

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Sandra Hobbs
direct line 0300 300 5257
date

NOTICE OF MEETING

CENTRAL BEDFORDSHIRE COUNCIL

Date & Time

Thursday, 25 February 2010 at 6.30 p.m.

Venue at

Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the CENTRAL BEDFORDSHIRE COUNCIL:

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

Prayers

Prayers to be taken by Pam Halliwell, who is the Lay Reader in the Meppershall Parish.

1. **Apologies**

The Chairman to ask for any apologies received in advance of the meeting.
The Chairman to ask the meeting if there are any other apologies to be recorded.

2. **Minutes**

To approve the Minutes of the Council meeting held on 7 January 2010.

3. **Members' Interests**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) personal interests in any agenda item
- (b) personal and prejudicial interests in any agenda item.

4. **Chairman's Announcements and Communications**

The Chairman to make any announcements or communications.

5. **Leader of the Council's Communication and Announcements**

The Leader of the Council to make any announcements or communications.

6. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of part A4 of the Constitution.

7. **Petitions**

To receive and discuss petitions in accordance with the Public Participation Procedure as set out at Annex 2 of part A4 of the Constitution.

The Monitoring Officer has been notified that a petition will be presented to the Chairman by Cllr A D Brown concerning a request for a safe road crossing to be installed in Amphill Road, Shefford, close to the junction of School Lane.

8. Members' Allowances Scheme

To receive a report from the Independent Remuneration Panel with proposed recommendations to the Scheme of Members' Allowances.

9. Recommendations from the Executive

To consider the recommendations from the meetings of the Executive held on 12 January 2010 and 9 February 2010 and answer questions asked under Rule No. 12.1.

(Note: It is anticipated that the Chairman will exercise his authority to take the recommendations of the Executive in relation to the Medium Term Financial Plan and Budget 2010/11 to 2014/15 in conjunction with the report on the Council Tax at item 18.)

10. Recommendations from the Licensing Committee

To consider the recommendations from the meeting of the Licensing Committee held on 13 January 2010 and answer questions asked under Rule No. 12.1.

11. Recommendations from the Regulation Committee

To consider the recommendation from the meeting of the Regulation Committee held on 13 January 2010 and answer questions asked under Rule No. 12.1.

12. Recommendations from the Constitution Advisory Group

To consider the recommendations from the meetings of the Constitution Advisory Group held on 25 January 2010 and 15 February 2010 and answer questions asked under Procedure Rule No. 12.1.

13. Decisions Taken by the Leader of the Council

To advise the Council of in-year changes to delegations made by the Leader of the Council in accordance with paragraph 1.4 of Part C4 of the Constitution.

14. Report of the Bedfordshire Police Authority

To receive and consider the report of the Bedfordshire Police Authority and answer questions asked under Rule No. 12.1.

(Please note that the report of the Bedfordshire Police Authority will be to follow as their meeting was held on 12 February 2010.)

15. Written Questions (if any)

To answer written questions from members of the Council under Rule No. 12.2.

16. **Oral Questions**

To answer oral questions asked by members of the Council under Rule No. 12.7.

17. **Motions (if any)**

To consider motions by members of the Council under Rule No. 16 in the order received.

18. **Council Tax 2010/11**

To present the Formal Council Tax Resolution.

19. **Designation of Interim Chief Finance/ Section 151 Officer and revision of the Constitution**

To request the Council to designate a post to fulfill the role of Chief Finance / Section 151 Officer on an interim basis and to delegate authority to amend the Constitution to reflect the proposed new directorate structure.

20. **Calendar of Meetings 2010/11**

To approve the Calendar of Meetings for Central Bedfordshire Council for the period June 2010 – May 2011.

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Council Chamber, Council Offices, High Street North, Dunstable, LU6 1LF on Thursday, 7 January 2010.

PRESENT

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

Cllrs	P N Aldis	Cllrs	Mrs C Hegley	Cllrs	A Northwood
	R A Baker		D J Hopkin		Ms J Nunn
	A R Bastable		J G Jamieson		A A J Rogers
	L Birt		K Janes		J A G Saunders
	P A Blaine		R W Johnstone		A Shadbolt
	D Bowater		D Jones		P Snelling
	Mrs C F Chapman MBE		M R Jones		R C Stay
	J A E Clarke		J Kane		J Street
	I Dalgarno		D J Lawrence		G Summerfield
	Mrs R J Drinkwater		Mrs J G Lawrence		A M Turner
	P A Duckett		H J Lockey		Mrs C Turner
	Dr R Egan		S F Male		Mrs P E Turner MBE
	Mrs J Freeman		K C Matthews		P F Vickers
	P Freeman		Ms C Maudlin		B Wells
	M Gibson		D McVicar		P Williams
	Mrs S A Goodchild		J Murray		J N Young
	Ms A M W Graham		Mrs M Mustoe		
	T Green		T Nicols		

Apologies for Absence

Cllrs	Mrs A Barker	Cllrs	A Fahn	Cllrs	Mrs A M Lewis
	R D Berry		D J Gale		P Rawcliffe
	A D Brown		Mrs R B Gammons		K Sharer
	N B Costin		Mrs D B Gurney		Miss A Sparrow

Officers in Attendance:	Mr G Alderson	–	Director of Sustainable Communities
	Mr R Carr	–	Chief Executive
	Mr B Dunleavy	–	Electoral Services Project Officer
	Mr R Ellis	–	Director of Business Transformation
	Mrs E Grant	–	Deputy Chief Executive/Director of Children, Families and Learning
	Mr C Heaphy	–	Director of Corporate Resources
	Mrs S Hobbs	–	Democratic Services Officer
	Mrs K John	–	Head of Democratic Services
	Mrs B Morris	–	Assistant Director Legal & Democratic Services and Monitoring Officer
	Mrs J Ogle	–	Director of Social Care, Health and Housing

Prayers

Prayers were taken by Councillor John Street.

C/09/52 Minutes

Members considered the minutes of the meeting of the Council held on 19 November 2009. On a point of clarification, it was confirmed that the request mentioned in minute no. C/09/46 (c) 'LDF (North): Core Strategy and Development Management Policies Development Plan Document' that a letter from Shillington Parish Council be included in the consideration when the relevant Strategy and Plans were prepared, had in fact been agreed.

RESOLVED

That the minutes of the meeting of the Council held on 19 November 2009 be confirmed and signed by the Chairman as a correct record, subject to the above amendment.

C/09/53 Members' Interests

(a) Personal Interests:-

Councillor Mrs Goodchild declared a personal interest in Agenda Item No. 14 'Oral Questions', as she was a School Governor and was asking a question about attendance figures in schools.

(b) Personal and Prejudicial Interests:-

None.

C/09/54 Chairman's Announcements and Communications

The Chairman allowed Councillor Stay to speak on this item and to thank Officers, utilities, voluntary organisations and other agencies for their help and support to the residents of Caddington who had experienced a loss of power and gas during part of December 2009.

The Chairman announced that Richard Barker, Caretaker at the Dunstable Council Offices would be retiring on Friday 8 January 2010. He thanked Richard for his long service and hard work and wished him a happy and long retirement.

C/09/55 Questions, Statements or Deputations

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

C/09/56 Petitions

No petitions had been received in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

C/09/57 LDF (North): Site Allocations Development Plan Document

The Council received a report on the draft Local Development Framework (LDF) (North): Site Allocations Development Plan Document (DPD). Further correspondence had been circulated to Members relating to sites in Ampthill (Swaffield Close) and Langford (Station Road). A letter from Pottton Town Council about the proposals for development in Pottton, which was not in keeping with the Pottton Town Plan, was tabled at the meeting.

In accordance with the Public Participation Procedure as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution, the Chairman then invited those members of the public who had registered to speak on this item to address the Council. Each speaker was permitted a maximum of three minutes. Statements were received from seven speakers on the following areas:-

- land at Swaffield Close, Ampthill - a request was made that this site be included for residential development in the DPD;
- land in Wrestlingworth (H090) – to seek confirmation that the site would not be included as an allocation;
- land in Shillington (H006) and the parish plan – a request was made that this site be removed from the DPD and that consideration should be given to the Parish Plan;
- land at Station Road, Langford – a request was made that this site be included in the DPD; and
- land at High Street, Clophill (H042) – to support the inclusion of this site in the DPD.

The Portfolio Holder for Sustainable Development thanked the speakers for their comments and responded to their questions. He commented on the extensive review carried out by the Development Strategy Task Force. They had taken all comments on board before recommending the document through to the Sustainable Communities Overview and Scrutiny Committee and the Executive. He explained that if the Site Allocation DPD was agreed then a period of public consultation would be carried out. Following the consultation the DPD would be submitted to the Secretary of State, together with any proposed changes. There would then be an Independent Examination by the Planning Inspectorate to consider the “soundness” of the plan and the objections received during the consultation period.

