

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, 26 February 2009.

PRESENT

Cllr D McVicar (Chairman)
Cllr A Duggan OBE (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs R B Gammons	Cllrs	Mrs B Meakins
	A R Baines		M Gibson		S A Mitchell
	R G Baker BEM		B J Golby		J Murray
	R A Baker		J Goodchild		Mrs M Mustoe
	Mrs A Barker		Mrs S Goodchild		T Nicols
	A R Bastable		Ms A M W Graham		P Penman
	R D Berry		T Green		P Rawcliffe
	Mrs R Bird		Mrs A Guess		A J Rayment
	L Birt		Mrs D B Gurney		A A J Rogers
	P A Blaine		J A Gurney		G Rolfe
	D Bowater		H T W Harper		J A G Saunders
	A D Brown		M Hearty		J E Scott
	M Butler		Mrs C Hegley		A Shadbolt
	P B Carne (late arrival)		D Hogan		K Sharer
	A B Carter		R W Johnstone		D Smith
	Mrs C F Chapman MBE		D Jones		M A Smith
	M R Chapman		M R Jones		Miss A Sparrow
	J A E Clarke		J Kane		R Stay
	N B Costin		Mrs K D Keen		J Street
	I Dalgarno		R V King		G Summerfield
	Mrs J R Davison		D J Lawrence		P Swaisland
	Mrs R J Drinkwater		Mrs J G Lawrence		Mrs C Turner
	G Ellis		V Lee		Mrs P E Turner MB
	A Fahn		Mrs A M Lewis		E
	W Forde		J H Lewis		P F Vickers
	Mrs J Freeman		H J Lockey		N Warren
	M Freeman		K D Lynch		B Wells
	P Freeman		S F Male		J N Young
	D J Gale		K C Matthews		

Apologies for Absence

Cllrs	P B Carne (for late arrival)	Cllrs	Mrs S Hills	Cllrs	I Shingler
	Mrs B Coleman		Mrs E Morgan		Mrs W P Smith
	A Fairbairn		B Piggott		P Snelling
	Mrs J Fairbairn		D Ross		T Swain
	E Gilchrist		Mrs M Russell		J Taylor
	Mrs S Gilchrist		B Sadler		
	R Goodwin				

Officers in Attendance:	Mr G Alderson	– Director of Environmental & Planning Services, MBDC/Director of Sustainable Communities, CBC
	Mr J Atkinson	– Head of Legal Services, BCC
	Miss H Bell	– Committee Administrator, MBDC
	Mrs M Clampitt	– Committee Administrator, MBDC
	Mr B Dunleavy	– Democratic and Administrative Services Manager, SBDC
	Mr R Ellis	– Director of Business Transformation, CBC
	Mrs E Grant	– Director of Children, Families and Learning and Deputy Chief Executive, CBC
	Mr C Heaphy	– Director of Corporate Resources, CBC
	Miss S Hobbs	– Committee Administrator, SBDC
	Miss M A Houghton	– Members' Services Officer, MBDC
	Mr M Hustwitt	– Communications Manager, MBDC
	Mrs K John	– Democratic Services Manager, MBDC
	Mrs B Morris	– Director of Corporate & Democratic Services/Monitoring Officer, CBC
	Mrs J Ogle	– Director of Social Care, Health & Safety, CBC
	Mr J Phillipson	– Senior Committee Administrator, MBDC
	Mr M Ronan	– Legal Officer, SBDC
	Mr J Ruddick	– Chief Executive, SBDC/Interim Deputy Chief Executive, CBC
	Mrs J Salisbury	– Chief Executive MBDC/Interim Chief Executive, CBC

PRAYERS

Prayers were taken by the Reverend Richard Andrews, Team Rector and Principal Minister at Priory Church of St. Peter, Dunstable.

SC/08/16

MINUTES

RESOLVED

that the Minutes of the meeting of the Shadow Council held on 8 July 2008 be confirmed and signed as a correct record.

SC/08/17 **MEMBERS' INTERESTS**

(a) **Personal Interests: -**

None.

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

None.

SC/08/18 **CHAIRMAN'S ANNOUNCEMENTS AND COMMUNICATIONS**

The Chairman declined to make any announcements or communications except to observe that the Shadow Council had before them an extensive agenda.

