

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Council Chamber, The Council Offices, High Street North, Dunstable, LU6 1LF on Thursday, 24 September 2009.

PRESENT

Cllr B J Spurr (Chairman)
Cllr P Hollick (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	T Green	Cllrs	T Nicols
	Mrs A Barker		Mrs C Hegley		A Northwood
	R D Berry		D J Hopkin		Ms J Nunn
	D Bowater		J G Jamieson		P Rawcliffe
	A D Brown		K Janes		A A J Rogers
	Mrs C F Chapman MBE		R W Johnstone		K Sharer
	J A E Clarke		D Jones		P Snelling
	I Dalgarno		J Kane		Miss A Sparrow
	Mrs R J Drinkwater		D J Lawrence		R C Stay
	P A Duckett		Mrs J G Lawrence		J Street
	A Fahn		Mrs A M Lewis		G Summerfield
	Mrs J Freeman		H J Lockey		A M Turner
	P Freeman		S F Male		Mrs P E Turner MBE
	D J Gale		K C Matthews		B Wells
	Mrs R B Gammons		Ms C Maudlin		P Williams
	M Gibson		D McVicar		J N Young
	Mrs S A Goodchild		J Murray		
	Ms A M W Graham		Mrs M Mustoe		

Apologies for Absence

Cllrs	R A Baker	Cllrs	N B Costin	Cllrs	J A G Saunders
	A R Bastable		Dr R Egan		A Shadbolt
	L Birt		Mrs D B Gurney		Mrs C Turner
	P A Blaine		M R Jones		P F Vickers

C/09/25

Minutes

The minutes of the Annual meeting of the Council held on 18 June 2009 and of the Extraordinary meetings held on 16 July 2009 and on 10 September 2009, were submitted.

Members were advised of an amendment to minute no. C/09/24 of 10 September 2009 whereby the revised paragraph 12.6 should have stated that consideration was given to a range of Council sizes from "60 to 70" and not "62 to 70" as referred to in the minutes.

RESOLVED

1. ***that the minutes of the Annual meeting of the Council held on 10 September 2009 be confirmed as a correct record.***
2. ***that the minutes of the Extraordinary meeting of the Council held on 16 July 2009 be confirmed as a correct record.***
3. ***that the minutes of the Extraordinary meeting of the Council held on 10 September 2009 be confirmed as a correct record, subject to the amendment set out in the preamble above.***

C/09/26

Members' Interests

(a) **Personal Interests:-**

None.

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

None.

C/09/27

Chairman's Announcements and Communications

The Chairman highlighted some of the events he had attended over recent months including:-

- the inauguration of the tenth Bishop of St Albans
- the High Sheriff's Civic Service
- the Battle of Britain Service in Dunstable, with the Vice-Chairman attending the Battle of Britain Service in Leighton Buzzard.

The Chairman informed Members of the activities underway in support of the Macmillan Cancer Support's World's Biggest Coffee Morning on 25 September 2009.

The Chairman reminded Members that his Civic Reception would be held on 2 October 2009 at Priory House and hoped that as many Members as possible would be able to attend.

C/09/28

Questions, Statements or Deputations

No questions, statements or deputations had been received under Annex 1 of Part A4 of the Constitution.

C/09/29 **Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part A4 of the Constitution, the Council received a petition requesting that Central Bedfordshire Council do not give planning permission for a potential housing development on green belt land between Frenchs Avenue, Hillcroft, Green Lanes and Maiden Bower Fort in Dunstable.

The lead petitioner made representations in support of the petition.

RESOLVED

that the petition be noted and referred to the appropriate meeting of the Development Management Committee as and when an application is received.

C/09/30 **Recommendations from the Executive**

Executive - 18 August 2009

(a) Central Bedfordshire Community Safety Partnership Community Safety Plan 2009 - 2011

The Council received and considered a recommendation from the meeting of the Executive held on 18 August 2009 seeking endorsement of the draft Community Safety Plan and the associated strategies that had been recommended for Central Bedfordshire by the Central Bedfordshire Community Safety Partnership. Members were advised that the Central Bedfordshire Local Strategic Partnership Board had considered the Plan and strategies at its meeting on 22 September 2009 where it had resolved to agree these documents for adoption by all of the statutory responsible authorities.

RESOLVED

that the draft Community Safety Plan and associated strategies be endorsed.