The Leader of the Council made reference to the letter from Pottton Town Council and their comments about the parish and town plans. The Council recognised the value of the local detail contained within the Plans as it represented the local communities views.

Members also commented on the land in Shillington (H006), Stondon (H079), Pottton Road, Biggleswade (HA1) and land at Swaffield Close, Ampthill. There was a request that part of the land at Roecroft Lower School remain as a playing field for the school.

The Chairman of the Development Management Task Force gave an explanation as to how these proposals for these sites had come about. In particular, reference was made to land in Cranfield (Site Reference H322) where a new lower school was proposed as part of the development. There was some concern that if the new lower school was not developed on this land then it would be used for residential housing. The Chairman of the Development Management Task Force assured the meeting that 160 residential properties would be a maximum for Cranfield. The Portfolio Holder for Sustainable Development confirmed that the land at H322 would not provide an opportunity for additional residential development in the village. The Portfolio Holder for Sustainable Development advised that any further comments could be passed to him for consideration.

RESOLVED

1. ***that the Site Allocations Development Plan Document be approved for public consultation and submission to the Secretary of State for examination***
2. ***that delegated authority be given to the Director of Sustainable Communities, in consultation with the Portfolio Holder for Sustainable Development, to make minor amendments to the Site Allocations Development Plan Document prior to submission to the Secretary of State, and during examination.***

C/09/58

Recommendation from the General Purposes Committee

The Council received and considered a recommendation from the meeting of the General Purposes Committee held on 17 December 2009 to approve the Submission to the Boundary Committee for England covering the number and location of electoral wards for Central Bedfordshire. The town and parish responses to the consultation had been updated with the latest comments and were tabled at the meeting.

The following amendment was proposed and seconded:-

“To amend recommendation 1 contained within the agenda, by the addition of the following words at the end of the recommendation:-

subject to the proposed two member ward for Aspley Guise and Westoning being split into two single member wards, comprising:-

- a) one ward for Flitton and Greenfield, Pulloxhill, Westoning and Tingrith Parishes; and
- b) one ward for Aspley Guise, Aspley Heath, Husborne Crawley, Battlesden, Eversholt, Milton Bryan, Potsgrove and Woburn Parishes”.

This amendment was **carried**.

A further amendment was proposed and seconded as follows:-

- “1. to endorse an alternative proposed pattern of wards;
2. to note the responses received from the Town and Parish Councils;
3. to approve the supporting script for submission to the Boundary Committee for England on the number and location of electoral wards for Central Bedfordshire; and
4. to authorise the Director of Corporate Resources, in consultation with the Chairman of the Working Group, to respond to questions raised by the Boundary Committee regarding the submission.”

Members discussed this amendment and in particular, the sizing of the wards as some members preferred to see 1 or 2 member wards and not 3 member wards.

A motion was then proposed and seconded to put the amendment to the vote. This was **lost**.

A vote was taken on the amendment and was **lost**.

The substantive motion was then put to the vote and it was:-

RESOLVED

- 1. to endorse the proposed pattern of wards set out in Appendix A of the submitted report subject to the proposed two member wards for Aspley Guise and Westoning being split into two single member wards, comprising:-**
 - a) one ward for Flitton and Greenfield, Pulloxhill, Westoning and Tingrith parishes; and**
 - b) one ward for Aspley Guise, Aspley Heath, Husborne Crawley, Battlesden, Eversholt, Milton Bryan, Potsgrove and Woburn parishes.**
- 2. to note the responses received from the Town and Parish Councils**

3. ***to approve the Submission to the Boundary Committee for England on the number and location of electoral wards for Central Bedfordshire***
4. ***to authorise the Director of Corporate Resources, in consultation with the Chairman of the Electoral Arrangements Review Working Group, to respond to questions raised by the Boundary Committee regarding the Submission.***

C/09/59 **Decisions Taken by the Leader of the Council**

Members noted the in-year changes to delegations made by the Leader of the Council in accordance with paragraph 1.4 of Part C4 of the Constitution.

C/09/60 **Report of the Chairman of the Audit Committee**

Members noted the bi-annual report of the Chairman of the Audit Committee required under item 6.2.2 of the Committee's Terms of Reference.

C/09/61 **Report of the Bedfordshire Police Authority**

A report from the meeting of the Bedfordshire Police Authority held on 11 December 2009 was submitted.

Councillor Hollick, representative of the Police Authority, elaborated on some of the issues in the submitted report.

RESOLVED

that the report be received.

C/09/62 **Report of the Bedfordshire and Luton Combined Fire Authority**

A report from the meeting of the Bedfordshire and Luton Combined Fire Authority held on 11 December 2009 was submitted.

Councillor Street, representative of the Bedfordshire and Luton Combined Fire Authority, presented the submitted report.

RESOLVED

that the report be received.

C/09/63 **Written Questions (if any)**

The Chairman had accepted an urgent question from Councillor Dr Egan as it related to the current weather conditions. A copy of the question had been tabled. The question related to the gritting and snow clearance and the concerns for elderly and vulnerable residents during this period of cold weather.

The Portfolio Holder for Safer and Stronger Communities advised Members that Officers would be considering the feasibility and affordability of the proposals set out in the question. He agreed to look into the suggestion of employing unemployed people to clear snow and the uncertainty of who would be legally responsible if someone fell over on paths after they had been cleared of snow and ice. He advised Members that the Council did not have any powers to insist that the proprietors of the car parks make arrangements for them to be cleared of snow and ice.

The Department for Transport was now monitoring all salt supplies and would be managing the distribution of deliveries. During this prolonged spell of cold and icy weather, the Council was also manually salting pedestrian areas in town centres and replenishing salt bins wherever possible.

The Portfolio Holder for Social Care, Health and Housing had been corresponding with the Portfolio Holder for Safer and Stronger Communities with regard to helping the vulnerable and elderly during this period of cold weather.

C/09/64 **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.

- 1) Councillor Mrs Chapman MBE asked a question about the work and achievements of the Marston Vale Trust and the Marston Vale Forest Centre.

The Portfolio Holder for Economic Growth and Regeneration advised Members that the former Mid Bedfordshire District Councillors would be aware of the Marston Vale Forest Centre. He advised that he would arrange for the Centre to give a presentation to Members.

- 2) Councillor Dr Egan enquired how many care homes the Portfolio Holder for Social Care, Health and Housing had visited and about the quality of the care homes.

The Portfolio Holder for Social Care, Health and Housing responded that she had not yet visited any care homes within Central Bedfordshire under her role as Portfolio Holder since June 2009, however in her professional capacity she represented a company who supplied care workers and had visited around 40-50 care homes in and around the Central Bedfordshire area.

- 3) Councillor Mrs Goodchild asked a question about school attendance figures and the disparity in the number of days that each school was open over the course of the year, including those days where schools were closed due to bad weather.

The Assistant to the Portfolio Holders for Children's Services and Leisure and Culture advised Members that Head teachers, in consultation with the Chair of Governors, decided whether a school should open. Attendance figures were reported on schools in comparison tables and therefore adverse conditions could affect this. The idea of publicising supplementary tables to indicate if the adverse weather had affected the data could be looked into.

- 4) Councillor Aldis asked a question regarding Central Bedfordshire Council's food waste collection and the stickers provided for the waste bags.

The Assistant to the Safer and Stronger Communities Portfolio Holder advised that residents who had their food waste collected should be supplied with these stickers.

- 5) Councillor Aldis asked a question regarding the continuation of the BEaR project.

The Assistant to the Safer and Stronger Communities Portfolio Holder advised Members that the BEaR project would be continuing without the input from Bedford Borough Council and Luton Borough Council. The BEaR project would look at an environmental friendly sustainable solution for disposing of Central Bedfordshire's waste. A report was due to be submitted to the Sustainable Communities Overview and Scrutiny Committee and the Executive before March 2010.

C/09/65

Motions (if any)

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

(Note: The meeting commenced at 6.30 p.m. and concluded at 8.50 p.m.)

Meeting: Council
Date: 25 February 2010
Subject: Members' Allowances Scheme 2010/11
Report of: Cllr Maurice Jones , Portfolio Holder for Corporate Resources
Summary: This report sets out the recommendations of the Independent Remuneration Panel, following its meetings on 20 November, 7 and 21 December 2009.

Advising Officer: Clive Heaphy, Director of Corporate Resources
Contact Officer: Stephen Cooke, Electoral/Members' Services Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council
**Reason for urgency/
exemption from call-in
(if appropriate)** Not applicable

CORPORATE IMPLICATIONS

Council Priorities:

The provision of a fair scheme of Members' Allowances is essential to the democratic process in ensuring an equal opportunity to all to become a Councillor.

