S Hobbs Mr T Keaveney Mr J Longhurst Mr S Mooring Ms C Murphy		Strategic Planning and Housing Manager Chief Executive Director of Improvement and Corporate Services Chief Legal and Democratic Services Officer Chief Assets Officer Head of Development Planning and Housing Strategy Local Planning and Housing Manager Deputy Chief Executive/Director of Children's Services Committee Services Officer Assistant Director Housing Services Director of Regeneration and Business Environmental Policy Manager Principal Planning Officer

Mr R Parsons	Head of School Organisation and Capital Planning
Mr M Pyecroft	Major Projects Officer
Mr C Warboys	Chief Finance Officer

E/14/1. **Minutes**

**RESOLVED**

**that the minutes of the meeting held on 22 April 2014 be confirmed as a correct record and signed by the Chairman.**

E/14/2. **Members' Interests**

Councillor Stay declared a prejudicial interest in items 8 'Ashton CofE VA Middle School proposal to change the School's Age Range from a 9 to 13 years Middle School to an 11 to 16 years Secondary School' and 9 'Proposals to Close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton Church of England VA Middle School', as he was a School Governor at Caddington Village School, which was itself consulting on age range changes. Councillor Stay had voiced his opinions on this issue publicly before the meeting. Councillor Stay was not present during these items.

It was noted that all Executive Members had a personal interest as they were School Governors.

E/14/3. **Chairman's Announcements**

Lightening had struck Red House Court, Houghton Regis, a sheltered housing scheme, on Thursday 22 May 2014. Residents had to be evacuated and rehoused with either relatives at Caddington Hall. The Chairman had visited Caddington Hall and received positive feedback from residents on how well they had been supported and thanked all those involved. He requested the Chief Executive to thank those employees involved, which Members supported.

The Chairman announced that item 18 'Housing Allocations Policy' would be considered after item 7 'Forward Plan of Key Decisions'.

E/14/4. **Petitions**

See minute number E/14/8.

E/14/5. **Public Participation**

The following statements were received in accordance with the Public Participation Scheme.

## 1. Mike Bishop

Mr Bishop spoke to item 11 'Development Strategy – Revised Pre-Submission Version' and posed a question about the delivery of the requirement for 30% of new homes to be affordable, bearing in mind that exceptions had had to be made on financial viability grounds.

The Executive Member for Regeneration explained that the Council strived to deliver the 30% affordable housing, but in some cases this was not possible due to the need for critical infrastructure. However, there were developments in Flitwick and Ampthill, for example, where over 30% of the houses would be affordable. The proposed new Market-Led Sustainable Development Policy would also allow a certain amount of development to come forward outside of settlement envelopes that would allow for additional affordable housing.

## 2. Mr Allen

Mr Allen asked for an update regarding road maintenance in Sandy, following a meeting with the Executive Member for Community Services and Council officers.

The Executive Member for Community Services agreed to provide Mr Allen with a written response.

See minute E/14/8 for public participation in relation to Ashton, Brewers Hill and Streetfield Middle Schools.

### E/14/6. **Forward Plan of Key Decisions**

#### **RESOLVED**

**that the Forward Plan of Key Decisions for the period 1 May 2014 to 30 April 2015 be noted.**

### E/14/7. **Housing Allocations Policy for Central Bedfordshire**

The Executive considered a report from the Executive Member for Social Care, Health and Housing that set out the proposed Housing Allocations Policy. The Policy would ensure that social housing in Central Bedfordshire was allocated on a fair and transparent basis to meet local housing need, incentivise employment and promote social mobility.

In response to questions, the Executive Member for Social Care, Health and Housing highlighted that any non-resident wanting to go onto the housing register would need to be in contracted employment in Central Bedfordshire for a period of at least 6 months. The policy would also help veterans and their families to resolve their housing need, in line with the Central Bedfordshire Armed Forces Community Covenant.

Members noted that additional consultation would be carried out on the specific proposal that older people should have priority for a home in close proximity to where they lived.

