

CENTRAL BEDFORDSHIRE SHADOW COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 14 April 2009.

PRESENT

Cllr Mrs P E Turner MBE (Chairman)
Cllr P Penman (Vice-Chairman)

Cllrs	M R Chapman	Cllrs	P Rawcliffe
	N B Costin		D Ross
	Mrs R J Drinkwater		P Snelling
	M R Jones		R Stay
	K C Matthews		J Street

Members in Attendance:	Cllrs	P N Aldis	Cllrs	J H Lewis
		R G Baker BEM		Mrs A M Lewis
		A R Bastable		S F Male
		P A Blaine		D McVicar
		Mrs J G Lawrence		A A J Rogers
		D J Lawrence		

Officers in Attendance:	Mr J Atkinson	–	Head of Legal Services
	Mrs E Grant	–	Deputy Chief Executive/ Director of Children, Families and Learning
	Mr C Heaphy	–	Director of Corporate Resources
	Mr B Jackson	–	Assistant Director Highways
	Mr C Jones	–	Assistant Director Business Transformation & Customer Services
	Ms D Lester	–	Senior Democratic Services Officer
	Mr R Mills	–	Committee Services Manager
	Mrs B Morris	–	Assistant Director Legal & Democratic Services and Monitoring Officer

E/08/117 **Minutes**

RESOLVED:

- 1. The Minutes of the meeting of the Shadow Executive held on 17 March 2009 were confirmed and signed by the Chairman as a correct record.**
- 2. The Minutes of the following meetings of the Executives of the predecessor authorities were received and signed off by the Chairman:**

- **Bedfordshire County Council's Executive – 10 March 2009**
- **South Bedfordshire District Council – 17 March 2009**
- **Mid Bedfordshire District Council – 18 March 2009.**

E/08/118 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

E/08/119 **Chairman's Announcements and Communications**

There were no matters of Communication.

E/08/120 **Petitions**

There were no petitions received from members of the public under the Public Participation Procedure allowed for under Part A4 of the Constitution.

E/08/121 **Public Participation**

There were no applications from members of the public to speak under the Public Participation Procedure allowed for under Part A4 of the Constitution.

E/08/122 **Disclosure of Any Exempt Information**

There was no disclosure of exempt information.

E/08/123 **Interim Customer Charter**

The Executive considered a report from the Portfolio Holder for Business Transformation seeking adoption of an interim Customer Charter for Central Bedfordshire. The Charter would enable customers to understand the level of service they could expect from the Council until a full review of the Customer Services Strategy was concluded later in the year.

Members discussed the accessibility of information and the fact that information on Council services could be made available in different formats upon request. Whilst accepting it was entirely appropriate that information should be made available in alternative formats when needed, it was acknowledged the Government was now encouraging people to speak, read and write in English. Members were advised that the predecessor authorities had received only limited requests for translation of information and officers were confident with the budget that had been allocated for this purpose. It was noted that the Business Transformation Overview & Scrutiny Committee would look at accessibility of information as part of the development of a revised Customer Services Strategy.

In response to comments Members were assured that all staff would be expected to sign up to the Customer Charter and that post approval a communication plan would be put in place to disseminate the Charter throughout the organisation.

Reason for decision: To obtain Executive approval for the Customer Charter.

RESOLVED:

That the Executive adopts the Customer Charter attached at Appendix A to the submitted report as the Customer Charter of Central Bedfordshire until a full review is concluded of the Customer Services Strategy.

E/08/124

Central Bedfordshire Local Safeguarding Children Board

The Executive considered the report of the Portfolio Holder for Children, Families and Learning setting out arrangements to ensure a safe and effective disaggregation of the Bedfordshire County Council Local Safeguarding Children Board (LSCB) in order to meet the needs and requirements of the new authority of Central Bedfordshire.

The Portfolio Holder informed Members that the overall purpose of the LSCB was to oversee the arrangements for the protection and safeguarding of children in the area of the authority. It was a multi-disciplinary partnership, bringing together all the relevant agencies, and would be integrated into and report to the Children's Trust.

The Director of Children, Families and Learning reported that since the Children's Trust was set up in November 2008 the Children's Trust Board at its meeting on 9 April 2009 had agreed to separate the "Stay Safe" and "Be Healthy" elements of the Well-Being Sub-Group. This was a practical step to enable the Sub-Groups to work more effectively.