(b) Executive – 15 September 2009

Central Bedfordshire Children and Young People's Plan 2009 – 2010

The Council received and considered a recommendation from the Executive held on 15 September 2009 with regard to adopting the Central Bedfordshire Children and Young People's Plan. Members were advised that the Central Bedfordshire Local Strategic Partnership Board had considered the Plan at its meeting on 22 September 2009 where it had resolved to adopt the plan.

RESOLVED

that the Central Bedfordshire Children and Young People's Plan be adopted.

C/09/31

Recommendations of the Constitution Advisory Group

Constitution Advisory Group – 21 July 2009 and 25 August 2009

(a) Overview and Scrutiny Constitutional Changes

The Council received and considered a recommendation from the Constitution Advisory Group recommending that changes be made to the Constitution to accommodate Councillor Call for Action Guidance, Crime & Disorder Regulations and a change of name of the Overview & Scrutiny Management Panel.

The Chairman of the Constitution Advisory Group advised Members that in the light of a conflict between the terms of reference of the Corporate Resources Overview and Scrutiny Committee and paragraph 13 of the Overview and Scrutiny Procedure Rules as to how matters falling within the remit of more than one overview and scrutiny committee should be dealt with, a third recommendation was proposed the effect of which would be to delete the following from the end of the terms of reference of the Corporate Resources Overview and Scrutiny Committee in Paragraph 1.1 of Part D1:

“or is not within the remit of any other overview and scrutiny committee”.

RESOLVED

- 1. *that the Constitutional changes as set out in Appendices A and B in the Council Agenda, to accommodate Government Guidance pertaining to the Councillor Call for Action and the Crime and Disorder Regulations, be approved.***
- 2. *that all references to the “Overview & Scrutiny Management Panel” contained within the Council's Constitution be amended to read the “Overview and Scrutiny Co-ordination Panel”.***
- 3. *that the following be deleted from the end of the terms of reference of the Corporate Resources Overview and Scrutiny Committee in Paragraph 1.1 of Part D1:-***

“or is not within the remit of any other overview and scrutiny committee”.

(b) Scheme of Delegation to Officers

The Council received and considered a recommendation from the Constitution Advisory Group recommending revisions to the scheme of delegation to officers on Tax and VAT matters and property matters. Members were advised that the Leader of the Council had approved the proposed revisions.

RESOLVED

that the proposed revisions to the Scheme of Delegation to Officers detailed below be approved:

(i) Tax and VAT matters

<i>Delegation</i>	<i>Qualification</i>
<i>To manage all tax and VAT matters including arrangements made with HM Revenue and Customs.</i>	<i>None</i>

(ii) Property Matters

<i>Delegation</i>	<i>Qualification</i>
<i>To authorise the development and appropriation of land and buildings, together with the granting or taking, assignment, surrender or termination of leases, tenancies, licences, easements, wayleaves and variations of rent, and, subject to a maximum value in any case of £200,000, to authorise the acquisition and disposal of land and buildings or any estate or interest in any land and buildings.</i>	<i>Subject to consultation with the relevant Portfolio Holder.</i>

(c) Composition of the Audit Committee

The Council received and considered a recommendation from the Constitution Advisory Group with regard to a proposed amendment to the Constitution after reviewing the current restriction on members of the Overview and Scrutiny Committee serving upon the Audit Committee.

Members were advised that if this recommendation was approved, the Monitoring Officer, after consultation with the relevant Group Leader, had delegated powers to amend the named Councillors on these Committees in line with the revised amendments.

RESOLVED

that the Constitution be amended to state that no member of the Executive, no Assistant to a Portfolio Holder and no member of the Corporate Resources Overview and Scrutiny Committee may sit upon the Audit Committee.

(d) Petitions in Relation to Traffic Regulation Orders etc

The Council received and considered a recommendation from the Constitution Advisory Group in relation to consideration of petitions relating to Traffic Regulation Orders and other highways-related matters.

RESOLVED

that petitions relating to Traffic Regulation Orders and other highways-related matters continue to be submitted to the Executive for public receipt for onward referral to meetings of the Safer and Stronger Communities Portfolio Holder when dealing with Traffic Regulation Orders, and that Annex 2 of Part A4 of the Constitution be amended accordingly.

(e) Development Management Committee

The Council received and considered a recommendation from the Constitution Advisory Group with regard to amending the Terms of Reference of the Development Management Committee and the Scheme of Delegation with regard to the handling of Regulation 3 & 4 planning applications and applications for planning permission on Council owned land.

RESOLVED

1. that paragraph 4.3.93.5 of the Scheme of Delegation (Part H3) be varied to the following:-

“The application is made under Regulation 3 of the Town and County Planning (General) Regulations 1992 or is for development on the Council’s own land and in either case a material planning representation(s) has been received in writing that is contrary to the Officer delegated decision otherwise to be made and in the case of objections these cannot be resolved through the imposition of conditions.”

