

CENTRAL BEDFORDSHIRE SHADOW COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE SHADOW COUNCIL** held in the COUNCIL CHAMBER, PRIORY HOUSE, MONKS WALK, CHICKSANDS, SHEFFORD on Thursday, 10 April 2008.

PRESENT

Cllrs	P N Aldis	Cllrs	M Gibson	Cllrs	T Nicols
	A R Baines		Mrs S Gilchrist		A Northwood
	R G Baker BEM		B J Golby		P Penman
	Mrs A Barker		J Goodchild		P Rawcliffe
	A R Bastable		Mrs S Goodchild		A J Rayment
	R D Berry		R Goodwin		A A J Rogers
	Mrs R Bird		Ms A M W Graham		G Rolfe
	L Birt		T Green		D Ross
	P A Blaine		Mrs D B Gurney		Mrs M Russell
	D Bowater		H T W Harper		J A G Saunders
	A Brandham		M Hawkins		J E Scott
	A D Brown		M Hearty		K Sharer
	M Butler		Mrs C Hegley		I Shingler
	P B Carne		Mrs S Hills		D Smith
	A B Carter		D Hogan		M A Smith
	M Cazaly		P Hollick		Mrs W P Smith
	Mrs C F Chapman MBE		K Janes		P Snelling
	M R Chapman		D Jones		Miss A Sparrow
	J A E Clarke		M R Jones		B J Spurr
	N B Costin		J Kane		Mrs P Staples
	I Dalgarno		Mrs K D Keen		R Stay
	Mrs J R Davison		R V King		J Street
	Mrs R J Drinkwater		Mrs L Ledster		G Summerfield
	A Duggan		V Lee		T Swain
	G Ellis		H J Lockey		P Swaisland
	A Fahn		K D Lynch		Mrs C Turner
	A Fairbairn		J Machin		Mrs P E Turner MBE
	Mrs J Fairbairn		S F Male		D M Tysoe
	W Forde		K C Matthews		P F Vickers
	Mrs J Freeman		D McVicar		N Warren
	M Freeman		S A Mitchell		B Wells
	P Freeman		Mrs E Morgan		Mrs C Wyles
	D J Gale		J Murray		J N Young
	Mrs R B Gammons		Mrs M Mustoe		

Apologies for Absence

Cllrs	R A Baker	Cllrs	R W Johnstone	Cllrs	P Record
	D A Bayntun		D J Lawrence		B Sadler
	Mrs B Coleman		Mrs J G Lawrence		A Shadbolt
	E Gilchrist		Mrs A M Lewis		J Taylor
	Mrs A Guess		J H Lewis		P Walley
	J A Gurney		Mrs B Meakins		R Younger
	Dr Z S Haider		M J Pearce		
	Mrs G Howard		B Piggott		

Officers in Attendance:	Mrs M Clampitt	– Committee Administrator, MBDC
	Mr S Cooke	– Electoral/Members' Services Manager, MBDC
	Mr B Dunleavy	– Democratic and Administrative Services Manager, SBDC
	Miss T Harris	– Personal Assistant to Simon Redmore, MBDC
	Mr K Hirst	– Committee Administrator, MBDC
	Miss M A Houghton	– Members' Services Officer, MBDC
	Mr M Hustwitt	– Communications Manager, MBDC
	Mrs K John	– Democratic Services Manager, MBDC
	Mr A Kang	– Corporate Services Manager - Legal and Democratic, SBDC
	Miss S Lyons	– Managing Solicitor, MBDC
	Mr R Mills	– Scrutiny and Committees Manager, SBDC
	Mrs B Morris	– Director of Corporate & Democratic Services, MBDC
	Mr J Phillipson	– Senior Committee Administrator, MBDC
	Mr M Reeves	– Interim Chief Executive, BCC
	Mr J Ruddick	– Chief Executive, SBDC
	Mrs J Salisbury	– Interim Chief Executive, MBDC
	Mr M Woolsey	– Solicitor, MBDC

In addition to the Officers in attendance servicing the Shadow Council Meeting, several officers from Bedfordshire County Council, Mid Bedfordshire District Council and South Bedfordshire District Council were also present in support or as observers.

WELCOME

Mrs J Salisbury, Chief Executive of Mid Bedfordshire District Council and Proper Officer for convening the inaugural meeting of the Central Bedfordshire Shadow Council, welcomed Members to the meeting and introduced the Right Reverend Richard Inwood, Bishop of Bedford.

PRAYERS

Prayers were taken by the Right Reverend Richard Inwood, Bishop of Bedford.

SC/08/1

ELECTION OF CHAIRMAN

Nominations were invited for the office of Chairman of the Shadow Council to hold office until immediately after the election of a Chairman at the Annual General Meeting of Central Bedfordshire Council in 2009.