SC/08/19 **VACATION OF OFFICE**

The Shadow Council received and considered the report of the Monitoring Officer advising of the vacation of the office of Councillor at Bedfordshire County Council. The report advised that Bedfordshire County Council had declared the seat in the Plantation Division of the Council vacant owing to the failure of County Cllr Paul Walley to attend any meeting of the County Council for a period of six consecutive months and that Cllr Walley had also therefore ceased to be a Member of the Shadow Council. In addition to the report as now presented, the Shadow Council was informed of the resignation of Cllr Zain Haider from membership of the Mid Bedfordshire District Council. Cllr Haider had represented the Langford and Henlow Village Ward since his election in May 2007. In the light of his resignation Cllr Haider had ceased to be a Member of the Shadow Council.

RESOLVED

- 1. that the Shadow Council notes that Cllr R P Walley, County Councillor for the Plantation Division, has ceased to be a member of the Bedfordshire County Council having failed to attend any meetings of the Authority for a period of six consecutive months and has therefore also ceased to be a member of Central Bedfordshire Shadow Council;***
- 2. that the Shadow Council notes that Bedfordshire County Council has declared the seat formerly occupied by Cllr R P Walley vacant under Section 86(1)(c) of the Local Government Act 1972 but that, in accordance with the Bedfordshire (Structural Changes) Order 2008, there is no need to hold a by-election to fill the casual vacancy;***

3. (a) *that the Shadow Council notes that Cllr Z Haider, District Councillor for the Langford and Henlow Village Ward, has ceased to be a member of the Mid Bedfordshire District Council following his resignation and had therefore also ceased to be a member of Central Bedfordshire Shadow Council;*
- (b) *that the Shadow Council notes that, in accordance with the Bedfordshire (Structural Changes) Order 2008, there is no need to hold a by-election to fill the casual vacancy.*

SC/08/20

MEMBERS' ALLOWANCES SCHEME 2009/10

The Portfolio Holder (Corporate Services) presented the report of the Director of Corporate Resources seeking approval and adoption of a Scheme of Members' Allowances for Central Bedfordshire Council for the year commencing 1 April 2009, having regard to the recommendations of the Independent Remuneration Panel and a revised Scheme proposed by the Shadow Executive at its meeting held on 20 January 2009.

Following the presentation of the report, it was moved and seconded:-

“that the Shadow Council:-

- (a) adopts a Scheme of Members' Allowances for Central Bedfordshire Council for the year commencing 1 April 2009 as outlined in Appendix A.2 of the report of the Director of Corporate Resources and as recommended in the full Scheme set out at Appendix C to the report, at an estimated cost of £1,243,682 subject to:-
- (i) the Special Responsibility Allowance for the Luton and South Beds Joint Committee Chairman applying to the Vice-Chairman when the chairmanship is held by Luton Borough Council; and
- (ii) the mileage allowances for travel by car or motorcycle being set in accordance with the rates paid to local government staff, as shown below (those rates to be amended during the year ending 31 March 2010 in line with any change recommended by the National Joint Council for the payment of local government staff):-

Car or Motorcycle Engine Size	Per Mile
Not exceeding 999cc	42.9 pence
1000 – 1199cc inclusive	46.9 pence
1200cc and over	58.7 pence

(iii) the application of the following additions for conveyance of Member passengers:-

Addition for one Member passenger	3 pence per mile
Addition for each further Member passenger	2 pence per mile

- (b) resolves that all Central Bedfordshire Councillors should be given access to the Local Government Pension Scheme, based on the sum of basic allowance and any special responsibility allowance that may be payable, at an estimated cost of £75,000;
- (c) requests the Independent Remuneration Panel to review the Scheme in the Autumn of 2009 in the light of further evidence of the demands and responsibilities placed upon Members of the new Council and of similar unitary authorities; and
- (d) agrees to amend retrospectively the Scheme of Members' Allowances for the year commencing 1 April 2008, adopted by the Shadow Council on 8 July 2008, to enable the payment of a Special Responsibility Allowance to those members nominated by the Shadow Council to serve as observer members of the Bedfordshire Police Authority or the Bedfordshire and Luton Combined Fire Authority who are not already Members; the allowance to be paid pro rata to the period of appointment at the rate set for existing Members by those two authorities."

As an amendment to the Motion, it was moved and duly seconded that the mileage allowances as originally recommended by the Independent Remuneration Panel should be adopted.

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 mileage allowances for travel by car or motorcycle be amended to read as follows:-

"Car or Motorcycle Engine Size	Per Mile
Not exceeding 999cc	42.9 pence
1000 – 1599cc inclusive	46.9 pence
1600cc and over	58.7 pence"

Upon being put to the vote, the amendment was **lost**.

