At a meeting of the Executive held in Committee Room 1, Watling House, High Street North, Dunstable, LU6 1LF on Tuesday 11 June 2019, 9:30 AM — 10:35 AM

Present:

Cllr J Jamieson (Chairman)
Cllr R Wenham (Vice-Chairman)

Executive Members:

Cllrs  S Clark
K Collins
S Dixon
I Dalgarno

Cllrs  E Ghent
C Hegley
T Stock
N Young

Deputy Executive Members:

Cllrs  A Dodwell
Spurr

Cllr  Watkins

Apologies:

None

Absent:

None

Members in Attendance:

Cllrs  S Collins
D McVicar
E Perry

Cllrs  P Spicer
J Tamara
M Versallion

Officers in Attendance:

Mr R Carr  Chief Executive
Mr M Coiffait  Director of Community Services
Mr D Galvin  Assistant Director Finance
Mrs S Harrison  Director of Children’s Services
Mrs S Hobbs  Senior Committee Services Officer
Mrs K McFarlane  Assistant Director Business and Investment
Mrs J Ogley  Director of Social Care, Health and Housing
Mr S Rix  Monitoring Officer
Mrs M Scott  Director of Public Health

1. Minutes

RESOLVED

that the minutes of the meeting held on 5 February 2019 be confirmed as a correct record and signed by the Chairman.
2. **Members’ Interests**

Councillors Clark and Young recused themselves from the discussion and vote on items 8 ‘Dunstable Town Centre Regeneration’ and 9 ‘Identification of Sites for the Delivery of Housing by the Council’ as they were Members of the Development Management Committee. They were not present in Committee Room 1 whilst these items were discussed.

Councillors Clark, Collins and Dixon declared an interest in item 11 ‘Housing Enforcement Policies’ as they were private landlords. They were not present in Committee Room 1 whilst this item was being discussed.

3. **Chairman's Announcements and Communication**

The Chairman made no announcements.

4. **Petitions**

Councillor Spicer presented a petition, on behalf of the lead petitioner, about public health concerns due to recycling operations in Totternhoe. The petition contained 253 signatures. Councillor Spicer explained that residents were concerned about the volumes of plasterboard and the extraction of gypsum taking place at the Lime Works in Totternhoe. There were deliveries from foreign number-plated heavy vehicles with containers arriving daily. There was also concern that this material was being sourced from outside of the controls of the European Union and finding its way into the waste processed in Totternhoe.

The Executive Member for Community Services advised that a multi-agency meeting had taken place in March to discuss the Lime Works. The site was licensed and managed by the Environment Agency. The Council was working closely with the Environment Agency and the owners/leaseholders of the sites at Totternhoe Quarry and the Lime Works to improve the position. The operators had carried out repairs to the processing building and improved their processes to help minimise the dust coming from the site. This included employing a road sweeper to keep the roads clear. Checks had been made and the business was operating lawfully.

5. **Questions, Statements or Deputations**

No members of the public had registered to speak.
6. **Forward Plan of Key Decisions**

   **RESOLVED**

   That the Forward Plan of Key Decisions for the period 1 July 2019 to 30 June 2020 be noted.

7. **Dunstable Town Centre Regeneration**

   The Executive considered a report from the Executive Member for Planning and Regeneration that sought the approvals to deliver town centre living and phase 2 of the Dunstable High Street works:

   - acceptance of the offer of £6.2M from the Government’s Housing Infrastructure Fund (HIF) to support local infrastructure development and town centre living in Dunstable; and
   - acceptance of additional external funding, should bids be successful.

   **Reason for decision:** It was a requirement of the HIF funding agreement that the Executive approves the acceptance of the awarded funds.

   **RESOLVED**

   1. that the £6.2M funding award from the Government's Housing Infrastructure Fund (HIF) be accepted in order to support local infrastructure development and town centre living in Dunstable;

   2. to authorise the Directors of Regeneration & Business and of Resources, in consultation with the Executive Member for Planning & Regeneration, to sign off the HIF funding agreement;

   3. to authorise the Directors of Regeneration & Business and of Resources, in consultation with the Executive Member for Planning & Regeneration, to accept further external funding to deliver the Council’s Dunstable High Street Phase 2 works as follows:
      - Anglian Water £0.4M contribution towards drainage improvements
      - Highways England Designated Funds bid for up to £3.3M
      - Local Growth Fund bid for up to £4.1M

   4. to authorise the Director of Community Services, in consultation with the Executive Member for Assets and Housing Delivery, to complete the land assembly set out in Appendix A (exempt).