Reason for decision: To ensure that the Council had in place and maintained an up to date Housing Allocations Policy that was in line with legal requirements, having taken into consideration the views of stakeholders.

## **RESOLVED**

- 1. that the Central Bedfordshire Housing Allocations Policy, attached at Appendix 1 to the report, be adopted as the Allocation Scheme for social housing in Central Bedfordshire;**
- 2. to authorise the Director of Social Care, Health and Housing, in consultation with the Executive Member for Social Care, Health and Housing to:**
  - 2.1 allocate social housing in accordance with the Housing Allocations Policy, at such time as the Policy could be implemented successfully;**
  - 2.2 amend or vary the detailed wording of the Housing Allocations Policy, where to do so does not change the strategic intent or overarching aims of the policy, so as to ensure the Policy was and remains effective in operational terms, to achieve the Policy objectives;**
  - 2.3 consult for four weeks on the specific proposal that Older People should have priority for a home in close proximity to where they live, to then decide either to retain, modify or remove this specific policy, having taken into account the views of the stakeholders and the public;**
  - 2.4 develop and implement on an annual basis, a Lettings Plan that is aligned to the aims and intent of the Housing Allocations Policy; and**
  - 2.5 develop and implement monitoring arrangements to ensure that the aims of the Policy were achieved and to support the Council's duty to promote Equality, in line with the mitigations set out in the Equalities Impact Assessment.**

E/14/8.

## **Determination of the Statutory Proposal of the Governing Body of Ashton CofE Voluntary Aided Middle School**

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

### **Save Brewers Hill Community Middle School**

Mrs Varney and Mrs Boulton presented a paper petition, containing a total of 792 signatures opposing the closure of Brewers Hill Community Middle School.

Prior to consideration of the report and the subsequent item, and in accordance with the Council's Scheme of Public Participation, the Chairman invited 7 speakers to address the Executive. Members of the public raised comments and concerns, which in summary included the following:-

- governors and teachers at Ashton Middle School were confident that they would be able to deliver the appropriate curriculum for a secondary school;
- small secondary schools were not unique as there were 377 such secondary schools in England;
- Ashton Middle School had appointed a Business Manager to ensure that their 5-year plan was robust;
- the reason why parents had not listed Ashton Middle School in the admissions process was due to the threat of the school being closed;
- that parents in Dunstable should have the option of choosing a faith-based middle school for their child;
- that pupils attending Ashton Middle School were happy and being supported to learn to their best ability;
- that parents were concerned that the closure of the Middle Schools would affect their children's education;
- that pupils at other upper schools such as Harlington and Redbourn were still achieving high grades without the need for the schools to become secondary; and
- Streetfield Middle School had circulated a business case for them to become a primary school to deliver education for 0-19 years on one campus.

The Executive considered a report from the Executive Member for Children's Services and additional paperwork provided by Ashton Middle School which outlined a significant change proposed by the Governing Body of Ashton Middle School, a Church of England Voluntary Aided School in Dunstable. The prescribed alteration being proposed by the School was to its existing upper and lower age limit with a view to becoming a Secondary School with effect from September 2015, eventually accommodating children aged 11 to 16 years.

An evaluation of the proposal had been carried out against the factors set out in the Department for Education's guidance for decision makers and this indicated weaknesses within the proposal and the information provided by Ashton Middle School.

The Executive took into consideration:

- the demand for the school;
- the size of the school, including the playing fields;
- the national curriculum;
- community cohesion; and
- travel and accessibility.

Reason for decision: To ensure the Council meets its statutory obligations as set out in the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013, to determine the proposal made by the Governing Body of Ashton CofE VA Middle School of a prescribed alteration to change the school's age range. The Executive was required to make a decision within two months of the end of the representation period which concluded on the 14 April 2014.