The submitted report outlined the legislative requirements on the operation of the LSCB as well as the specific recommendations from The Laming Report – "The Protection of Children in England: A Progress Report" 2009. Members were advised that until statutory guidance and regulations change, it was the Secretary of State who would decide the way forward with Lord Laming's recommendations.

The Executive was informed that the initial disaggregation of the Bedfordshire County Council LSCB was envisaged to take six months from 1 April, and a further six months to fully embed the new arrangements. For the initial six month period, the LSCB would continue meeting in the current form although a number of separate actions would be undertaken to ensure key disaggregation milestones are met. The proposal was for the current Chair of the Bedfordshire LSCB to continue in that role for both the new authorities for this period. One of the key next steps was the appointment of a Chair of the Central Bedfordshire LSCB to be fully functional from the end of the initial six month period.

Members sought assurance that the Director of Children, Families and Learning would oversee the transitional arrangements. The Director explained that the strategic positioning of the LSCB was critical to the safeguarding of children. For this reason, during the transition period, the proposal was to establish a high level Strategic LSCB, which on behalf of Central Bedfordshire she would lead on, to work alongside the other major partnerships to ensure:

1. that the accountability of the Chair of the LSCB to the Director of Children, Families and Learning for Central Bedfordshire is clear and that the Director of Children's Services in Bedford can contribute and meet his own statutory requirements;
2. that the joint arrangements, led by Central Bedfordshire are reviewed on a regular basis; and
3. that the LSCB actions link securely with the Central Bedfordshire's Children's Trust and the Bedford Children's Trust.

Members questioned the proposed arrangements for reporting on the functioning of the Central Bedfordshire LSCB. In noting that a report would be presented to the Executive on an annual basis Members agreed that the minutes of the Central Bedfordshire LSCB should be taken to the Children, Families & Learning Overview & Scrutiny Committee who could submit reports to the Executive, if, and when appropriate. It was noted that future governance arrangements as a result of the Government deciding the way forward with Lord Laming's recommendations would be considered by the Overview & Scrutiny Committee, as appropriate, including the governance arrangements of partner organisations. In terms of whether meetings of the LSCB, the Children's Trust and its Sub-Groups were open to the public Members agreed, where legislation allowed and subject to partner organisations' own governance arrangements, that there should be a presumption that meetings should be held in public.

Reason for decision: Safeguarding children is possibly the most complex, important and sensitive responsibility of the Council and its partners. The Executive will wish to be regularly informed of progress in the establishment of effective multi-agency safeguarding arrangements. In regulation the LSCB reports in accountability terms to the Children's Trust.

RESOLVED:

- 1. that the Executive agrees the arrangements to establish a Central Bedfordshire Local Safeguarding Children Board (LSCB) as set out in the submitted report.**
- 2. that an update report on the progress and functioning of the Central Bedfordshire LSCB be presented to the Executive annually and that the arrangements made by the Director of Children, Families and Learning to secure the operation of this Board be reconfirmed on an annual basis.**
- 3. that the proposed actions in response to the Lord Laming Report 2009 as outlined in Appendix 1 to the submitted report be noted.**

4. **that the Executive supports the intention of the Central Bedfordshire Children & Young People's Trust to separate the 'Stay Safe' and 'Be Healthy' elements of the Well-Being Sub-Group.**
5. **that the Executive receives reports, as appropriate, from the Children, Families & Learning Overview & Scrutiny Committee on the working of the Central Bedfordshire LSCB.**

E/08/125 **Highways Services Contract**

The Executive considered a report from the Portfolio Holder for Sustainable Communities updating Members on negotiations with Bedford Borough Council regarding the governance arrangements for the highways contract.

The Portfolio Holder for Sustainable Communities updated Members on the current position following the decision of the Shadow Executive on 17 February 2009 (Minute SE/08/97 refers) to negotiate with Bedford Borough Council (BBC) on the contract options for managing the Highways Contract. Both authorities had taken legal advice on the option of splitting the existing Highways contract into two stand-alone contracts and concluded this option was not acceptable.

As no agreement had been reached between BBC and CBC for the Highways Services Contract before 1 April 2009 the Secretary of State had nominated BBC as the "caretaker" council to whom the rights and liabilities transferred from 1st April, to be held on trust for itself and CBC until further arrangements are agreed and put in place.