Financial:

The financial implications arising from the recommendations of the Independent Remuneration Panel produce a reduction of £33,513 in the overall cost of the Members' Allowances Scheme for the year commencing 1 April 2010 compared with the revised out-turn figure for 2009/2010. This reduction is subject to no change being made in the number of councillors appointed to a post for which a special responsibility allowance is payable.

Legal:

The Local Authorities (Members' Allowances) (England) Regulations 2003

Risk Management:

None

Staffing (including Trades Unions):

None

Equalities/Human Rights:

The Scheme of Members' Allowances includes allowances for Dependants' Carers' to provide equality for any Member with caring responsibilities.

Community Safety:

None.

Sustainability:

None

Summary of Overview and Scrutiny Comments:

- Not applicable

RECOMMENDATION(S):

That the Council consider the adoption of a Scheme of Members' Allowances for Central Bedfordshire, for the year commencing 1 April 2010, in accordance with the recommendations of its Independent Remuneration Panel which have been included within the Draft Scheme of Allowances set out in Appendix C to this report.

<i>Reason for Recommendation(s):</i>	<i>In accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003, the Council must have regard to the recommendations of its independent remuneration panel before the adoption of a Scheme of Members' Allowances for the year commencing 1 April 2010.</i>
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1. The Independent Remuneration Panel held meetings on 20 November, 7 and 21 December 2009 for the purpose of conducting a review of Members' Allowances in accordance with the provisions of The Local Authorities (Members' Allowances) (England) Regulations 2003.
2. Section 3 of this report provides a summary of the recommendations of the Panel and section 4 provides details of the financial implications for all allowances. A copy of the full report of the Panel, giving reasons for the various recommendations is attached as Appendix A. Details of the allowances for the current financial year and those recommended for the year commencing 1 April 2010 is attached in tabular form as Appendix B. A draft of the Scheme of Allowances, as it would appear if the recommendations of the Independent Remuneration Panel were to be adopted, is attached as Appendix C.

3. Summary of the Recommendations of the Independent Remuneration Panel

3.1 Basic Allowance

That the Basic Allowance of £11,220 paid to all Members of the Council remain unchanged for 2010/11.

3.2 Special Responsibility Allowances (SRA)

3.2.1 Leader's SRA

That the Leader's SRA be reduced from 300% of the basic allowance to 275% of basic allowance for 2010/11.

3.2.2 Assistant Portfolio Holders

That the SRA paid to Assistant Portfolio Holders be increased from 7.5% to 15% of the Leader's SRA (this equates to 25% of the SRA paid to Portfolio Holders)

3.2.3 Audit Committee Chairman

That the SRA for the Audit Committee Chairman be reduced from 32.5% to 20% of the Leader's SRA for 2010/11.

3.2.4 Vice-Chairman SRAs

That SRAs for all Vice-Chairman posts be abolished from 2010/11 onwards.

3.2.5 Other SRAs

That no changes be made to the percentage link to the Leader's SRA for the following posts in 2010/11:

- Deputy Leader (15%)
- Portfolio Holder (60%)
- Development Management Committee Chairman (40%)
- Overview and Scrutiny Committee Chairmen (32.5%)
- General Purpose Chairman (15%)
- Standards Committee Chairman (15%)
- Licensing Committee Chairman (7.5%)
- Regulation Committee Chairman (7.5%)
- Luton & South Beds Joint Committee Chairman (40%)
- Minority Group Leaders (7.5%)

3.3 Travel and Subsistence Allowances

- 3.3.1 That the travel and subsistence allowances schemes for newly appointed staff to Central Bedfordshire Council be applicable also to Members with effect from 1 April 2010.

3.3.2 That attendance at civic events, such as the annual civic reception, be not included on the list of approved duties for travel allowance purposes.

3.4 Dependants' Carers' Scheme

That:-

- (a) the hourly rate allowance for child care and non-specialist care be increased to £5.80 (the national minimum wage for workers aged 22).
- (b) the hourly rate for specialist care be up to 3 times the national minimum wage.

3.5 Co-opted Members' Allowance

That the existing method of payment per meeting be retained for the time being and that payment remain at £75 for a meeting or training event lasting up to 4 hours and £150 for a meeting or training event lasting more than 4 hours.

3.6 Civic Allowances

That the allowances for the Chairman and Vice-Chairman of the Council remain at 100% of the basic allowance for the Chairman (£11,220) and 25% of the basic allowance for the Vice-Chairman (£2805).

4 Financial Implications

4.1 If adopted, the recommendations of the Independent Panel would produce a reduction in the cost of the Members' Allowances Scheme and associated Member costs of £33,513 compared with the 2009/2010 revised out-turn figure.

4.2 For the financial year 2010/2011, the overall cost of the Scheme of Members' Allowances, together with employer costs, Members' ICT Allowances and Civic Allowances are estimated to be £1,306,328. This includes the sum of £25,020 for Members' ICT allowances for which a budget had not initially been provided for 2009/2010. Details of the estimated costs are as shown below:-

2010/2011	
Basic Allowances	£740,520
Special Responsibility Allowances	£305,463
Travel and Subsistence Allowances	£63,450
Dependants' Carers' Scheme	£2,000
Co-opted Members' Allowance	£6,400
Employers National Insurance Contributions	£75,000
Employers Superannuation Contributions	£74,450
Civic Allowance, Chairman and Vice-Chairman	£14,025
Members' ICT Allowances	£25,020
Total	£1,306,328

- 4.3 The original budget for 2009/2010, as noted by Shadow Council on 26 February 2009 when the Scheme of Members' Allowances for 2009/2010 was adopted, was £1,318,682. This included a figure of £75,000 to cover employer costs for those Members who opted to join the Local Government Superannuation Scheme. A breakdown of the original estimate, together with revised out-turn figures, are shown below:-

	Original Estimate 2009/2010	Revised Out-turn 2009/2010
Basic Allowance	£740,520	£740,520
Special Responsibility Allowances	£328,887	£339,976
Travelling and Subsistence Allowances	£33,000	£63,450
Dependants' Carers' Scheme	£2,000	£1,000
Co-opted Members' Allowance	£5,250	£6,400
Employers National Insurance Contributions	£120,000	£75,000
Employers Superannuation Contributions	£75,000	£74,450
Civic Allowance, Chairman and Vice-Chairman	£14,025	£14,025
Members' ICT Allowances		£25,020
	£1,318,682	£1,339,841

- 4.4 The original estimate for special responsibility allowances for 2009/2010 was based on an Executive of Leader and 8 Portfolio Holders whereas the Leader of the Council appointed an additional Portfolio Holder.
- 4.5 The original estimate for Travelling and Subsistence Allowances is clearly inadequate, based upon the cost of claims to the end of November 2009.
- 4.6 The sum of £25,020 has been added to the revised out-turn figures to cover the cost of Members' ICT Allowances, for which no provision had been made within the original budget.
- 4.7 The estimate of £1,306,328 for 2010/2011, is less than the revised out-turn figure of £1,339,841 for 2009/2010 by £33,513.
- 4.8 The recommendations of the Independent Remuneration Panel, were reported to the Executive on 12 January in view of the financial considerations. The Executive noted those recommendations.

Background Papers: (open to public inspection) None

Location of papers: Not applicable

APPENDIX A

CENTRAL BEDFORDSHIRE COUNCIL

REPORT AND RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL CONCERNING THE SCHEME OF MEMBERS' ALLOWANCES FOR THE YEAR COMMENCING 1 APRIL 2010

CENTRAL BEDFORDSHIRE

REPORT OF THE INDEPENDENT REMUNERATION PANEL

Background

1. This report presents the findings and recommendations of the Independent Remuneration Panel concerning the Scheme of Members' Allowances for the year commencing 1 April 2010.
2. The Local Authorities (Members' Allowances)(England) Regulations 2003 make it a requirement for every local authority to establish an independent remuneration panel for the purpose of making recommendations to the authority as to the amount of basic allowance that may be paid to every member of the authority. The Regulations also specify certain requirements concerning allowances for special responsibility, travelling and subsistence, dependants' carers' and co-optees'.
3. The Regulations place a duty upon an authority to have regard to the recommendations of its independent panel before making or amending its Scheme of Members' Allowances.
4. At the meeting of the Council held on 24 September 2009 the under-mentioned persons were appointed to serve as the members of the Panel established to make recommendations concerning the Scheme of Members' Allowances.
5.