   The decision was unanimous.
8. **Identification of Sites for the Delivery of Housing by the Council**

The Executive considered a report from the Executive Member for Assets and Housing Delivery that set out the proposed sites being considered as priority for the delivery of housing by the Council.

The sites identified in Table 1 in the report had been identified as suitable for further consideration and each would be considered for disposal in line with current methodology, as set out in the Council’s Constitution and Financial Regulations.

The sites identified in Table 2 in the report would not be considered as phase 1 and would come forward at an appropriate time.

In response to questions, the Executive Member for Assets and Housing Delivery noted that Caddington Parish Council were in support of the sites identified in its parish. On a point of clarification, the land at The Green, Beeston was a site that had been granted planning permission already as part of the rural exception scheme.

Reason for decision: To enable work to progress to deliver the Council’s housing delivery aspirations.

**RESOLVED**

1. that the sites referred to in Table 1 in the report, be identified as Phase 1 sites to be utilised to meet the Council's housing delivery ambitions; and

2. to authorise the Directors of Community Services and of Resources, in consultation with the Executive Member for Assets and Housing Delivery and the Deputy Leader and Executive Member for Corporate Resources, to progress the sites as set out in Table 2 in the report as a second phase at the appropriate time.

The decision was unanimous.

9. **A6-M1 Link Road and Land North of Luton**

The Executive considered a report from the Executive Member for Assets and Housing Delivery that sought approval to the proposed Heads of Terms negotiated with the Land North of Luton Consortium. The proposed agreement covered:

- an option over the Council’s land; and
- the mechanism for funding the M1-A6 Link Road and the recovery of the costs from the Consortium.

Reason for decision: If the Heads of Terms were not approved it would put the £32.75m Local Growth Fund in jeopardy and at considerable risk of not being secured. This would in turn make the delivery of the M1-A6 link road unlikely in the near term with possible implications for the Council’s Local Plan.
RESOLVED

1. that the principles agreed with the Land North of Luton Consortium with regard to both the grant of an option over CBC land and the mechanism for funding the M1-A6 Link Road, the Link Road Agreement, be approved;

2. to authorise the Directors of Community Services and of Resources, in consultation with the Executive Member of Assets and Housing Delivery, to approve the final Heads of Terms; and

3. to authorise the Director of Community Services to execute the two agreements, subject to any amendments required being minor.

The decision was unanimous.

10. Housing Enforcement Policies

The Executive considered a report from the Executive Member for Adults, Social Care and Housing Operations that set out the draft Housing Enforcement Policy and associated specific policies. These policies would enable the Council to regulate private rented sector housing standards and tackle rogue landlords, following the introduction of new duties and powers.

In response to a question, the Executive Member for Adults, Social Care and Housing Operations confirmed that she would ensure that the Citizen Advice Bureaus were made aware of the policies.

Reason for decision: To enable the Council to have a fair and balanced approach to tackle rogue landlords and sub-standard housing.

RESOLVED

that the Housing Enforcement Policies that provide the detail of how the Council would meet new duties and use new powers to regulate accommodation in the private rented sector, be approved.

The decision was unanimous.

11. Children’s Services Support Services Update

The Executive considered a report from the Executive Member for Families, Education and Children that sought ratification of an officer decision to take over the direct management of services:

- Children’s Centres;
- Information, Advice and Guidance Services; and
- Medical Needs Provision.
The report also provided an update on the Children’s Services Support Services Review work.

In response to a question, the Director of Children’s Services explained that research undertaken as part of the Children’s Transformation Programme had identified the need to expand the 0-5 service to include children aged 5-12. A new Family Service 0-12 would work alongside the new locality teams and develop the youth offer.

Reason for decision: To ensure that the vulnerable were protected and outcomes were improved in terms of education and skills. Direct management enables a more efficient and responsive service, which would work towards creating stronger communities and ensure that the services used by residents were also enhanced.