- 2. the insertion of a new paragraph 4.3.93.6 of the Scheme of Delegation (Part H3) specifically to deal with Regulation 4 applications as follows:-***

“The application is made under Regulation 4 of the Town and Country Planning (General) Regulations 1992.”

- 3. that the Development Management Committee’s Terms of Reference be amended so that future meetings of the Committee be held in one location at Priory House, Chicksands on a four-weekly cycle using the dates currently scheduled for Chicksands in the Committee meetings calendar with the dates scheduled for meetings of the Committee in Dunstable held as reserve dates.***

(f) Town Centre Management Committees - Chairmanship

The Council received and considered a recommendation from the Constitution Advisory Group proposing an amendment to Part J2, page 6, paragraph 9.2 of the Constitution to provide clarity regarding the chairmanship of joint committees.

RESOLVED

- 1. that the wording of paragraph 9.2 of the terms of reference of the Leighton-Linslade Town Centre Management Committee, as set out in Part J2 of the Constitution be interpreted as meaning “A councillor appointed by Central Bedfordshire Council will take on the role of Chairman and a councillor appointed by the Town Council will take on the role of Vice-Chairman” and that the wording in the Constitution be amended accordingly.***
- 2. that paragraph 7 of the terms of reference of Leighton Linslade Town Centre Management Committee be amended to read as follows:-***

“Membership:-

- 5 Councillors appointed by Central Bedfordshire Council***
- 5 Councillors appointed by Leighton-Linslade Town Council”***

3. ***that parallel amendments be made to clarify the wording of the provision relating to the chairmanship and membership in the terms of reference of both the Dunstable Town Centre Management Committee (Part J2, paragraphs 9.2 and 7) and Houghton Regis Town Centre Management Committee (Part J2, paragraphs 6.3 and 4) as detailed in resolution 1 above.***

(g) Delegation – Children’s Services

The Council received and considered a recommendation from the Constitution Advisory Group proposing an amendment to the Constitution reflecting the requirement in the S.19(1) of the Children Act 2004 that the Council must designate one of their Members as their ‘Lead Member for Children’s Services’.

RESOLVED

that the Constitution be amended to confirm that the Leader is required to designate an Executive member as the Council’s ‘Lead Member for Children’s Services’ under section 19(1) of the Children Act 2004.

C/09/32

Report of the Bedfordshire Police Authority

A report from the meetings of the Bedfordshire Police Authority held on 26 June and 17 July was submitted. The report also contained an update on current performance which was considered by the Authority’s performance Committee on 11 August.

Councillor Hollick, representative of the Police Authority, elaborated on some of the issues in the submitted report. In particular he commented on the Bedfordshire and Hertfordshire Joint Collaboration Programme that was established in 2008. This was now acknowledged as one of the most successful collaboration initiatives in England and Wales. He advised Members that any decisions on a potential merger would be made by Bedfordshire Police Authority based upon what would achieve the best policing for residents and communities across Bedfordshire and Luton, after a full consultation programme had been carried out with the public and partner organisations, as well as staff.

Councillor Hollick responded to questions put to him by Members.

RESOLVED

that the report be received.

C/09/33

Reports of the Bedfordshire and Luton Combined Fire Authority

The reports from the meetings of the Bedfordshire and Luton Combined Fire Authority held on 30 June 2009 and 4 September 2009 were submitted.

Councillor Street, representative of the Bedfordshire and Luton Combined Fire Authority expanded upon some of the issues in the submitted reports. In particular it was highlighted that the Chairman and Vice-Chairman of the Authority were members of Luton Borough Council.

He also commented that Chief Fire Officer Smith was taking up his appointment as Chief Fire Officer of Warwickshire in the autumn. Chief Fire Officer Fuller had been seconded to Warwickshire, but would be returning to his post as Chief Fire Officer of Bedfordshire and Luton.

RESOLVED

- 1. that the report be received.**
- 2. that a letter be sent, on behalf of the Council, by the Chairman thanking Chief Fire Officer Smith for his significant contribution to the development of the Fire and Rescue Service in Bedfordshire and Luton.**

C/09/34

Written Questions (if any)

No written questions had been received from Members of the Council under Rule No. 12.2.