The original Motion as set out above was then presented as the Substantive Motion and was duly moved and seconded.

Upon being put to the vote, the Substantive Motion was **carried**.

RESOLVED

that the Shadow Council:-

(a) adopts a Scheme of Members Allowances for Central Bedfordshire Council for the year commencing 1 April 2009 as outlined in Appendix A.2 of the report of the Director of Corporate Resources, and as recommended in the full Scheme as set out in Appendix C to that report, as an estimated cost of £1,243,682, subject to:-

(i) the Special Responsibility Allowance for the Luton and South Beds Joint Committee Chairman applying to the Vice-Chairman when the chairmanship is held by Luton Borough Council; and

(ii) the mileage allowances for travel by car or motorcycle being set in accordance with the rates paid to local government staff, as shown below (those rates to be amended during the year ending 31 March 2010 in line with any change recommended by the National Joint Council for the payment of local government staff):-

Car or Motorcycle Engine Size	Per Mile
Not exceeding 999cc	42.9 pence
1000 – 1199cc inclusive	46.9 pence
1200cc and over	58.7 pence

(iii) the application of the following additions for conveyance of Member passengers:-

Addition for one Member passenger	3 pence per mile
Addition for each further Member passenger	2 pence per mile

(b) resolves that all Central Bedfordshire Councillors should be given access to the Local Government Pension Scheme, based on the sum of basic allowance and any special responsibility allowance that may be payable, at an estimated cost of £75,000;

(c) requests the Independent Remuneration Panel to review the Scheme in the Autumn of 2009 in the light of further evidence and demands and responsibilities placed upon Members of the new Council and of similar unitary authorities; and

- (d) agrees to amend retrospectively the Scheme of Members' Allowances for the year commencing 1 April 2008, adopted by the Shadow Council on 8 July 2008, to enable the payment of a Special Responsibility Allowance to those Members nominated by the Shadow Council to serve as observer members of the Bedfordshire Police Authority or the Bedfordshire and Luton Combined Fire Authority who are not already members; the allowance to be paid pro rata to the period of appointment at the rate set for existing Members by those two authorities."**

SC/08/21

CENTRAL BEDFORDSHIRE DRAFT CONSTITUTION AND INTERIM GOVERNANCE ARRANGEMENTS

The Council received and considered the report of the Constitution and Governance Working Group which sought the approval and adoption of the Constitution of Central Bedfordshire Council together with the interim governance arrangements during the period 1 April to 7 June 2009. In presenting the report, the Chairman of the Working Group presented a list of proposed minor amendments to the Constitution, previously circulated to all Members of the Shadow Council as an Appendix to the Shadow Council meeting update letter dated 24 February 2009. In light of the proposed minor amendments and the recommendations of the Working Group, it was moved and seconded:-

- "1. that further to the decision of the Shadow Executive at its meeting held on 17 February 2009 to re-designate second and third tier posts in the Central Bedfordshire staffing structure as "Assistant Directors" and "Heads of Service" respectively, the necessary adjustments be made throughout the Constitution to reflect the new post titles;
2. that paragraph 10.17 of Part D2 of the Constitution (Overview and Scrutiny Procedure Rules) be amended to provide that there is an expectation that any Member(s) who calls in a decision should attend the meeting of the Overview and Scrutiny Committee at which the call-in is to be heard;
3. that the following typographical errors in the draft Constitution be corrected as follows:-
 - (a) Part A4 – page 9 – paragraph 5.1.5 delete the word "the" between "to" and "an";
 - (b) Part E2 – page 10 – paragraph 7.2.2 delete "arsing" and replace with "arising";
 - (c) Part H3 – page 9 – paragraph 4.1.4 delete "here" in penultimate line and replace with "where";