Person Appointed	Period of Appointment
Mrs B Heley	31 March 2012
Mr G Lambert	31 March 2013
Mr C Bell	31 March 2014

The meeting of the Panel held 20 November 2009

6. All members of the Panel were in attendance at the meeting together with Councillor Maurice Jones (Portfolio Holder for Corporate Resources), who left the meeting at the conclusion of the matters referred to in paragraph 10 below.
7. It was agreed that Mr C Bell be appointed as Chairman of the Panel for those meetings concerned with the Scheme of Members' Allowances for the year commencing 1 April 2010.
8. Members of the Panel were provided with the following documents:-
 - (a) The Scheme of Members' Allowances for the year commencing 1 April 2009.
 - (b) The formula previously adopted by the Panel for the calculation of basic allowance.
 - (c) A table of the recommendations made by the Panel in respect of the Scheme of allowances for the year commencing 1 April 2009 and the revisions adopted by the Council.
 - (d) Details of the allowances paid by other authorities within the Audit Commission Family Group.

9. The Chairman welcomed Councillor Jones to the meeting and invited him to explain the circumstances that gave rise to the Executive, at its meeting held on 20 January 2009, recommending to the Council, the adoption of a Scheme of Allowances that departed from the Scheme recommended by the Panel.
10. Councillor Jones explained the reasons that led him to propose to the Executive that the Council be recommended to adopt a Scheme of Allowances that differed from that recommended by the Panel. In particular Councillor Jones mentioned that he was concerned about the inclusion of some of the authorities within the Audit Commission's Family Group, feeling that Yorkshire East Riding and South Gloucestershire provided more accurate comparators. He also asked the Panel to consider the adoption of a fixed spinal column point within the National Joint Council's Salary Scheme, in place of using the Local Government Association's Daily Rate Figure within the formula to calculate basic allowance.
11. Members of the Panel then requested the following information for a further meeting to be held on 7 December 2009:
 - (a) Details of the National Joint Council's Spinal Column salary scale
 - (b) Figures from comparison authorities as to
 - (i) Size of revenue budget
 - (ii) Number of Councillors
 - (iii) Population and area
 - (iv) Level of Council Tax Band D

The meeting of the Panel held 7 December 2009

12. All members of the Panel were in attendance at the meeting.
13. Panel Members were reminded of the information presented in the documents circulated at the last meeting (Paragraph 8 above) although it was pointed out that the authorities used for Central Bedfordshire comparison purposes are now those set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) Comparator Group which is now used by the Audit Commission in place of their previous Family Group.
14. Members of the Panel were provided with the following further information:-
 - (a) allowances paid by other authorities within the Central Bedfordshire CIPFA Comparator Group;
 - (b) other comparative information namely population and area, general fund net budget, the level of Council Tax at Band D for 2009/10 and the number of councillors for those authorities;
 - (c) the same information as in (a) and (b) above for Luton Borough (as a neighbouring authority) and Yorkshire East Riding (at the request of the Portfolio Holder for Corporate Resources who had used that Council's allowances for comparison purposes in his submission to Members for 2009/10);
 - (d) the current Local Government Association Daily Rate figure which was last amended on 1 April 2008 but which was likely to be discontinued in the near future;

- (e) details of the National Joint Council pay scale for Local Government staff in the light of a request by the Portfolio Holder for Corporate Resources to link the formula used to calculate the basic allowance to a point on that pay scale instead of the Local Government Association Daily Rate which he considered was no longer appropriate as a financial base;
 - (f) that, according to the most recent National Census of local authority councillors conducted by the Improvement and Development Agency in 2008, the average number of hours spent per councillor on council/political business amounted to 22 hours each week.
15. The main issues for the Panel were
- (a) Determining the appropriate financial base (i.e. the Local Government Association Daily Rate figure or a point on National Joint Council pay scale for Local Government staff) and formula in calculating the basic allowance.
 - (b) Whether any change should be made to any of the allowances given the high Central Bedfordshire ranking on allowances against the Comparator Group.
 - (c) Given that such allowances do not exist in other authorities, the case to justify payments to Assistant Portfolio Holders.
16. Regarding 15(a) above, Panel Members acknowledged that the Local Government Association Daily Rate was likely to be discontinued in the near future but were apprehensive about using a point on the National Joint Council pay scales as the financial base because a (potential) automatic annual increase would be built into the Allowances Scheme. In addition the Members requested information on the type of officer posts within the grading that includes spinal column point 34, that being the point suggested by the Portfolio Holder for Corporate Resources.
17. Regarding 15(b) above, Panel Members noted that the Leader's Allowance was the highest in the CIPFA Group and that all other SRAs were based on a percentage ratio of the Leader's Allowance. In the light of the comparisons in the CIPFA Group of authorities and the Council's difficult and challenging financial position, the Panel was not minded to make any recommendations to increase the level of any allowances. Given the information available as a result of the benchmarking exercise, the Panel decided to invite all Members of the Council to submit any observations (in writing or personally) they wished to be taken into consideration before the Panel determines its final recommendations.
18. Regarding 15(c) above, the Panel noted that the current Scheme provided for payments to 4 Assistant Portfolio Holders (APHs) and that no other authority in the CIPFA Group paid such allowances, although one, Cheshire East, paid a Special Responsibility Allowance (SRA) to 'Cabinet Support Members'. The Panel was advised of the duties undertaken by APHs but felt that an allowance should only be paid where genuine responsibilities could be demonstrated. Their initial view was that they would be amenable to recommending a one-off payment to an APH in exceptional circumstances and provided it was not ongoing but they would welcome further input and evidence from Members before making a recommendation.
19. **Civic Allowances**

The Panel **recommended** the continuation of the allowances paid to the Chairman and Vice-Chairman of the Council based on the present formula, namely 100% of the basic allowance for the Chairman of the Council and 25% of the basic allowance for the Vice-Chairman.

20. **Travel and Subsistence Allowances**

The Panel was advised that the travel and subsistence allowances paid to Members were in line with the rates adopted by one of the legacy authorities and fixed by reference to the National Joint Council for Local Government staff rates. The reason for those levels of allowance having been adopted was that no such rates had, at the time of agreeing the Members' Allowances Scheme, been adopted for Central Bedfordshire staff. Currently there are different allowances for legacy staff compared to those staff appointed directly to the new Council. The new Council rates will be used in the harmonisation exercise to ensure equality of conditions of service for all staff by 1 April 2010.

The Panel **recommended** that the travel and subsistence allowances schemes for newly appointed staff to Central Bedfordshire Council be applicable also to Members with effect from 1 April 2010.

The Panel further **recommended** that attendance at civic events, such as the annual civic reception, be not included on the list of approved duties for travel allowance purposes.

21. **Dependants' Carers' Scheme**

The Panel **recommended** that:-

- (c) the hourly rate allowance for child care and non-specialist care be increased to £5.80 (the national minimum wage for workers aged 22).
- (d) the hourly rate for specialist care be up to 3 times the national minimum wage.

22. **Co-opted Members' Allowance**

The Panel **recommended** that the existing method of payment per meeting be retained for the time being and that payment remain at £75 for a meeting or training event lasting up to 4 hours and £150 for a meeting or training event lasting more than 4 hours.

23. Panel Members requested the following information to be gathered for a further meeting to be held on 21 December 2009:

- (a) Details of the type of officer posts within the grading of spinal column point 34.
- (b) Details of the percentage comparison of SRAs against the Leader's SRA across the CIPFA Group authorities and between Basic Allowance and the Leader's SRA.
- (c) Feedback from Members.

The meeting of the Panel held 21 December 2009

24. All members of the Panel were in attendance at the meeting.

25. At the meeting held on 7 December, Panel Members had indicated that they would welcome evidence from Assistant Portfolio Holders (APHs) to enable them to gain a greater understanding of the duties and responsibilities they undertake. As a consequence three APHs (Clrs D Bowater, Mrs C Turner and B Wells) were interviewed by the Panel.

26. In addition the Panel was provided with the following further information:-

- (a) Details of the Leader's Special Responsibility Allowance (SRA) as a percentage of Basic Allowance (BA) compared with the Leader's SRA across

- (b) the CIPFA comparator authorities.
- (b) Details of the remaining SRAs as a percentage of the Leader's SRA across the CIPFA comparator authorities.
- (c) Written observations submitted by individual Members of the Council.
- (d) A selection of jobs (denoting their professional requirements) across the authority that included spinal column point 34 within the grade.
- (e) The frequency Committees meet throughout the year.
- (f) That budget savings could possibly be achieved through current Directorate re-structuring proposals which may reduce the number of Portfolios and Overview and Scrutiny Committees.

This information supplemented that provided at the Panel's two previous meetings.

27. Assistant Portfolio Holders

Arising from the interview process the Panel was satisfied that APHs gave a clear indication of their accountabilities and responsibilities and how their roles interfaced with those of Portfolio Holders and concluded that there was compelling evidence and sufficient factual information to support the principle of payment of SRAs as well as increasing the current level of the SRA.