RESOLVED

that the decision taken by the Director of Children’s Services, as an outcome of the recent Family Support Services commissioning programme, to bring into the direct management of the Council the Children’s Centres; Information, Advice and Guidance Services; and Medical Needs provisions, be ratified.

The decision was unanimous.

12. Improving Care Home Provision for Older People in Central Bedfordshire

The Executive considered a report from the Executive Member for Adults, Social Care and Housing Operations that highlighted the opportunity that had arisen in Flitwick to improve care home provision for older people. The report sought approval to commence consultation on the proposals.

The development of the Council-owned former Flitwick Leisure Centre site would provide a good opportunity to fulfil the Council’s objective of securing modern, sustainable high-quality care home provision in Flitwick, an area where supply of care homes places was constrained.

Reason for decision: To ensure that prior to making a decision about the future of the home that as much information as possible was available to the Executive about the options and views of interested parties.

RESOLVED

1. that the opportunity to improve care home provision for older people in the Flitwick area by authorising the commencement of formal consultation on proposals for the future of Ferndale Older Persons’ Home (OPH), as set out in the report, be approved; and

2. that a report be submitted to a future meeting of the Executive advising of the outcome of the consultation process and recommendations about the future of the Home.

The decision was unanimous.
13. Placements Commissioning Strategy

The Executive considered a report from the Executive Member for Families, Education and Children that set out the options and sought approval to consult on the commissioning of the out-of-home accommodation placements for Looked after Children.

Reason for decision: To enable the Council to take steps to secure, so far as reasonably practicable, sufficient accommodation within the authority’s area which meets the needs of children in the authority’s care and whose circumstances were such that it would be consistent with their welfare for them to be provided with accommodation within the council’s area.

RESOLVED

that the commencement of public consultation on the future commissioning and service development intentions as set out in the report, be approved.

The decision was unanimous.

14. Extension of Contractual Arrangements for the Supply of Agency Staff

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed the extension of the existing contractual arrangements for the supply of agency staff ahead of a re-procurement process, which would conclude in late 2019 or early 2020.

Reason for decision: In order to maintain the supply of agency staff to the Council during the period when a new contractor was being sought.

RESOLVED

1. that an extension of the interim contract for the supply of agency staff with the current supplier for a period of one year as set out in paragraph 12 of the report, be approved; and

2. to note that in all other respects the approach set out in the report to the Executive on 7 August 2018 remain the preferred option and instruct officers to continue their work on that basis.

The decision was unanimous.
15. Variation to Capital Programme

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources and the Executive Member for Assets and Housing Delivery that set out proposals to deliver a relief road and other advance infrastructure necessary to progress the development or sale of Chase Farm, Arlesey.

Reason for decision: To enable the Council to adhere to its commitment to the local community that infrastructure would be provided ahead of significant numbers of dwellings being built and retain control of the phasing of the infrastructure to give flexibility for the delivery of the development.

RESOLVED

that the Council deliver the relief road and other advance infrastructure necessary to progress the development or sale of Chase Farm, Arlesey.

RECOMMENDED to Council

that the Capital Programme 2019/20 be varied to include up to £15M for the provision of the advance infrastructure at Chase Farm, Arlesey.

The decision was unanimous.

16. Waste Collection and Street Cleansing Contract Award

The Executive considered a report from the Executive Member for Community Services that outlined the background to the design and procurement of the Waste Collection and Street Cleansing Contract and sought approval to delegate the award of the contract based on the Most Economically Advantageous Tender.

Reason for decision: To enable the Council to award the Contract to the Most Economically Advantageous Tender.

RESOLVED

To authorise the Director of Community Services, in consultation with the Executive Member for Community Services, to award the Waste Collection and Street Cleansing Contract, based on the Most Economically Advantageous Tender.

The decision was unanimous.
17. Revenue Budget Monitoring Provisional Outturn March 2019

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the provisional outturn position for 2018/19 as at the end of March 2019. The outturn position was £0.051M below budget after use of existing and the creation of new earmarked reserves.