4. that the Members Planning Code of Good Practice contained in the Ethical Handbook be amended in the following respect:-
 - (a) Appendix A – page 20 - delete “A Member of the Development Management Committee” and replace with “Any Member of the Council”.
5. (a) that, subject to 1 to 4 above, the draft Central Bedfordshire Constitution, as now submitted at document number 7, be approved and implemented either with effect from 1 April 2009 or 8 June 2009, as appropriate, as provided in 7 below; and
 - (b) that, in so doing, the Shadow Council specifically resolves to approve the Code of Conduct for Members set out in part F2 of the Constitution;
6. (a) that the Ethical Handbook, now submitted at document 8, be approved and implemented with effect from 1 April 2009; and
 - (b) that, in so doing, the Shadow Council specifically resolves to adopt the Indemnity for Members and Officers of the Council, as set out in part 6 of the Ethical Handbook;
7. that the Interim Governance arrangements for the period 1 April to 7 June 2009, as set out in the schedules attached at document No. 6, be adopted;
8. that a Constitution Advisory Group be established to advise the Council upon any amendments required to the Constitution;
9. that during the period 1 April to 7 June 2009, the Monitoring Officer, in consultation with the Advisory Group, be authorised to amend the Constitution to reflect any urgent, statutory, consequential or other necessary changes which may be required in the light of experience of operation, and which will not admit of delay to the annual meeting of the Council in June 2009;
10. that the principle of establishment of a small number of positions (up to 5) of Assistant Portfolio Holders, whose role is to support the Portfolio Holder workloads but not to substitute in any executive decision making capacity, be supported."

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

"that paragraph 2.1.11 of Part G1 of the Constitution (decision making) which reads "that all decisions should be evidence – based" be deleted and replaced with "that due weight be given to all material considerations in making decisions."

Upon being put to the vote, the amendment was **lost**.

RESOLVED

1. **that further to the decision of the Shadow Executive at its meeting held on 17 February 2009 to re-designate second and third tier posts in the Central Bedfordshire staffing structure as “Assistant Directors” and “Heads of Service” respectively, the necessary adjustments be made throughout the Constitution to reflect the new post titles;**
2. **that paragraph 10.17 of Part D2 of Constitution (Overview and Scrutiny Procedure Rules) be amended to provide that there is an expectation that any Member(s) who calls in a decision should attend the meeting of the Overview and Scrutiny Committee at which the call-in is to be heard;**
3. **that the following typographical errors in the draft Constitution be corrected as follows:-**
 - (a) **Part A4 – page 9 – paragraph 5.1.5** delete the word “the” between “to” and “an”;
 - (b) **Part E2 – page 10 – paragraph 7.2.2** delete “arsing” and replace with “arising”;
 - (c) **Part H3 – page 9 – paragraph 4.1.4** delete “here” in penultimate line and replace with “where”.
4. **that the Members Planning Code of Good Practice contained in the Ethical Handbook be amended in the following respect:-**
 - (a) **Appendix A – page 20 - paragraph 1(a)** delete “A Member of the Development Management Committee” and replace with “Any Member of the Council”.
5.
 - (a) **that, subject to resolutions 1 to 4 above, the draft Central Bedfordshire Constitution, as now submitted at document number 7, be approved and implemented either with effect from 1 April 2009 or 8 June 2009, as appropriate, as provided in 7 below; and**
 - (b) **that, in so doing, the Shadow Council specifically resolves to approve the Code of Conduct for Members set out in part F2 of the Constitution;**
6.
 - (a) **that the Ethical Handbook, now submitted at document 8, be approved and implemented with effect from 1 April 2009; and**

- (b) **that, in so doing, the Shadow Council specifically resolves to adopt the Indemnity for Members and Officers of the Council, as set out in part 6 of the Ethical Handbook;**
7. **that the Interim Governance arrangements for the period 1 April to 7 June 2009, as set out in the schedules attached at document No. 6, be adopted;**
8. **that a Constitution Advisory Group be established to advise the Council upon any amendments required to the Constitution;**
9. **that during the period 1 April to 7 June 2009, the Monitoring Officer, in consultation with the Advisory Group, be authorised to amend the Constitution to reflect any urgent, statutory, consequential or other necessary changes which may be required in the light of experience of operation, and which will not admit of delay to the annual meeting of the Council in June 2009;**
10. **that the principle of establishment of a small number of positions (up to 5) of Assistant Portfolio Holders, whose role is to support the Portfolio Holder workloads but not to substitute in any executive decision making capacity be supported."**

SC/08/22

RECOMMENDATIONS OF THE SHADOW EXECUTIVE AND ANY QUESTIONS RAISED UNDER FULL COUNCIL PROCEDURE RULE NO. 8.1 IN RELATION TO THOSE RECOMMENDATIONS

(a) Shadow Executive – 20 January 2009

- (i) *Reserves Policy*
(Minute No. SE/08/77)

RESOLVED

that the Shadow Council:-

- (a) **approves the Reserves Policy for 2009/10 as set out in the report of the Director of Corporate Resources;**
- (b) **approves the setting of the Minimum General Fund Reserve level for 2009/10 at £4.68m for Central Bedfordshire as indicated in paragraph 17 of Appendix 1 to the report of the Director of Corporate Resources; and**
- (c) **determines that the Authority will review the Reserves Policy following the closure of the accounts of the three legacy authorities.**

(b) **Shadow Executive – 17 February 2009**

The Chairman drew attention to recommendations of the meeting of the Shadow Executive held on 17 February 2009 which had been circulated separately to Members on 24 February 2009. The Chairman determined to admit these recommendations with supplementary papers prepared by the Director of Corporate Resources setting out the further options requested by the Shadow Executive in relation to the revenue budget as urgent items of business in accordance with Section 100B(4)(b) of the Local Government Act 1972 to allow the setting of the Budget and Council Tax within the statutory timescale.