## **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 2013, have been complied with in bringing forward the proposal to change the age range of Ashton C of E VA Middle School as outlined in the report and in the school's consultation document as attached at Appendix A to the report;**
- 2. that receipt of the representation on the 8 April 2014 at Appendix C to the report in respect of the proposal to make a prescribed alteration to change the age range of Ashton C of E VA Middle School and the statutory notice as set out in Appendix B to the report, issued on the 17 March 2014 under section 19(3), of the Education and Inspections Act 2006 be confirmed;**
- 3. that receipt of the business case dated 4 April 2014 attached at Appendix D to the report submitted by the Governing Body of Ashton C of E VA Middle School outlining its support and rationale for the proposal to change the age range of Ashton C of E VA Middle School as outlined in the report be confirmed; and**
- 4. that the statutory proposal, (Appendix B) published by the Governing Body of Ashton C of E VA Middle School on 17 March 2014, to change the age range of Ashton C of E VA Middle School, the linked Prescribed Alterations (Appendix A) and the current business case (Appendix D) and the statutory proposal for the reasons set out in paragraph 76 of the report be rejected.**

E/14/9.

**Consideration of the outcome of statutory consultations of proposals to close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton Church of England (C of E) Voluntary Aided (VA) Middle School in August 2016.**

The Executive considered a report from the Executive Member for Children's Services that provided information on the responses to the consultations on the phased closure of Brewers Hill Middle School and Streetfield Middle School and the Church of England Voluntary Aided School of Ashton Middle from September 2015, with full closure from August 2016. The responses to each of the consultations had not identified any viable alternative proposals.

In response to questions, the Executive Member for Children's Services acknowledged that there would be new housing development in Dunstable and Houghton Regis but the forecast indicated that this would not produce significant additional pupil yield in the relevant area that could not already be accommodated within the surplus places that currently existed. If a decision was taken in August to close the three schools the sites would need to be offered up for educational use.

He explained that the business plans for Ashton and Streetfield Middle School were not robust and did not appear to be financially viable. The Executive advised the schools to work on their business plans for further consideration at the Executive meeting on 19 August 2014.

Reason for decision: To ensure the Council continued to meet its statutory obligations to provide sufficient school places and also to meet the legal requirements placed on the Council by The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2013 regarding proposals to close the three maintained schools as set out in the report.

**RESOLVED**

- 1. that the publication of statutory notices and final representation period to close Brewers Hill Community Middle School in Dunstable, phased from September 2015, with final implementation in August 2016 be progressed;**
- 2. that the publication of statutory notices and final representation period to close Streetfield Community Middle School in Dunstable, phased from September 2015, with final implementation in August 2016 be progressed; and**
- 3. that the publication of statutory notices and final representation period to close Ashton Church of England Voluntary Aided Middle School in Dunstable, phased from September 2015, with final implementation in August 2016 be progressed.**

[Note – for details on the public speakers see minute no. E/14/8.]

The meeting adjourned from 11.50 a.m. to 12 noon.

E/14/10. **Developing the Early Intervention Offer through Children's Centres**

The Executive considered a report from the Executive Member for Children's Services that set out a proposed public consultation exercise covering four potential models of delivery of the Early Intervention, Early Help offer through Children's Centres. The consultation period would be between 28 May 2014 and 19 August 2014 looking at what services the public would like to see working out of the Children's Centres, as well as finding out what services the current Centre users find most useful. It was noted that there was no intention of closing any of the nine hubs.

In response to a question, the Executive Member for Children's Services confirmed that the results of the public consultation would be circulated to the Members of the Children's Services Overview and Scrutiny Committee.

Reason for decision: To enable the Executive to receive a further report on 23 September 2014 setting out the outcome of the consultation process and to specify the future contract arrangements for Early Intervention and Prevention Services for Children and Families operating within Children's Centres for the next three year period.

**RESOLVED**

**that the commencement of the consultation process, based on the four potential models, as set out in the report, be approved.**

E/14/11. **Development Strategy - Revised Pre-Submission Version**

The Executive considered a report from the Executive Member for Regeneration that included a revised 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 up to 2031, including new homes, jobs and infrastructure and detailed policies to guide decisions on planning applications. The Development Strategy had been revised following the comments received from the public consultation and a changed policy context.