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

RESOLVED

1. that the provisional revenue outturn position for 2018/19, which was an underspend against budget of £0.051M, be noted;

2. to note that the provisional outturn position and new earmarked reserve was approved by the Leader, Deputy Leader, Chief Executive and Director of Resources under a delegated authority granted by the Executive on 2 April 2019; and

3. that the proposed new earmarked reserves, as set out in paragraph 10 in the report, be noted.

The decision was unanimous.


The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the capital outturn position for 2018/19 as at the end of March 2019.

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

RESOLVED

1. that the capital gross provisional outturn position which was a spend of £80.2M (£63.2M in 2017/18) be noted, demonstrating the continued significant capital investment made by Central Bedfordshire to support its community;

2. that the net overspends of between £0.150M and £0.500M as listed at Appendix B to the report, be noted; and
3. that the gross deferred spend of £66.023M (£49.803M net) from 2018/19 to 2019/20 as detailed at Appendix C to the report, be noted. This was approved by the Leader, Deputy Leader, Chief Executive and Director of Resources under a delegated authority granted by the Executive on 2 April 2019 due to the accelerated timescale for the accounts’ closure.

RECOMMENDED to Council

1. that the net overspend be approved on the following schemes:

   • Highways Structural Maintenance £1.829M (See paragraph 34*)
   • M1-A6 Phase 1 and 2 £0.781M (paragraph 41*)

*Appendix A to the Executive report.

The decision was unanimous.

19. 2018/19 Housing Revenue Account Budget Management Outturn Report

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources and the Executive Member for Adults, Social Care and Housing Operations that set out the provisional Housing Revenue Account (HRA) outturn position for 2018/19 as at the end of March 2019.

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

RESOLVED

1. to note that the provisional revenue outturn position was to achieve a balanced budget with a contribution to HRA Reserves of £6.873M, thus strengthening the Council’s ability to invest and improve its stock of Council houses;

2. to note that the provisional capital outturn was £7.092M lower than budget, at £18.038M. Works to the value of £5.206M were deferred to 2019/20. These works relate to Future Investment projects;

3. to note that Right to Buy sales were slightly lower than in previous financial years, with retained receipts totalling £2.693M, resulting in a year end balance, after funding of the Capital programme, of unapplied capital receipts of £0.838M;

4. to note that as part of the funding of the Capital Programme a contribution of £6.509M has been made from the Strategic Reserve, towards the Capital programme (£4.884M) and the transfer of assets from the General Fund (£1.625M); and
5. to note the net increase in reserves was £0.364M, so that, at the year end, the HRA had £29.334M of reserves available, of which £2.0M was identified as a minimum level of HRA Balances.

The decision was unanimous.

20. 2018/19 Quarter 4 Performance Report

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that set out the quarter 4 performance in 2018/19 for the Medium-Term Plan indicator set.

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

RESOLVED

1. that the performance against the indicators currently being used to help support the monitoring of progress against the Medium-Term Plan priorities, be noted; and

2. that officers be requested to further investigate and resolve underperforming indicators as appropriate.

The decision was unanimous.

21. Disposal of Land and Change to Promotion Agreement

The Executive considered a report from the Executive Member for Assets and Housing Delivery that set out the rationale for the termination of the promotion agreement for Council owned land as set out in the exempt report.

Reason for decision: To enable the Council to utilise the new opportunities available to it to retain flexibility in how it deals with the site in the future.

RESOLVED

1. that the sale of Phase 1, as set out in the report, be approved;

2. that the termination of the Promotion Agreement after the sale of Phase 1 of the Site, subject to recommendation 3 below, be approved;

3. to authorise the Directors of Community Services and of Resources and the Monitoring Officer, in consultation with the Executive Members for Assets and Housing Delivery and Corporate Resources, to agree the terms of the termination agreement and the level of any payment as set out in the report; and
4. to authorise the Director of Community Services to execute the termination agreement.

The decision was unanimous.

22. Dunstable Town Regeneration

Minute 22 related to exempt business. See minute 7 for further details.

23. Identification of Sites for the Delivery of Housing by the Council

Minute 23 related to exempt business. See minute 8 for further details.

24. A6-M1 Link Road and Land North of Luton

Minute 24 related to exempt business. See minute 9 for further details.

Chairman …………………………………………………

Dated …………………………………………………