The Panel **recommended** that SRA to the four Assistant Portfolio Holders be increased from 7.5% to 15% of the Leader's SRA (this equates to 25% of the SRA paid to Portfolio Holders)

28. Basic Allowance

The present formula used to calculate the Basic Allowance (BA) is based on the Local Government Association Daily rate. The Panel considered switching to link to a point on the National Joint Council pay scale for Local Government staff but concluded that this would be difficult and inappropriate to apply at this time given that the pay scales of the three legacy authorities are in the process of harmonisation and negotiations are not yet complete.

The Panel agreed that the LGA Daily rate would continue to be applied in respect of the calculation of the Basic Allowance.

- 29. The Panel was mindful that the two variables impacting on SRAs were the BA and the Leader's SRA (which was currently paid at a rate of 300% of BA – i.e. £33,600 for 2009/10). All other SRAs were then calculated as a percentage of the Leader's SRA.
- 30. The Panel acknowledged that the BA of £11,220 for 2009/10 was second highest in the table of CIPFA comparator authorities and significantly higher than the comparator average of £9,174. However, the Panel was of the view that there was a case for the BA remaining in the top quartile during this transition period for the Council.

The Panel therefore **recommended** that the Basic Allowance of £11,220 remains unchanged for 2010/11.

31. Leader's SRA

The Panel noted that this was the highest in the table of CIPFA comparator authorities and that the formula of the Leader's SRA equating to 300% of BA was above the comparator authorities average of 275%. The Panel also expressed concern that the Leader's SRA was of the order of 30% above the comparator authorities average of £25,189 and that this was difficult to justify bearing in mind the Council's current budgetary pressures. The Panel were aware that Yorkshire East Riding paid a higher SRA to its leader, but that this authority was not within the CIPFA comparator group and had only been included at the

request of the Portfolio Holder for Corporate Resources.

The Panel recommended that the Leader's SRA be reduced from 300% of BA to 275% of BA for 2010/11. (This equates to the average across the CIPFA comparator authorities and will result in a reduction of the Leader's SRA from £33,660 to £30,855)

32. Portfolio Holder SRA

The Panel noted that the SRA for a Portfolio Holder had been 60% of the Leader's SRA - £20,196 for 2009/10. The Panel again raised concerns that this substantially exceeded the comparator authorities average of £12,479. The Panel's view is that 50% of the Leader's SRA would be more appropriate and would bring the SRA closer to the comparator authorities average. However, the Panel was mindful that if the recommendation at 31 above to reduce the Leader's SRA is adopted, the SRA of Portfolio Holders will reduce also, albeit that the SRA will remain well above the average of the comparator authorities. Given this set of circumstances the Panel decided to defer detailed consideration of the percentage link to the Leader's SRA until the next review.

The Panel **recommended** that the SRA for a Portfolio Holder should remain at 60% of the Leader's SRA for 2010/11.

33. Audit Committee Chairman SRA

The Panel felt unable to justify maintaining the current level of SRA for this position when compared with an Overview and Scrutiny Committee Chairman in terms of responsibility and frequency of meetings.

The Panel **recommended** therefore that the SRA for the Audit Committee Chairman be reduced from 32.5% to 20% of the Leader's SRA for 2010/11.

34. Vice-Chairman SRAs

The Panel reviewed SRAs made to all Vice-Chairmen i.e. Overview and Scrutiny Committees, Development Management Committee and the Audit Committee and did not consider the level of responsibility of these posts to be sufficiently significant to merit SRA payments.

The Panel **recommended** that SRAs for all Vice-Chairman posts be abolished from 2010/11 onwards. (This is consistent with the recommendation made by the Panel during its last review).

35. Other SRAs

The Panel **recommended** that no changes be made to the percentage link to the Leader's SRA for the following posts in 2010/11:

- Deputy Leader (15%)
- Development Management Committee Chairman (40%)
- Overview and Scrutiny Committee Chairmen (32.5%)
- General Purpose Chairman (15%)
- Standards Committee Chairman (15%)
- Licensing Committee Chairman (7.5%)
- Regulation Committee Chairman (7.5%)
- Luton & South Beds Joint Committee Chairman (40%)*
- Minority Group Leaders (7.5%)**

* While a CBC Member ** Subject to having at least 7 Members

36. Taking into account all benchmarking data, the Panel is of the view that the revisions to the Scheme as recommended will result in Members remaining favourably ranked against comparator authorities whilst achieving savings. This would demonstrate that Members were creating efficiencies from within their own budget at a time when the Council finds itself faced with financial pressure.

APPENDIX B

Costs in 2009/2010				Recommendations of the Independent Remuneration Panel for 2010/2011			
Allowance Type	Amount	Quantity	Cost	Amount	Quantity	Cost	
Basic	£11,220.00	66	£740,520.00	£11,220	66	£740,520	
Special Responsibility	% of leader's Allowance			% of leader's Allowance			
Leader	£33,660.00	1	£33,660.00	£30,855	1	£30,855	
Deputy leader	£5,049.00	1	£5,049.00	£4,628	1	£4,628	
Portfolio Holders	£20,196.00	9	£181,764.00	£18,513	9	£166,617	
Assistant PFH	£2,525.00	4	£10,100.00	£4,628	4	£18,512	
O & S Cttee Chairmen	£10,940.00	5	£54,700.00	£10,028	5	£50,140	
O & S Cttee Vice-Chairmen	£2,525.00	5	£12,625.00	Nil	5		
Development Management Cttee Chairman	£13,464.00	1	£13,464.00	£12,342	1	£12,342	
Development Management Cttee Vice-Chairman	£2,525.00	1	£2,525.00	Nil	1		
Audit Cttee Chairman	£10,940.00	1	£10,940.00	£6,171	1	£6,171	
Audit Cttee Vice-Chairman	£2,525.00	1	£2,525.00	Nil	1		
General Purposes Cttee Chairman	£5,049.00	1	£5,049.00	£4,628	1	£4,628	
Standards Cttee Chairman (Independent)	£5,049.00	1	£5,049.00	£4,628	1	£4,628	
Licensing Cttee Chairman	£2,525.00	1	£2,525.00	£2,314	1	£2,314	
Regulation Cttee Chairman	£2,525.00	1	£2,525.00	£2,314	1	£2,314	

Costs in 2009/2010		Recommendations of the Independent Remuneration Panel for 2010/2011	
40%	£13,464.00	40%	£12,342
Luton & South Beds Joint Cttee Chairman (while a CBC Member) or Vice-Chairman when Chair is held by Luton Borough Council (See also note below)	1	1	No allowance made on assumption that Chairman will be a Portfolio Holder
Minority Group Leaders (See note below)	£2,525.00	7.50%	£2,314
Total of SRA's	£345,025.00		£305,463
Notes			
With the exception of the SRA for the Deputy Leader and the Chairman of Licensing and Regulation Cttees, no Member may be paid more than one SRA. As the current Luton and S Beds Joint Committee Vice-Chairman is currently Portfolio Holder for Sustainable Development the Luton and South Beds Joint Cttee allowance is not paid			
Minority Groups must have at least 7 members for their Leader to qualify for the allowance			
Travelling and Subsistence		Travelling and Subsistence	
Car or Motor Cycle		Car	
Not exceeding 999cc	42.9p per mile	Not exceeding 999cc	42.9p per mile
1000 to 1199cc	47.7p per mile	1000 and above	47.7p per mile
1200cc and over	60.1p per mile	Motor cycle	
		Up to 1500 miles	19.91p per mile
		Over 1500 miles	8.3p per mile
Addition for one Member passenger	3p per mile	Addition for one Member passenger	3p per mile

Costs in 2009/2010		Recommendations of the Independent Remuneration Panel for 2010/2011	
Addition for each further Member passenger	2p per mile	Addition for each further Member passenger	2p per mile
Pedal cycle	20p per mile	Pedal cycle	20p per mile
Public Transport	Actual cost	Public Transport	Actual cost
Taxi (in cases of emergency or where no public transport is reasonably available)	Actual cost	Taxi (in cases of emergency or where no public transport is reasonably available)	Actual cost
Breakfast	£6.28	Breakfast	£4.48
Lunch	£8.65	Lunch	£6.17
Tea	£3.42	Tea	£2.43
Or Evening Meal	£10.72	Or Evening Meal	£7.64
Dependants' Carers'		Dependants' Carers'	
Child and non specialist care	£5.73 per hour	Child and non specialist care	£5.80 per hour
Specialist care	£17.19 per hour	Specialist care	£17.40 per hour
Co-opted Members		Co-opted Members	
Meeting or training event up to 4 hours	£75	Meeting or training event up to 4 hours	£75
Meeting or training event over 4 hours	£150	Meeting or training event over 4 hours	£150
Civic Allowances		Civic Allowances	
Chairman	£11,220.00	Chairman	£11,220.00
Vice-Chairman	£2,805.00	Vice-Chairman	£2,805.00

APPENDIX C

Members' Allowances

**Draft Scheme for the year
commencing**

1 April 2010

**As recommended by the Independent
Remuneration Panel**

MEMBERS' ALLOWANCES SCHEME

CONTENTS

	Page No.
1. The Scheme	3
2. Definitions	3
3. Basic Allowance	3
4. Special Responsibility Allowances	3-4
5. Renunciation	4
6. Part-year Entitlements	4-5
7. Suspension/Repayment of Allowances	5
8. Claims and Payments	5-6
9. Payment of Allowances	6
10. Travelling and Subsistence	6
11. Dependants' Carers' Allowances	6
12. Co-opted Members' Allowances	6
13. Annual Review	7
Schedule 1 Special Responsibility Allowances	8
Schedule 2 Approved Duties	9
Schedule 3 Travelling & Subsistence	10-11
Schedule 4 Dependants' Carers' Allowances	12

CENTRAL BEDFORDSHIRE COUNCIL

MEMBERS' ALLOWANCES SCHEME

The Central Bedfordshire Council, in exercise of the powers conferred by The Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:

1. **The Scheme**

This scheme may be cited as the Central Bedfordshire Council Members' Allowances Scheme, and shall have effect for the financial year commencing on 1 April 2010.