In response to questions, the Executive Member for Regeneration confirmed that the Council was working closely with neighbouring authorities to help meet Luton's unmet housing need in line with the Duty to Co-operate.

Pending the adoption of the Development Strategy, the existing policies covering the north of Central Bedfordshire would continue to be used for development management purposes but the Executive Member agreed to seek clarification on points raised about the Marston Vale area and the Airfield at Cranfield.



Reason for decision: To enable progress on the draft revised Development Strategy prior to its formal submission to the Secretary of State in October 2014 and during the Examination period.

**RECOMMENDED to Council**

- 1. that the draft revised Pre-Submission Development Strategy attached at Appendix A to the Executive report be approved for the purposes of Publication and Submission to the Secretary of State; and**
- 2. to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to make any minor amendments to the Development Strategy:**
  - (i) prior to Publication;**
  - (ii) after Publication but before Submission; and**
  - (iii) during the Examination process.**

**RESOLVED**

**that the draft revised Pre-submission Development Strategy, be endorsed for Development Management guidance purposes for use in the south of Central Bedfordshire prior to its formal adoption\*.**

*\*In the north of Central Bedfordshire the existing adopted documents will continue to be used.*

**E/14/12. Plan-making Programme - the Local Development Scheme**

The Executive considered a report from the Executive Member for Regeneration that proposed endorsement of the Local Development Scheme. The Scheme sets out the scope and timetable for the production of future local plans for Central Bedfordshire, including specific reference to the Development Strategy, the Gypsy and Traveller Local Plan and Allocations Local Plan. These documents would be refreshed, updated and rolled forward the planning policy framework in Central Bedfordshire.

Reason for decision: To enable the Council to have a programme in place for the production of the Local Development Scheme.

**RESOLVED**

- 1. that the preparation of the three Local Plans (Development Strategy, Gypsy and Traveller Local Plan and Allocations Local Plan) and other associated documents be supported; and**
- 2. that the programme of plan-making, attached at Appendix A to the report, that sets out the formal Local Development Scheme for the whole of Central Bedfordshire be approved.**

E/14/13. **Local Development Order for Woodside Industrial Estate, Dunstable**

The Executive considered a report from the Executive Member for Regeneration that proposed a Local Development Order for the Woodside Industrial Estate and surrounding area in Dunstable to assist economic and employment growth in the area.

Reason for recommendation: To encourage economic and employment growth in the Dunstable area.

**RESOLVED**

**that the proposed Local Development Order (LDO) for the Woodside Estate and surrounding area in Dunstable be adopted, in order to assist businesses and contribute towards economic and employment growth in the area.**

E/14/14. **Strategy for North of Luton**

The Executive considered a report from the Executive Member for Regeneration that sought the commitment of the Council as landowner to actively participate in the North of Luton consortium to enable promotion of the Council's emerging Development Strategy and Framework Plan for North of Luton.

Reason for decision: Due to the potential financial impact on the Council of greater than £500,000 a decision was required by the Executive.

**RESOLVED**

- 1. that the Council as landowner, actively participates within the North of Luton Consortium to support the Framework Plan and strategic allocation in the Council's emerging Development Strategy and continues through to at least public examination (estimated by 1<sup>st</sup> Quarter 2015);**
- 2. that the spending allocated in the Capital Programme 2014/15 of up to £125k to enable commitment to a Planning Performance Agreement with the consortium and to achieve a Framework Plan for the site and to enter into a collaboration agreement to bring forward development within the timescales identified in the emerging Development Strategy be approved; and**
- 3. to authorise the Director of Regeneration and Business, in consultation with the Director of Improvement and Corporate Services, the Deputy Leader and Executive Member for Corporate Resources and Executive Member for Regeneration to monitor progress, evaluate emerging options and take appropriate actions to sustain the corporate interests of the Council.**

E/14/15. **Development Brief - Land at Potton Road, Biggleswade**

The Executive considered a report from the Executive Member for Regeneration that outlined the proposals contained within the draft development brief for a residential development at Potton Road, Biggleswade. The report also outlined where changes had been made in response to the public consultation.