(i) *Treasury Management Policy and Strategy 2009/10*
(Minute No. SE/08/87)

The Portfolio Holder introduced the recommendations of the Shadow Executive and moved the recommendation in an amended form as follows:-

That the Council be recommended to:-

1. approve the Treasury Management Policy Statement, as set out in Annex 1 to the report of the Director of Corporate resources; and
2. approve the Annual Treasury Management Strategy 2009/10, as set out at Annex 2 to that report and specifically to resolve to adopt:-
 - (a) *the Investment Policy and Strategy 2009/10 – 2011/12, as set out at paragraph 6 of the Annual Treasury Management Strategy;*
 - (b) *the Prudential Indicators for 2009/10 – 2011/12, as set out in Appendix A to the Strategy; and*
 - (c) *the Annual Minimum Reserve Position (MRP) Statement as set out in Appendix C to the Strategy;*
3. adopt the CIPFA Code of Practice on Treasury Management in the Public Services (Revised 2001).

(Amendments to original recommendation denoted in italics)

RESOLVED

that the Shadow Council:-

- 1. approves the Treasury Management Policy Statement, as set out in Annex 1 to the report of the Director of Corporate Resources;**
 - 2. approves the Annual Treasury Management Strategy 2009/10, as set out at Annex 2 to that report and adopts:-**
 - (a) the Investment Policy and Strategy 2009/10 – 2011/12, as set out at paragraph 6 of the Annual Treasury Management Strategy;**
 - (b) the Prudential Indicators for 2009/10 – 2011/12, as set out in Appendix A to the Strategy;**
 - (c) the Annual Minimum Reserve Position (MRP) Statement as set out in Appendix C to the Strategy;**
 - 3. adopts the CIPFA Code of Practice on Treasury Management in the Public Services (Revised 2001).**
- (ii) Capital Programme 2009/10 – 2012/13
(Minute No. SE/08/88)**

RESOLVED

that having noted that the Shadow Executive has considered the comments of the Shadow Scrutiny and Corporate Resources Transitional Task Force on the proposed Draft Capital Programme, the Shadow Council:-

- (a) approves the General Fund Capital Programme for 2009/10 and 2010/11 attached at Appendix B to the report of the Director of Corporate Resources submitted to the Shadow Executive;**
- (b) approves in principle the indicative Capital Programme proposals for 2011/12 – 2012/13 attached at Appendix C to that report subject to:-**
 - (i) a limit of expenditure of £50m, as indicated in paragraph 5 of the aforementioned report and that the Shadow Scrutiny Committee be requested to establish a Task Force to review the Capital Programme having regard to the requirements of Central Bedfordshire Council, early in the new Municipal Year;**

- (ii) adoption of the principle that the Capital Programme should not include provision for bridging loans in respect of Section 106 Agreements except where exceptional circumstances dictate;**
- (c) approves the Housing Revenue Account Capital Programme for 2009/10 – 2012/13, attached at Appendix E of the aforementioned report;**
- (d) approves the Capital Investment Strategy, attached at Appendix F to the aforementioned report.**
- (iii) Revenue Budget 2009/10 and Medium Term Financial Plan (Minute No. SE/08/89)**

In advance of the consideration of this matter, the Chairman advised that under the provisions of Rule No. 2 he wished to vary the order of business to enable the recommendation set out in Minute No. SE/08/89 to be taken in conjunction with item 9 on the Agenda on the subject of the Council Tax 2009/10. Accordingly the Council considered recommendations of the Shadow Executive from its meeting held on 17 February 2009 together with the report of the Director of Corporate Resources relating to the setting of the Council Tax together with the report of the Director of Corporate Resources providing an update to the previously circulated Budget report which set out the implications of two alternative Council Tax strategies as requested by the Shadow Executive. Details of town and parish council meetings precepts were set out at Appendix A to the Council Tax report of the Director of Corporate Resources and an outline of the Council Tax resolution 2009/10 was set out at Appendix B to that report. Alternative resolutions were set out in the update report relative to the Revenue Budget 2009/10 and Medium Term Financial Plan.