Only one nomination was duly proposed and seconded for this position in the name of Cllr David McVicar.

RESOLVED

that Cllr David McVicar be elected to the office of Chairman of the Shadow Council to hold office until immediately after the election of a Chairman at the Annual Meeting of Central Bedfordshire Council in 2009.

Cllr McVicar then signed and read out the Declaration of Acceptance of Office and thanked Members for their support.

SC/08/2

APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations for the office of Vice-Chairman of the Shadow Council to hold office until the Annual Meeting of Central Bedfordshire Council in 2009.

Two nominations were duly proposed and seconded for this position in the names of Cllrs A Duggan and B J Golby.

In accordance with the draft Constitution, a secret ballot was held on these nominations and the Chairman duly announced that Cllr Duggan had been appointed to hold office until the Annual Meeting of Central Bedfordshire Council in 2009.

Cllr Duggan then signed and read out the Declaration of Acceptance of Office and thanked Members for their support.

SC/08/3

LEADER AND DEPUTY LEADER

The Shadow Council noted that Article 16(4) of the Bedfordshire (Structural Changes) Order 2008 designated the person who was, for the time being, the Leader of Mid Bedfordshire District Council as Leader of the Shadow Executive and Article 16(5) designated the person who was, for the time being, the Leader of South Bedfordshire District Council as Deputy Leader of the Shadow Executive.

SC/08/4

MEMBERS' INTERESTS

Declarations were received from Members as follows:-

(a) **Personal Interests:-**

None

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

None.

SC/08/5

CENTRAL BEDFORDSHIRE COUNCIL - CREATION OF A LEADER AND CABINET EXECUTIVE

The Shadow Council received and considered the report of the Proper Officer of Mid Bedfordshire District Council inviting it to create a Leader and Cabinet Executive as required by Article 16(1) of the Bedfordshire (Structural Changes) Order 2008 and to appoint Members to the Shadow Executive.

The Shadow Council also received a supplementary report that confirmed the nominations for Membership on the Shadow Executive.

RESOLVED

1. *that the Shadow Council creates a Leader and Cabinet model of governance in accordance with Part II of the Local Government Act 2000 and appoints Members of the Shadow Executive in accordance with Article 16 of the Implementation Order, as follows:-*

Cllrs	Mrs P E Turner	Leader of the Council and	MBDC
	MBE	Leader/Chairman of the	
		Shadow Executive	
	N B Costin		SBDC
	Mrs R Drinkwater		BCC
	R V King		BCC
	D Ross		BCC
	R Stay		BCC
	M R Chapman		MBDC
	M R Jones		MBDC
	K C Matthews		MBDC
	P Penman		SBDC
	P Rawcliffe		SBDC
	P Snelling		SBDC

2. *that the executive arrangements provide for the Leader to determine the Shadow Executive Portfolios and any delegations of powers to individual Portfolio Holders.*

SC/08/6

CENTRAL BEDFORDSHIRE COUNCIL - PROPOSED GOVERNANCE ARRANGEMENTS

The Shadow Council received and considered the report of the Proper Officer of Mid Bedfordshire District Council asking it to approve the draft Constitution and make appointments to various committees required for the new Shadow Authority.

Recommendation 1 contained in the report was moved and seconded:-

"1. that the draft Constitution for the Shadow Authority, circulated separately, be approved and adopted for the period to 1 April 2009."

As an amendment to the Motion, it was moved and duly seconded:-

"That recommendation 1 be amended by the addition of the following words after "1 April 2009":-

", subject to the amendment of the relevant Rules of Procedure to provide for public participation in meetings of the Shadow Council, its Committees and the Shadow Executive on the basis of the following general principles:-

- (a) A period of up to 15 minutes being allowed for public questions/comments and responses at the beginning of the meeting;
- (b) Questions/statements to be relevant to the powers and duties of the Shadow Council;
- (c) The order of speaking to be in the order in which requests are received;
- (d) Each speaker having up to 3 minutes in which to speak;
- (e) Where a speaker wishes to speak on an item which is included on the agenda, the Chairman of the relevant body having the authority to take the public participation at the relevant point on the agenda rather than during the 15 minute public participation slot at the beginning of the meeting."

Following a detailed debate, upon being put to the vote, the amendment was **lost**.

As a further amendment to the Motion, it was moved and duly seconded:-

"That the recommendation 1 be amended by the addition of the following words after "1 April 2009":-

", subject to the amendment of the Council Rules of Procedure by:-

- (a) The deletion of Rules 21.4 and 21.5 and their replacement with the following revised Rule 21.4:-

21.4 Every Member of the Shadow Council shall have the right to attend meetings of a Committee or the Shadow Executive. Such a Member shall be entitled to speak once on any item and may, with the prior consent of the person presiding, contribute further, but shall not vote."

Following a detailed debate, upon being put to the vote, the amendment was **lost**.