C/09/35

Oral Questions

The Chairman presided over oral questions asked of the Leader, Deputy Leader, Portfolio Holders, the Chairman of a Committee or a member representing the Bedfordshire Police Authority or the Bedfordshire and Luton Combined Fire Authority under Council Procedure Rule 12.7.

In response to a question from Councillor Mrs Chapman regarding when a petition for Aspley Guise Primary School would be dealt with, the Portfolio Holder for Safer and Stronger Communities reminded Members that earlier in the meeting, the Council had approved the referral of petitions relating to Traffic Regulation Orders and highway-related matters to meetings of the Portfolio Holder for Safer and Stronger Communities for consideration. Accordingly he anticipated that the petition would be considered at a meeting to be held on 20 October at 10.00 a.m. in Priory House.

In a response to a question from Councillor Aldis regarding recycling in Central Bedfordshire and the possibility of installing chips in wheelie bins to measure the amount of waste, the Assistant to the Safer and Stronger Communities Portfolio Holder advised of the current level of recycling in Central Bedfordshire and explained that it was not the Council's policy to install chips in wheelie bins

as the data obtained from them was unreliable. He was not aware of any authority recycling 80% of its waste, the highest figure he was aware of was in Finland where nearly 70% of waste was recycled.

In a response to a question from Councillor Aldis regarding the apparent ban on petitions being placed in libraries in Central Bedfordshire, the Portfolio Holder for Culture and Skills advised that the Council supported public engagement, but it was not practical for libraries to display petitions as there were issues around impartiality, how staff would control and manage the process and how many petitions libraries could display etc.

C/09/36 **Motions (if any)**

No motions had been received from Members of the Council under Rule No. 16.

C/09/37 **Members' Allowances Scheme**

The Council received a report proposing the adoption of two amendments to the current Scheme of Members' Allowances. The first being to enable Members required to stay away from home, whilst on official business, to claim for the cost of overnight accommodation, where such costs are not included within any other charges for the event attended. The second amendment being the inclusion within the Scheme of a clause to enable all Councillors to be able to claim travelling allowances for the purpose of meeting with Officers, up to an average of four visits per month.

Members voted on the recommendations individually.

RESOLVED

that the Scheme of Members' Allowances be amended by the inclusion of the following clauses within Schedule 2 - Approved Duties:-

	<i>An allowance per night of up to</i>
<i>(a) Absence overnight from usual place of residence – (This allowance includes accommodation and breakfast for which the costs have not already been incurred by the Council)</i>	<i>£90</i>
<i>(b) Absence overnight in London or at certain annual conferences or specified Local Authority Associations - (This allowance includes accommodation and breakfast for which the costs have not already been incurred by the Council)</i>	<i>£150</i>

- (c) ***Attendance by Councillors for the purpose of meeting Officers up to an average, calculated over the Council year, of four visits per month.***

C/09/38

Independent Remuneration Panel - Membership

The Council received a report which proposed the appointment of a new Member to the Independent Remuneration Panel and fixing terms of office for the remaining Panel Members.

RESOLVED

- 1. that Mrs B Heley be offered an appointment to the Independent Remuneration Panel for the period ending 31 March 2012**
- 2. that Mr C Bell and Mr G Lambert each be offered a further appointment to the Independent Remuneration Panel for the periods indicated below:-**

<u>Name of Member</u>	<u>Period of Appointment</u>
Mr C Bell	Five Years expiring 31 March 2014
Mr G Lambert	Four Years expiring 31 March 2013

C/09/39

Ward Presentations

The Council received a ward presentation from Councillor Aldis on Sandy Town Council's wish to provide additional allotment land to meet growing demand and a request to be made to Central Bedfordshire Council for the release of land in Beeston for that purpose.

The Leader of the Council commented upon the presentation given that the land in Beeston fell within her ward and she was able to answer a question and advised that a formal request should be submitted by the Town Council.

C/09/40

Presentation to the Interim Chief Executive

The Leader of the Council noted that this would be the final Council meeting attended by Jaki Salisbury, Interim Chief Executive, who would be leaving the Council on 2 October 2009. The Leader highlighted her many years of working with Jaki, both during her time with Mid Bedfordshire District Council (MBDC) and more latterly with Central Bedfordshire Council (CBC). The Leader thanked Jaki for her support, hard work and friendship. A presentation was than made to Jaki.

Individual Members praised Jaki for her work and wished her all the best for the future. Jaki thanked Members for their kind words and reflected upon her time working for MBDC and CBC.

The Chairman of the Council then presented Jaki with a bouquet of flowers.

(Note: The meeting commenced at 6.30 p.m. and concluded at 8.45 p.m.)