The Leader of the Council referred to the receipt of a petition from the Biggleswade and District Pensioners Association signed by 149 people which read as follows:-

"Are you working together to sort out how we meet the financial cost of our essential costs?

Those who lose their employment and those who rely on income from savings will be forced to reduce normal purchases. With evidence of the financial crisis in the private sector struggling to survive the crash.

The public sector must also ration the use of finance and immediate help will be to freeze the intended increase of Council Tax for 2009/2010.

Would you kindly indicate your current action and future plans that will assist the increasing numbers of those with reduced income?"

The Portfolio Holder (Corporate Resources) proposed the Revenue Budget 2009/10 and Medium Term Financial Plan, recommendations of the Shadow Executive and consideration of the updated report of the Director of Corporate Resources on this subject, and it was proposed and seconded as follows:-

- "1. that having regard to the advice of the Chief Finance Officer (Director of Corporate Resources) as set out in his update report previously circulated, the Revenue Budget for 2009/10 and the Medium Term Financial Plan 2009/10 to 2013/14 be approved in accordance with the summary revenue account, reserves position and Council Tax schedule set out in Annex 1 (2.5% Council Tax option) to that update report;
2. that a Band D Council Tax of:-
 - (a) £1,263.52 for former Mid Beds residents; and
 - (b) £1,314.11 for former South Beds residentsbe set for 2009/10;
3. that the Housing Revenue Account Business Plan, as set out at Appendix 7 to the report of the Director of Corporate Resources, be approved;
4. that:-
 - (a) the proposed differential fee structure for 2009/10 in respect of the limited number of district fees and charges set out in paragraph 8 of the report now submitted be approved, save for the reinstatement of the concession for collection of cement bound asbestos for people in receipt of means tested benefits; and
 - (b) subject to (a) above and the rounding up of figures where appropriate, the fees and charges as set out in Appendix 8 of the report, be approved for implementation with effect from 1 April 2009;
5. that the formal Council Tax resolution as set out in Appendix B1 previously circulated (based on 2.5% increase), be approved".

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

- "1. that having regard to the advice of the Chief Finance Officer (Director of Corporate Resources) as set out in his update report previously circulated, the Revenue Budget for 2009/10 and the Medium Term Financial Plan 2009/10 to 2013/14 be approved in accordance with the summary revenue account, reserves position and Council Tax schedule set out in *the annex now attached (tabled at the meeting)*;
2. and a Band D Council Tax of:-
 - (a) £1,264.09 for former Mid Beds residents; and
 - (b) £1,313.45 for former South Beds residentsbe set for 2009/10;
3. that the Housing Revenue Account Business Plan, as set out at Appendix 7 to the report of the Director of Corporate Resources, be approved;
4. that:-
 - (a) the proposed differential fees structure for 2009/10 in respect of limited number of district fees and charges set out in paragraph 8 of the report now submitted be approved, save for the reinstatement of the concession for collection of cement bound asbestos for people in receipt of means tested benefits; and
 - (b) subject to (a) above a rounding up of figures where appropriate, the fees and charges as set out at Appendix 8 of the report, be approved for implementation with effect from 1 April 2009;
5. that the formal Council Tax resolution *now attached (tabled at the meeting) be approved.*"

(Amendments to original motion denoted in italics)

In order to provide clarification on the effect of the revised budget proposal now submitted, it was confirmed that the amendment varied the original motion by:-

- (a) the deletion in paragraph 1 of the words "Annex 1 (2.5% Council Tax option) to that update report and their replacement by "the Annex now attached";
- (b) (i) the deletion in paragraph 2 (a) of the figure "£1,263.52" and its replacement by "£1,264.09";

- (ii) the deletion in paragraph 2 (b) of the figure "£1,314.11" and its replacement by "£1,313.45";
- (iii) the deletion in paragraph 5 of the words "set out in Appendix B1 previously circulated (based on 2.5% increase)" and their replacement by "now attached."

Following extensive debate upon both the motion and amendment the Portfolio Holder (Corporate Resources) agreed to incorporate the amendments to his motion as a measure on which the Council could achieve a degree of unity within the new unitary authority.

Upon being put to the vote, the substantive motion was **carried**.