The Shadow Council then received and considered a supplementary report that set out nominations for committee seats and Chairmanships/Vice-Chairmanships for the coming year. The report also set out for Members' information, notification of the appointment of the four group leaders upon the Shadow Council. Appended to the report, at Appendix "A", were nominations of the groups for places on committees and at Appendix "B", nominations received for Chairmanships/Vice-Chairmanships of committees.

In considering this item, the Leader of the Shadow Council referred to the implications of the existing vacancy on the Council and the late indication of a Councillor to join the Independent Group whose Leader was currently unavailable. The implications of the possible revision in the size of the Independent Group, together with any revisions required as a result of the Flitwick East By-Election to be held on 1 May 2008, would be addressed, if necessary, at the subsequent meeting of the Shadow Council.

RESOLVED

1. ***that the draft Constitution for the Shadow Authority, circulated separately, be approved and adopted for the period to 1 April 2009.***
2. ***that the following committees be established, with the appointment of Members to these committees as set out in Appendix "A" to these minutes:-***
 - (a) ***Scrutiny Committee*** ***12 Members*** ***4 each from BCC, MBDC and SBDC and in accordance with the rules relating to political proportionality (9 Conservative, 2 Liberal Democrat and one Labour member)***
 - (b) ***General Purposes Committee*** ***9 Members*** ***3 each from BCC, MBDC and SBDC and in accordance with the rules relating to political proportionality (6 Conservative, 2 Liberal Democrat and one Independent member)***

(c)	Standards Committee	19 Members drawn from the existing Standards Committees of the constituent authorities	MBDC	Council Representatives	4
				Independent persons	3
			SBDC	Council Representatives	3
				Independent persons	3
			BCC	Council Representatives	3
				Independent persons	3
(d)	Appointments and Appeals Committee	4 Members	The Leader (or her nominee), Deputy Leader (or his nominee), 1 Conservative representative of Bedfordshire County Council (or nominee) and 1 Liberal Democrat representative (or nominee).		

3. **that the Council appoints Cllrs P Staples and A R Bastable as Chairman and Vice-Chairman respectively of the Scrutiny Committee; and Cllrs Mrs J G Lawrence and T Green as Chairman and Vice-Chairman respectively of the General Purposes Committee.**
4. **that the provisional dates and times of the Shadow Council and Scrutiny Committee, for the period to 1 April 2009, as set out in paragraphs 5, 6 and 13 respectively of the report of the Proper Officer, be approved.**

SC/08/7

ADOPTION OF THE CENTRAL BEDFORDSHIRE SHADOW COUNCIL CODE OF CONDUCT FOR COUNCILLORS

The Shadow Council received and considered the report of the Monitoring Officer of Mid Bedfordshire District Council advising Members of the requirement to adopt the Code of Conduct for Councillors in accordance with Section 51 of the Local Government Act 2000.

RESOLVED

that the Central Bedfordshire Shadow Council's Code of Conduct for Councillors be adopted from 10 April 2008, in accordance with Section 51 of the Local Government Act 2000, as set out in Appendix "A" to the report of the Monitoring Officer.

SC/08/8

COMPOSITION OF THE SHADOW EXECUTIVE AND PROPOSED SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS

The Shadow Council received and noted the report from the Leader regarding the responsibilities to be held by Councillors elected to the Shadow Executive together with a record of the proposed Scheme of Delegation of Executive Functions (Rule No. 1.2 of the Executive Procedure Rule refers).

The report set out the responsibilities to be held by Councillors elected to the Shadow Executive, as follows:-

Executive Councillor	Responsibility
Tricia Turner	Leader of the Shadow Executive and Leader of the Council
Philip Penman	Vice-Chairman of the Shadow Executive and Deputy Leader of the Council
Mark Chapman	Support across all portfolios/transitional task forces
Norman Costin	Portfolio for Children, Young People and Families
Rita Drinkwater	Support across all portfolios/transitional task forces
Maurice Jones	Portfolio for Corporate Resources
Bob King	Portfolio for Customers and Community Engagement
Ken Matthews	Portfolio for Sustainable Development
Peter Rawcliffe	Portfolio for Social Care, Health and Housing
Duncan Ross	Support across all portfolios/transitional task forces
Peter Snelling	Portfolio for Safer and Stronger Communities
Richard Stay	Support across all portfolios/transitional task forces

The report also pointed out that no authority had been delegated to any individual Executive Councillor at this stage; that no Executive Committees had been appointed; and that under the Scheme of Executive Functions Delegated to Interim Officers contained in Part 3 of the Constitution (Section B of the Officer Scheme of Delegation refers, subject to the qualifications listed in Section A of that Scheme) no additional functions had been delegated beyond those set out in the Constitution at this stage.

RESOLVED

that the Shadow Council accepts and notes the Leader's report on this matter.