2. **Definitions**

In this scheme,

2.1 "Councillor" means a member of the Central Bedfordshire Council who is a Councillor;

2.2 "Co-opted Member" means a person appointed by Central Bedfordshire Council to serve as a member of a Committee, Sub-Committee or Panel.

3. **Basic Allowance**

Subject to paragraphs 5, 6 and 7, there shall for each year be a basic allowance of £11,220 paid to each Councillor.

4. **Special Responsibility Allowances**

4.1 Special responsibility allowance shall be paid to those Councillors who hold a position of special responsibility in relation to the authority as specified in Schedule 1 to this Scheme.

4.2 Subject to paragraph 5, 6, and 7 the amount of each such allowance shall be the amount specified against the special responsibility in Schedule 1.

4.3 Other than for the exceptions noted below, no Councillor may receive more than one special responsibility allowance:

(a) the Deputy Leader of the Council may be paid one additional special responsibility allowance, if appointed to any other position included within Schedule 1 to this Scheme, and

(b) if the same Councillor is appointed as the Chairman of both the Licensing Committee and the Regulation Committee, that Councillor may be paid the special responsibility allowance for both posts included within Schedule 1 to this Scheme.

5. **Renunciation**

A Councillor may by notice in writing, given to the Monitoring Officer, elect to forego any part of his or her entitlement to an allowance under this Scheme.

6. **Part-year Entitlements**

6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic, and special responsibility allowances where in the course of the year commencing 1 April 2010 this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

6.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods

6.2.1 beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or

6.2.2 beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under the scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

6.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

6.4 Where this scheme is amended as mentioned in sub-paragraph 6.2 and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 6.2.1, the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.

6.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the numbers of days in that year.

6.6 Where this Scheme is amended as mentioned in sub-paragraph 6.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 6.2.1 of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that

Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

7. Suspension/Repayment of Allowances

7.1 The Monitoring Officer, in consultation with the Chairman of the Council is authorised:-

7.1.1 to withhold payment of allowances to any Councillor who is suspended or partly suspended in accordance with the provisions of Part III of the Local Government Act 2000;

7.1.2 to seek repayment of allowances paid to a Councillor in respect of any period during which the Councillor concerned is suspended, partly suspended, has ceased to be a Councillor, or is in any other way not entitled to receive the allowance paid to him or her.

8. Claims and Payments

8.1 A claim for any travelling, subsistence or dependants' carers' allowances under this scheme shall be made in writing within two months of the date of the meeting in respect of which the entitlement to the allowance arises.

8.2 A claim for an allowance under paragraph 8.1 above shall include, or be accompanied by, a statement signed by the claimant that he or she has not made and will not make any other claim in respect of the matter to which his or her claim relates.

9. Payment of Allowances

9.1 Payments shall be made

9.1.1 in respect of basic and special responsibility allowances, subject to sub-paragraph 9.2, in instalments of one-twelfth of the amount specified in this Scheme on the same day of each month as that on which salary is paid to staff.

9.1.2 in respect of travelling, subsistence and dependants' carers' allowances, on the same day of each month as that on which salary is paid to staff, in respect of claims received on or before the third working day of that month.

9.2 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 6, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

10. Travelling and Subsistence

Details of, and entitlement to, travelling and subsistence payments in respect of

approved duties are set out in Schedules 2 and 3.

11. **Dependants' Carers' Allowances**

Details of, and entitlement to, dependants' carers' allowances are set out in Schedule 4.

12. **Co-opted Members' Allowance**

With the exception of the Chairman of the Standards Committee, for whom a special responsibility allowance is payable, each person appointed to a Committee, Sub-Committee or Panel of Central Bedfordshire Council, as a Co-opted Member, shall be paid in respect of each meeting or training event attended each year an allowance, as shown below:

- | | |
|--|------|
| (a) where the meeting or training event is of up to 4 hours | £75 |
| (b) where the meeting or training event is for more than 4 hours | £150 |

13. **Annual Review**

This scheme will be reviewed by an independent remuneration panel in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, prior to 1 April 2011.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowances:-

	£
Leader of the Council	30,855
Deputy Leader of the Council	4,628
Portfolio Holders	18,513
Portfolio Holder Assistants	4,628
Overview and Scrutiny Committee Chairmen	10,028
Development Management Committee Chairman	12,342
Audit Committee Chairman	6,171
General Purposes Committee Chairman	4,628
Standards Committee Chairman	4,628
Licensing Committee Chairman	2,314
Regulation Committee Chairman	2,314
Luton and South Bedfordshire Joint Committee Chairman	12,342
Minority Group Leaders (see Note 1)	2,314

Note 1: The allowance will be payable to the Leader of any duly constituted minority group that has 7 or more members. In the event of no minority group having 7 or more members, and no other special responsibility allowance being paid to a member of a duly constituted minority group, the allowance shall be paid to the Leader of the largest minority group.

Note 2: The Special Responsibility Allowance for the Luton & South Beds Joint Committee Chairman shall apply to the Vice-Chairman when the chairmanship is held by Luton Borough Council.

SCHEDULE 2

APPROVED DUTIES

- A. Attendance at meetings of the Forums below is an approved duty for the purpose of the payment of travelling and subsistence allowances:

Council.

Executive, Committees, Sub-Committees, Joint Committees and Panels.

Site meetings where duly authorised.

Task Forces and similar bodies.

In-house seminars or training.

Meetings (when representing the Council) with other Authorities, Organisations, etc. or specific visits arranged by the Executive, a Committee, Sub-Committee or Task Force in respect of its functions.

Meetings with the External Auditor concerning management matters.

- B. The following shall be approved duties for the purpose of paying travelling and subsistence allowances:-

- (a) Meetings of Group Leaders.
- (b) Meetings of Chairmen, Vice-Chairmen, Leader and Deputy Leader and Portfolio Holders.
- (c) Chairman's Briefing meetings for Council, Executive, Committees, Sub-Committees, Task Forces etc. for Chairmen and Vice-Chairmen, Portfolio Holders, other Members of the Executive, Lead or Deputy Lead Members (or their representatives).
- (d) Individual or joint formal meetings between the Members holding the following offices; Chairmen, Vice-Chairmen, Leader, Deputy Leader, Portfolio Holders, Group Leaders, with the Chief Executive, Deputy Chief Executive, Directors, Assistant Directors and Heads of Staff, or their representatives to discuss official Council business.
- (e) Attendance at any training course, seminar or conference approved by or on behalf of the Member Development Champions.
- (f) Attendance at the Council Offices for newly elected Members for such matters as the signature of Declaration of Acceptance of Office and having photographs taken.
- (g) Undertaking Civic visits as Chairman or Vice-Chairman of the Council (or substituting for either office holder) when the official car is not used.
- (h) Absence overnight from usual place of residence – up to £90 per night (this allowance includes accommodation and breakfast for which the costs have not already been incurred by the Council).
- (i) Absence overnight in London or at certain annual conferences or specified Local Authority Associations – up to £150 per night (this allowance includes accommodation and breakfast for which the costs have not already been incurred by the Council).

- (j) Attendance by Councillors for the purpose of meeting officers up to an average, calculated over the Council year, of four visits per month.
- C Attendance at all outside bodies where the Member is attending as the Council's duly appointed representative (whether appointed for a fixed term or authorised on an ad hoc basis), subject to no such allowances being claimed by the Member from the outside body concerned.