RESOLVED

1. ***that, having regard to the advice of the Chief Finance Officer (Director of Corporate Resources) as set out in his update report previously circulated, the Revenue Budget for 2009/10 and the Medium Term Financial Plan 2009/10 to 2013/14 be approved in accordance with the summary Revenue Account, Reserves Position and Council Tax schedule set out in the option tabled at the meeting for 2.5% average Council Tax in 2009/10 amended for equal cash increases.***
2. ***that the Shadow Council sets the level of Band D Council Tax as follows:-***
 - (a) ***£1,264.09 for former Mid Beds residents; and***
 - (b) ***£1,313.45 for former South Beds residents******be set for 2009/10;***
3. ***that the Housing Revenue Account Business Plan, as set out at Appendix 7 of the report of the Director of Corporate Resources, be approved;***
4. ***that:-***
 - (a) ***the proposed differential fee structure for 2009/10 in respect of the limited number of District Fees and Charges set out in paragraph 8 of the report now submitted be approved, save for the reinstatement of the concession for collection of cement bound asbestos for people in receipt of means tested benefit; and***

(b) subject to (a) above and rounding up of figures where appropriate, the fees and charges as set out in Appendix 8 of the report now presented, be approved for implementation with effect from 1 April 2009;

5. that the following amounts be calculated in accordance with Sections 32 and 36 of the Local Government Finance Act 1992:-

(a) aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act as its Budget expenditure, transfers to reserves and town and parish precepts **£508,442,534**

(b) aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act as its Budget income and grants **£329,667,243**

(c) the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its Budget requirement for the year **£178,775,291**

(d) aggregate of the sums which the Council estimates for 2009/10 will be payable into its General Fund in respect of:-

(i) Formula Grant **£49,411,615**

(ii) the amount that the Council estimates will be transferred to its General Fund from its Collection Fund in respect of the estimated surplus on its Collection Fund 2008/09 (including prior year assessment)

£204,000
£49,615,615

(e) the amount at 5(c) (Budget requirement for the year)	£178,775,291
less the amount at 5(d)	£49,615,615
net budget requirement for the year	£129,159,676 (£67,539,308 – Mid Beds area £61,620,638 – South Beds area)
(f) divided by the Council Tax Bases (calculated in accordance with Section 33 (1) of the Act) as approved by Shadow Executive on 17 February 2009 (94,040; 50,450; 43,590 respectively) equal of the basic amounts of Council Tax for 2009/10	£1,373.45 (£1,338.74 - Mid Beds area £1,413.64 - South Beds area)
(g) aggregate of all special items referred to in Section 34(1) of the Act (Town and Parish precepts)	£8,133,051 (£3,765,968 - Mid Beds area £4,367,083 - South Beds area)
(h) the amount at 5(f) above	£1,373.45 (£1,338.74 - Mid Beds area £1,413.64 - South Beds area)
less the amount at 5(g) above divided by the Council Tax Bases of 94,040; 50,450 and 43,590 respectively	£86.49 (£74.65 - Mid Beds area £100.19 - South Beds area)
(i) equals the basic amount of its Council Tax for 2009/10 for dwellings in those parts of the area to which no special item relates (calculated in accordance with Section 34(2) of the Act)	£1,286.97 (£1,264.09 - Mid Beds area £1,313.45 - South Beds area)

(j) the amounts shown in Appendix A to these Minutes in column "Band D", lines (b), being the amounts given by adding to that amount in 5(i) above, the amounts of special items relating to dwellings in those parts of the Council's area shown in the schedule divided in each case by the tax base for the relevant area calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amount of its Council Tax for 2009/10 for dwellings in those parts of its area to which the special items relate

(k) the amounts shown in Appendix A to these Minutes, lines (b), being the amounts given by multiplying the amounts at 5(i) and 5(j) above by the number which, in the proportion set in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as amounts to be taken into account for 2009/10, in respect of the categories of dwellings listed in the different valuation bands; and

6. that the Shadow Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2009/10 for each part of its area and for each of the categories of dwellings;