SC/08/9

MEMBERS' ALLOWANCES FOR THE SHADOW COUNCIL 2008/09

The Shadow Council received and considered the report of the Monitoring Officer of Mid Bedfordshire District Council asking it to consider:-

- (a) establishing an Independent Remuneration Panel for the purpose of making recommendations in respect of a Scheme of Members' Allowances for the Central Bedfordshire Shadow Authority and proposals for a Scheme of Members' Allowances to be adopted by Central Bedfordshire Council; and
- (b) the appointment of the Members of the Independent Remuneration Panel as a Parish Remuneration Panel for the purpose of making recommendations to any Parish Council within the area of Central Bedfordshire wishing to pay a basic allowance or travelling and subsistence allowances to its Members during 2009/10.

During consideration of this matter, Members' attention was drawn to recommendation (d) as to whether the Independent Remuneration Panel should be asked to make a recommendation for a Scheme of Members' Allowances for the Members of the Shadow Authority for the current financial year and the implications of this were set out in paragraph 13 of the report.

RESOLVED

that the Shadow Council:

- (a) ***authorises the Interim Head of Staff for the Shadow Authority to appoint two Members from each of the Independent Remuneration Panels appointed by Bedfordshire County Council, Mid Bedfordshire District Council and South Bedfordshire District Council for the purpose of setting up an Independent Remuneration Panel for Central Bedfordshire.***
- (b) ***authorises the Interim Head of Staff to pay, as a transitional cost, the expenses of the Members of the Panel in carrying out its functions;***

- (c) ***authorises the payment, as a transitional cost, of an allowance of £120 per meeting to each member of the newly formed Independent Remuneration Panel.***
- (d) ***requests the Independent Remuneration Panel to make recommendations for a Scheme of Members' Allowances for the Members of the Shadow Authority for the current financial year.***
- (e) ***authorises the Interim Head of Staff to appoint members of the Independent Remuneration Panel to serve as a Parish Remuneration Panel to make recommendations to any Parish Council within Central Bedfordshire wishing to make payments to its Members as from 1 April 2009.***

SC/08/10

DESIGNATION OF INTERIM HEAD OF STAFF, INTERIM MONITORING OFFICER AND INTERIM CHIEF FINANCE OFFICER

The Shadow Council received and considered the report of the Proper Officer of Mid Bedfordshire District Council seeking its approval to designate on an interim basis the required statutory officers and their deputies for Central Bedfordshire Shadow Council.

RESOLVED

that the Shadow Council approves the designation of the Interim Head of Staff, Monitoring Officer and Chief Finance Officer and their deputies, as set out in paragraph 8 of the report of the Proper Officer, as follows:-

Interim Head of Staff/ Deputy Head of Staff - Jaki Salisbury/Jon Ruddick

Interim Monitoring Officer/Deputy Monitoring Officer - Barbara Morris/Amerjit Kang

Interim Chief Finance Officer/Deputy Chief Finance Officer - David Sutherland/Nick Murley.

(Note: The meeting commenced at 7.00 p.m. and concluded at 8.35 p.m.)

CENTRAL BEDFORDSHIRE SHADOW COUNCIL MEETING

10 APRIL 2008

**COMPOSITION OF THE SHADOW EXECUTIVE AND PROPOSED SCHEME
OF DELEGATION OF EXECUTIVE FUNCTIONS**

Report of the Leader

As required by Executive Procedure Rule No. 1.2, details of the responsibilities to be held by Councillors elected to the Shadow Executive together the proposed Scheme of Delegation of Executive Functions are set out below.

1. *Responsibilities of Executive Councillors*

The attached schedule sets out the responsibilities to be held by Councillors elected to the Shadow Executive.

2. *Authority delegated to Individual Executive Councillors*

No authority has been delegated to any individual Executive Councillor at this stage.

3. *Executive Committees*

No Executive Committees have been appointed.

4. *Delegation to Interim Officers*

The Scheme of Executive Functions Delegated to Interim Officers is contained in Part 3 of the Constitution (Section B of the Officer Scheme of Delegation refers, subject to the qualifications listed in Section A of that Scheme) No additional functions have been delegated beyond those set out in the Constitution at this stage.

COMPOSITION OF THE SHADOW EXECUTIVE AND RESPONSIBILITIES

<i>Executive Councillor</i>	<i>Responsibility</i>
Tricia Turner	Leader of the Shadow Executive and Leader of the Council
Philip Penman	Vice-Chairman of the Shadow Executive and Deputy Leader of the Council
Mark Chapman	Support across all portfolios/transitional task forces
Norman Costin	Portfolio for Children, Young People and Families
Rita Drinkwater	Support across all portfolios/transitional task forces
Maurice Jones	Portfolio for Corporate Resources
Bob King	Portfolio for Customers and Community Engagement
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