In response to questions, the Executive Member for Regeneration acknowledged the concerns that the additional houses would increase the amount of traffic within Biggleswade. A full transport assessment was being prepared within a scope agreed with the Council, including consideration of contentious junctions within the town. The assessment would need to accompany any planning application submitted.

Reason for decision: A development brief was required by policy HA1 of the Site Allocations Development Plan Document for the North of Central Bedfordshire before applications were submitted to help guide the development management process.

**RESOLVED**

**that the development brief for Land at Potton Road, Biggleswade be adopted as technical guidance for development management purposes.**

E/14/16. **Planning Guidance Note on Solar Farm Development in Central Bedfordshire**

The Executive considered a report from the Executive Member for Regeneration that set out the draft solar farm planning guidance note to provide clarification within the development management process. The technical guidance would provide the Council with a robust platform for negotiation with developers to ensure that those communities and areas affected were in a position to benefit as much as possible from any development.

In response to a question, the Executive Member for Regeneration agreed to amend the guidance note as follows:-

- paragraph 5.42 to include a requirement for studies and visuals to identify the zone of theoretical visibility of the proposed development; and
- to clarify airfield safety assessments to all the areas that have airfields e.g. Cranfield and Shuttleworth.

Reason for decision: To provide the Council with an additional planning guidance for the consideration of planning applications for solar farm developments.

## RESOLVED

1. that the guidance note on solar farm development in Central Bedfordshire, as amended, be adopted as technical guidance for development management purposes; and
2. to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to make minor amendments to the technical guidance note prior to its publication.

E/14/17.

### **Superfast Broadband Extension Programme**

The Executive considered a report from the Executive Member for Regeneration that proposed that the Council fully participated in the Broadband Delivery UK (BDUK) Superfast Extension Programme. This would enable the delivery of the necessary infrastructure to provide superfast broadband (speeds of at least 24 Megabits per second) to at least 95% of premises and at least 2 Megabits per second to all premises in Central Bedfordshire. An additional £500,000 capital funding was required to fully match BDUK funding.

Reason for decision: To secure external resources and put in place the necessary infrastructure at the earliest opportunity to accelerate the delivery of superfast broadband, in line with achieving the Council's medium term objectives and Joint Local Broadband Plan.

### ***RECOMMENDED to Council***

***That an additional £500,000 capital funding to fully match Broadband Delivery UK allocations for the delivery of superfast broadband infrastructure be approved.***

## RESOLVED

1. that the use of the BDUK procurement framework to select a private partner to put in place necessary infrastructure to deliver at least 95% superfast coverage (speeds of at least 24 megabits per second) and ensure access to infrastructure able to provide at least 2 Megabits per second to all premises be approved;
2. that the local procurement priority, to maximise total coverage, and subject to this, seek to achieve a balance of residential and business premise coverage and to seek to achieve a reasonable geographic spread, taking into account local demand, demonstrated through responses to the Broadband survey be approved;

3. to authorise the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration and Deputy Executive Member for Corporate Resources, to select the contractor based on any priorities the Council sets and the successful completion of the BDUK procurement process and sign and vary the contract if additional resources are secured during the lifetime of the contract;
4. to authorise the Deputy Executive Member for Corporate Resources, in consultation with the Executive Member for Regeneration, to represent the Council through the Superfast Extension Programme; and
5. that the Council's continued participation with the existing partnership arrangements, updating the collaboration agreement as required be approved. Furthermore, that the Deputy Executive Member for Corporate Resources, in consultation with the Director of Regeneration and Business, approves any proposed changes to the membership and terms of reference to the partnership.

E/14/18. **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/14/19. **Stratton Phases 4 and 5**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought guidance on an approach to unlock the potential of Stratton Park.

Reason for decision: Due to the potential cost of exiting the contract for Stratton phase four a decision was required by the Executive.

**RESOLVED**

to authorise the Director of Improvement and Corporate Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, to negotiate an exit of the Contractor from Stratton 4 on the best available terms, whether they be cash or land settlement.

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.40 p.m.)

Chairman .....

Dated .....