Members were informed that CBC and BBC had since agreed that the contract will transfer to CBC, if practical, before June 2009. A draft novation agreement was currently being prepared setting out the terms under which the contract will transfer to CBC. A service level agreement (SLA) had also been drafted to regulate the manner in which highway services will be delivered to CBC, and the arrangements for payment, until such time as the contract transfers.

In the absence of a formal agreement between CBC and BBC, a letter had been sent to Amey LG covering the salient points of the SLA. This informs Amey that CBC officers will manage highways services in Central Bedfordshire directly and gives an undertaking that CBC will pay Amey LG directly, on the terms set out in the original contract with Bedfordshire County Council.

In response to Members seeking assurance about the legal footing of the letter to cover the period until novation of the contract takes place, the Head of Legal Services clarified that whilst the ability of CBC to develop the contract during the interim "caretaker" period was limited, the authority was protected by BBC, as the appointed caretaker, having to work in the best interests of CBC. It was noted that until a signed SLA or a novated contract was achieved there was commitment from both authorities to work amicably.

The Executive recorded its appreciation to the Portfolio Holder for Sustainable Communities and the Assistant Director for Highways and Transport for their hard work on the Highway Services Contract and in trying to secure the best interests of Central Bedfordshire Council.

Reason for decision: To update Executive on the progress being made on negotiations with Bedford Borough Council to secure highways services in Central Bedfordshire. To make Executive aware of any risks to the provision of highways services within Central Bedfordshire.

RESOLVED:

The Executive notes that:

- 1. from 1 April 2009 the Highways Contract transferred to Bedford Borough Council (BBC) who, as lead authority, will hold the contract in trust until such time as other arrangements are agreed between both authorities and put in place.**
- 2. negotiations are continuing with BBC to novate the Highways Contract to Central Bedfordshire Council (CBC) before June 2009.**
- 3. by exchange of letters, agreement has been reached to enable CBC to directly manage highways services provided by Amey within its area.**
- 4. the option of splitting the existing Highways Contract into two stand alone contracts, one for CBC and one for BBC, is no longer considered acceptable.**
- 5. that a further report be made to the meeting of the Executive on 23 June 2009.**

E/08/126

Creating Central Bedfordshire - Progress Report

The Executive considered a report from the Portfolio Holder for Business Transformation setting out overall progress following the adoption of the Implementation Plan by Shadow Executive on 10 June 2008.

The Director of Corporate Resources updated Members on progress in the following areas:-

- Para 3 -Staff – Approximately 50 people remained unmapped to a role or mapped into a competitive position.
- Para 6 -SLAs – A meeting was being held with officers at BBC later in the day about 22 of the outstanding 50 SLAs. Of the remaining 28 SLAs, 11 had already been signed off and 17 were being progressed.
- Line 32 - An enhanced Customer Service Strategy – The Strategy would now be submitted to the September meeting of the Executive and not July.

During the general discussion that ensued reference was made to the fact that all Members needed to be kept up to date on staffing and mapping issues. The Chairman asked that all Members receive regular updates through the Members Bulletin on staffing and mapping matters including the number of people in the redeployment pool, information about those matched to a post but awaiting the selection process and when positions were filled. Members also sought assurance that staff unmapped to a position be kept up to date with progress.

The Director of Corporate Resources updated Members on Line 16 – Final disaggregation of County assets with Bedford Borough Council (BBC). County assets still to be disaggregated were the former County Hall building and County Farms. BBC was caretaking the former County Hall building and County Farms were being caretakered according to where the Farms were located. High level meetings between BBC and CBC were continuing in an attempt to resolve the matter and avoid the arbitration process that would have to start should agreement not be reached.

The Portfolio Holder for Business Transformation reported she was withdrawing her recommendation on the remaining transitional budget being used to deliver a consolidation plan as it was premature to make a decision on a plan that had not yet been agreed.

Reason for decision: So that Executive could monitor progress and comply with the requirement of the Implementation Order regarding the need to maintain an implementation plan to deliver the new unitary authority.

RESOLVED:

That a report be made to the next meeting of the Executive which will present the post vesting day transformation arrangements.

E/08/127

Forward Plan

The Forward Plan for the period 1 May 2009 to 30 April 2010 was received.

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