SCHEDULE 3

TRAVELLING AND SUBSISTENCE

Travel by Councillor's Own Car

If the use of a councillor's own vehicle (i) results in substantial saving of his/her time, or (ii) is in the interests of the council, or (iii) is otherwise reasonable, a councillor may claim:-

Car Engine Size	per mile
Not exceeding 999 cc	42.9p
1000 and above	47.7p
 Motor cycle	
Up to 1500 miles	19.91p
Over 1500 miles	8.3p

The above rates, which are set in accordance with the rates paid to local government staff as fixed by the National Joint Council for local government staff to be amended during the year ending 31 March 2011 in line with any change recommended by the National Joint Council.

If a councillor conveys other councillors, (to whom a travelling allowance would be payable, he/she may claim an additional 3p per mile for the first councillor and 2p per mile for the second and each subsequent councillor.

A councillor may claim for the mileage necessarily and reasonably incurred in travelling to and returning from meetings, site visits, etc. from his/her normal place of residence.

A councillor may claim the actual amount spent on parking fees, and expenses incurred for the purpose of overnight parking whilst away from home. Receipts must be obtained and included with the claim.

Travel by Public Transport or Rail

The ordinary or any concessionary fare may be claimed. Advantage should be taken of cheap or concessionary rates whenever reasonably practicable.

Travel by Other Means – Taxi, Hire Car, Pedal Cycle etc.

Claims for taxi journeys shall not exceed:-

- (a) in cases of urgency, or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid; and
- (b) in any other case, the amount of the fare for travel by appropriate public transport.

Where journeys are by pedal cycle the allowance will be at the rate of 20p per mile.

Subsistence Allowances (from 1 April 2010)

Councillors may claim the amounts actually spent up to those shown below:-

Breakfast allowance (more than 4 hours away from normal place of residence before 11 am)	£4.48
Lunch allowance (more than 4 hours away from normal place of residence, including the lunchtime between noon and 2.30 pm)	£6.17
Tea allowance (more than 4 hours away from normal place of residence including the period 3 pm to 6 pm)	£2.43

Or

Evening meal allowance (more than 4 hours away from normal place of residence, ending after 7 pm)	£7.64
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When main meals (i.e. a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the times specified below. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

The limitations on reimbursement are:

- (a) for breakfast, an absence of more than 4 hours, before 11 am.
- (b) for lunch, an absence of more than 4 hours, including the period between 12 noon and 2 pm.
- (c) for dinner, an absence of more than 4 hours, ending after 7 pm.

SCHEDULE 4

DEPENDANTS' CARERS' ALLOWANCES

A Councillor may claim a Dependants' Carers' Allowance in accordance with the provisions set out below:-

1. The rate payable for Dependants' Carers' Allowance shall be decided upon the following criteria:-
 - (a) where care is required for children or is of a non-specialist nature for dependant relatives; at the rate set and from time to time amended by the Department for Business, Innovation and Skills or its successor as the National Minimum Wage for workers aged 22 and over, being the sum of £5.80 per hour as from 1 October 2009;
 - (b) where specialist care services are required, and the Monitoring Officer is satisfied that such care is necessary, the hourly rate will be up to three times the rate for non-specialist care, £17.40 per hour.
2. Councillors shall be reimbursed up to a maximum of 12 hours per week, in respect of provision of care for any of the following who are at the time part of the claimant's household living with him/her and would normally be looked after by him/her, whilst the claimant is undertaking an approved duty*.
(*NOTE: "Approved duty" is a duty defined in Schedule 2 of this Scheme of Members' Allowances)
 - Children under the age of 14
 - Elderly persons (aged 60 or over)
 - People with disabilities
 - People with learning disabilities
3. In addition to living as part of the claimant's household, the dependant must be unable to be left unsupervised by the carer.
4. Only one claim may be allowed per household for any given period of time.
5. The rates referred to in 1 above shall be the total maximum payable per hour and not payable per dependant.
6. The claimant must produce a receipt for payments he/she has made and must sign a form to state that the costs were properly and necessarily incurred in the course of, or to permit, him/her undertaking his/her duties as a Councillor.

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COUNCIL MEETING – 25 FEBRUARY 2010

**Recommendations to Council from the Executive:
12 January 2010**

E/09/159 **Treasury Management Strategy**

The Executive considered a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing a revised Treasury Management Policy and Treasury Management Strategy in response to changes in two key codes and increased risk in investment markets.

The Portfolio Holder advised Members that the greater risk and uncertainty in investment markets had resulted in CIPFA revising both the Treasury Management Code of Practice and the Prudential Code for Capital Finance in Local Authorities. The headline changes of both Codes were set out in the submitted report, together with details of a background paper that provided more detailed commentary.

In response to the revisions and the greater focus on risk in the two codes, the Council's Treasury Management Policy and Treasury Management Strategy, approved by the Shadow Authority on 26 February 2009 (Minute SC/08/22 (i) refers) had been revised and were attached as Appendices A and B respectively.

It was noted that no major changes had been made to the Treasury Management Policy, adopted by the Council in February 2009, although it had been updated for references to the revised Codes. There were two key areas of change to be made to the Treasury Management Strategy; amendments to lending limits and a revision to the operational boundary.

The Executive noted that the Corporate Overview and Scrutiny Committee would be considering the Strategy at its meeting on 18 January 2010 ahead of consideration by Council on 25 February 2010.

Reason for decisions: To put an effective treasury management framework in place for the Council.

RECOMMENDED

- 1. That the Treasury Management Policy and the Treasury Management Strategy, attached as Appendices A & B to the submitted report, be approved.**
- 2. That the CIPFA Treasury Management in the Public Services Code of Practice 2009 and The Prudential Code for Capital Finance in Local Authorities be adopted.**

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TREASURY MANAGEMENT POLICY STATEMENT

1. INTRODUCTION

In accordance with the Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Treasury Management (Revised 2009), this Council defines the policies and objectives of its treasury management activities as follows:

- 1.1 This Council defines its treasury management activities as:
“The management of the authority’s cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.
- 1.2 This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will include their risk implications for the Council.
- 1.3 This Council acknowledges that effective treasury management will provide support towards the achievement of its Medium Term Financial Strategy. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.
- 1.4 The Director of Corporate Resources will produce for adoption by Full Council prior to the commencement of each financial year an annual Treasury Management Strategy Statement which will set out the borrowing and investment strategy to be adopted for the for the year ahead along with the associated Prudential Indicators, in compliance with the CIPFA Prudential Code for Capital Finance in Local Authorities.
- 1.5 The Director of Corporate Resources will maintain suitable Treasury Management Practices (TMPs) which will set out the manner in which this Council will seek to achieve its treasury management policies and objectives and how it will manage and control those activities.

2. Objectives

- 2.1 The principal objectives of this Treasury Management Policy Statement are to provide a framework within which: -

Appendix A

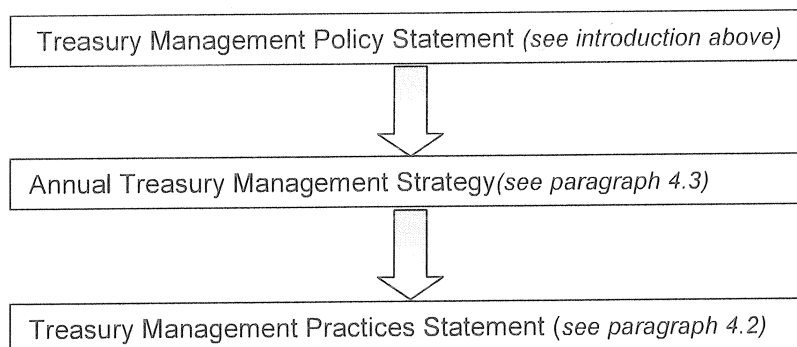
- i) Risks which might affect the Council's ability to fulfill its responsibilities or which might jeopardise its financial security can be identified and managed;
- ii) Borrowing costs can be minimised whilst ensuring the long term security and stability of the Council's financial position;
- iii) Investment returns can be safely maximised and capital values maintained;
- iv) The use of assets as loan security is minimised.

3. Review Period

It is the Council's responsibility to approve a Treasury Management Policy Statement on a periodic basis. This policy will be reviewed every three years or whenever legislative, regulatory or best practice changes materially affect the effectiveness of the current policy. The next scheduled date for review is therefore February 2013.