Valuation Bands

CENTRAL BEDFORDSHIRE COUNCIL – MID BEDS AREA

A	B	C	D	E	F	G	H
£842.72	£983.19	£1,123.64	£1,264.09	£1,544.99	£1,825.91	£2,106.81	£2,528.18

CENTRAL BEDFORDSHIRE COUNCIL - SOUTH BEDS AREA

A	B	C	D	E	F	G	H
£875.63	£1,021.58	£1,167.51	£1,313.45	£1,605.32	£1,897.21	£2,189.08	£2,626.90

BEDFORDSHIRE POLICE AUTHORITY

A	B	C	D	E	F	G	H
£93.71	£109.32	£124.94	£140.56	£171.80	£203.03	£234.27	£281.12

BEDFORDSHIRE & LUTON COMBINED FIRE AUTHORITY

A	B	C	D	E	F	G	H
£54.42	£63.49	£72.56	£81.63	£99.77	£117.91	£136.05	£163.26

AGGREGATE OF COUNCIL TAX REQUIREMENTS – MID BEDS AREA

A	B	C	D	E	F	G	H
£990.85	£1,156.00	£1,321.14	£1,486.28	£1,816.56	£2,146.85	£2,477.13	£2,972.56

AGGREGATE OF COUNCIL TAX REQUIREMENTS – SOUTH BEDS AREA

A	B	C	D	E	F	G	H
£1,023.76	£1,194.39	£1,365.01	£1,535.64	£1,876.89	£2,218.15	£2,559.40	£3,071.28

SC/08/23

APPOINTMENT OF MEMBERS AND CHAIRMAN TO COMMITTEES - APRIL TO JUNE 2009

The Shadow Council received and considered the report of the Monitoring Officer on recommendations of the Group Leaders in relation to the appointment of Members and substitutes to committees and other forums and the appointment of the Chairman and Vice-Chairman of certain committees of the Council between April and June 2009.

Shadow Council members had received an update regarding the political composition of the Shadow Council following the resignation of Cllr Z Haider.

A revised schedule of appointments was circulated at the meeting and a number of further oral amendments to the proposed appointments were made.

Following the conduct of an election for the appointment of Members to serve on the Luton and South Bedfordshire Joint Committee, it was:-

RESOLVED

1. ***that the size of the committees and forums and the allocation of seats to groups in accordance with the Political Proportionality Rules, where applicable, as set out at Appendix A to the report of the Monitoring Officer now submitted be approved;***
2. ***that the appointment of Members and substitutes to committees and other forums, as set out in Appendix B to these Minutes be approved;***
3. ***that the appointment of Chairmen and Vice-Chairmen of committees for the period April to June 2009 as set out in the Appendix to these Minutes be approved;***

4. ***that the following persons be appointed to the Scrutiny Committee as co-opted members with voting rights on education matters:***
- (a) ***Mr Ben Sear, parent governor representative;***
 - (b) ***Mrs Frances Image, Roman Catholic Diocesan representative; and***
 - (c) ***Mr Jon Reynolds, Church of England Diocesan representative.***
5. ***that the Monitoring Officer be authorised to appoint up to two additional parent/governor representatives who have been nominated and, if necessary, duly elected through the statutory process.***

SC/08/24 **CALENDAR OF MEETINGS APRIL 2009 - MAY 2010**

The Shadow Council was invited to approve the Calendar of Meetings for Central Bedfordshire for the period April 2009 to May 2010 as set out in the report of the Monitoring Officer on this subject.

RESOLVED

that the Shadow Council approves the Calendar of Council and Committee Meetings for the period April 2009 – May 2010, as set out in the Appendix to the report of the Monitoring Officer.

SC/08/25 **APPOINTMENT OF INDEPENDENT PERSONS TO THE CENTRAL BEDFORDSHIRE STANDARDS COMMITTEE**

The Shadow Council was invited to approve the appointment of five independent persons to the Standards Committee details of whom were contained in the report of the Monitoring Officer on this subject.

RESOLVED

that Kenneth Frazer, Keith Ford, Jeremy Danns, Deborah Maggs and Mike Jones formally be appointed as Independent Persons to serve on the Standards Committee with effect from 1 April 2009 until elections to be held in 2011.

SC/08/26

**APPOINTMENT OF TOWN/PARISH MEMBERS TO THE CENTRAL
BEDFORDSHIRE STANDARDS COMMITTEE**

The Shadow Council received and considered the report of the Monitoring Officer seeking approval of the appointment of five Town/Parish Council persons to the Standards Committee. Corrections were made to the report in respect of the name of Mrs K Cursons and the designation of Mr B Collier as Chairman of Stotfold Town Council.

RESOLVED

that Mr B Collier, Mrs K Cursons, Ms J Hughes, Ms J Rollings and Mr J Eilbeck formally be appointed as Town/Parish Council Members to serve on the Standards Committee with effect from 1 April 2009 until the elections to be held in 2011.

(Note: The meeting commenced at 5.00 p.m. and concluded at 7.12 p.m.)