4. Documentation

This document forms part of a suite of Treasury documents intended to govern and regulate treasury management activity. The hierarchy of documents is set out below and the role of each is explained



4.2 The Treasury Management Practices Statement sets out that detailed application the lies behind the policy and sets out the manner in which the organisation will seek to achieve the policy objectives, describing how it will manage and control the activities listed below:

- Treasury Risk Management

Appendix A

- Best value and performance measurement
 - Decision making and analysis
 - Approved instruments, methods and techniques
 - Organisation, clarity and segregation of responsibilities; dealing arrangements
 - Reporting requirements, Management information arrangements
 - Budgeting, Accounting and Audit Arrangements
 - Cash and Cash Flow Management
 - Money Laundering
 - Staff training and qualifications
 - Use of external service providers
 - Corporate governance
- 4.3 The Annual Treasury Management Strategy integrates with the Prudential Indicators being set and will include the following:
- Links to Capital Financing and Treasury Management Prudential Indicators for the current and ensuing year
 - Strategy for financing new borrowing requirements (if any) and refinancing maturing borrowing (if any) over the next year and for restructuring of debt
 - the extent to which surplus funds are earmarked for short term requirements
 - the investment strategy for the forthcoming year (*see below*)
 - the minimum to be held in short term/specified investment during the coming year
 - the interest rate outlook against which the treasury activities are likely to be undertaken.

Appendix A

- 4.4 Based on the DCLG Guidance on Investments, the Council will produce as part of the Annual Treasury Management Strategy, an investment strategy that sets out
- the objectives, policies and strategy for managing its investments;
 - the determination of which Specified and Non Specified Investments the Council will utilise during the forthcoming financial year(s) based on the Council's economic and investment outlook and the expected level of investment balances;
 - the limits for the use of Non-Specified Investments.

5. Basis of Policy

- 5.1 The Council will adhere to the regulatory framework set out in the following documents: -
- a) CIPFA Code of Practice on Treasury Management (Revised 2009);
 - b) The 2009 Prudential Code for Capital Finance (the 2003 document having first introduced requirements for the manner in which capital spending plans are to be considered and approved and in conjunction with this, the development of an integrated Treasury Management Strategy;
 - c) The Council's Constitution, Code of Financial Governance and the scheme of Officer Delegations.
- 5.2 Copies of the documents listed above are available from the Director of Corporate Resources if required. The Council will be bound by the requirements of any successor documents to those listed above unless a subsequent review of this policy deems them no longer to be appropriate.
- 5.3 In arriving at treasury management decisions, due cognisance will be taken of written and verbal advice provided by Funding Advisors but neither the Council nor its officers will be bound by such advice.
- 5.4 The Director of Corporate Resources will only transact with brokers, funders and counterparties who have accepted the principles set out in the current "London Code of Conduct" issued by the Financial Services Authority.

APPENDIX B

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

Template

Contents

1. Background
2. Balance Sheet and Treasury Position
3. Outlook for Interest Rates
4. Borrowing Requirement and Strategy
5. Debt Rescheduling
6. Investment Policy and Strategy
7. Balanced Budget Requirement
8. 2010/11 MRP Statement
9. Reporting
10. Other Items

Appendices

- A. Current and Projected Portfolio Position
- B. Prudential Indicators
- C. Interest Rate Outlook: Arlingclose's, the Council's fund managers' outlook
- D. Specified Investments for use by the Council
- E. Non- Specified Investments for use by the Council

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

1. Background

- 1.1 The Chartered Institute of Public Finance and Accountancy's Code of Practice for Treasury Management in Public Services (the "CIPFA TM Code") requires local authorities to determine the Treasury Management Strategy Statement (TMSS). This statement also incorporates the Investment Strategy. Together, these cover the financing and investment strategy for the forthcoming financial year.

In response to the financial crisis in 2008 and the collapse of the Icelandic banks, CIPFA has revised the TM Code and Guidance Notes as well as the Prudential Indicators. Communities and Local Government (CLG) is also in the process of revising and updating the Investment Guidance. Changes required to be made to this Strategy and/or documentation will be placed before members for consideration at the next Executive meeting.

- 1.2 CIPFA has defined Treasury Management as:

"the management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

- 1.3 The Council is responsible for its treasury decisions and activity. No treasury management activity is without risk. The successful identification, monitoring and control of risk is an important and integral element of its treasury management activities. The main risks to the Council's treasury activities are:

- Liquidity Risk (Inadequate cash resources)
- Market or Interest Rate Risk (Fluctuations in interest rate levels)
- Inflation Risk (Exposure to inflation)
- Credit and Counterparty Risk (Security of Investments)
- Refinancing Risk (Impact of debt maturing in future years)
- Legal & Regulatory Risk

- 1.4 The strategy also takes into account the impact of the Council's Revenue Budget and Capital Programme on the Balance Sheet position, the current and projected Treasury position (Appendix A), the Prudential Indicators (Appendix B) and the outlook for interest rates (Appendix C).

- 1.5 The purpose of this Treasury Management Strategy Statement is to approve:

- Treasury Management Strategy for 2010-11 (Borrowing - Section 4, Debt Rescheduling - Section 5, Investments - Section 6)
- Prudential Indicators – Appendix B (NB - PI No. 6 - The Authorised Limit is a statutory limit)
- MRP Statement – Section 8
- Use of Specified and Non-Specified Investments – Appendices D & E

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

2. Balance Sheet and Treasury Position

- 2.1 The underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) together with Balances and Reserves are the core drivers of Treasury Management Activity. The estimates, based on the current Revenue budget and Capital Programmes, are set out below:

	31 Mar 10 Estimate £m	31 Mar 11 Estimate £m	31 Mar 12 Estimate £m	31 Mar 13 Estimate £m
CFR	187.0	192.5	221.7	247.7
Balances & Reserves	(4.9)	(6.9)	(9.9)	(12.9)
Net Balance Sheet Position	182.1	185.6	211.8	234.8

- 2.2 The Council's level of physical debt and investments is linked to these components of the Balance Sheet. The current portfolio position is set out at Appendix A. Market conditions, interest rate expectations and credit risk considerations will influence the Council's strategy in determining the borrowing and investment activity against the underlying Balance Sheet position.
- 2.3 As the CFR represents the level of borrowing for capital purposes and revenue expenditure cannot be financed from borrowing, net physical external borrowing should not exceed the CFR other than for short term cash flow requirements. It is permissible under the Prudential Code to borrow in advance of need up to the level of the estimated CFR over the term of the Prudential Indicators. Where this takes place the cash will form part of its invested sums until the related capital expenditure is incurred. This being the case net borrowing should not exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years other than in the short term due to cash flow requirements.
- 2.4 The move to International Financial Reporting Standards (IFRS) has implications for the Capital Financing Requirement components on the Balance Sheet. Analysis of the Council's Private Finance Initiative (PFI) schemes and Operating leases against IFRS requirements is currently being undertaken and may result in the related long term assets and liabilities being brought onto the Council's Balance Sheet. The estimates for the CFR and Long Term Liabilities will therefore need to take into account such items which may need to be revised once this analysis has been completed. This will influence the determination of the Council's Affordable Borrowing Limit and Operational Boundary which may, in turn, also need revision.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

- 2.5 The Department for Communities and Local Government has recently consulted on proposals to reform the council housing subsidy system. The proposed Self-financing option would require a one-off reallocation of housing debt. As the consultation period has only recently ended and the mechanism for debt transfer has not been determined, the estimates set out in this strategy do not take into account any potential debt transfer that may arise in future years.
- 2.6 The estimate for interest payments in 2010/11 is £6.3m and for interest receipts is £1.6m. The calculations exclude any assumptions in respect of debt premia and Minimum Revenue Provision (MRP).

3. Outlook for Interest Rates

The economic interest rate outlook provided by the Council's treasury advisor, Arlingclose Ltd, is attached at Appendix C to the Strategy. Financial markets remain reasonably volatile as the structural changes necessary within economies and the banking system evolve. This volatility provides opportunities for active treasury management. The Council will reappraise its strategy from time to time and, if needs be, realign it with evolving market conditions and expectations for future interest rates.

4. Borrowing Requirement and Strategy

- 4.1 The Council's underlying need to borrow for capital purposes is measured by reference to its Capital Financing Requirement (CFR) – see Appendix B. The CFR represents the cumulative capital expenditure of the local authority that has not been financed. To ensure that this expenditure will ultimately be financed, local authorities are required to make a Minimum Revenue Provision for Debt Redemption (MRP) from within the Revenue budget each year.
- 4.2 Capital expenditure not financed from internal resources (i.e. Capital Receipts, Capital Grants and Contributions, Revenue or Reserves) will produce an increase in the CFR (the underlying need to borrow) and in turn produce an increased requirement to charge MRP in the Revenue Account.
- 4.3 Physical external borrowing may be greater or less than the CFR, but in accordance with the Prudential Code, the Council will ensure that net external borrowing does not, except in the short term, exceed the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

- 4.4 The cumulative estimate of the maximum long-term borrowing requirement is estimated by comparing the projected CFR with the profile of the current portfolio of external debt and long term liabilities over the same financial horizon, as follows:

	31/03/2010 Estimate £m	31/03/2011 Estimate £m	31/03/2012 Estimate £m	31/03/2013 Estimate £m
Capital Financing Requirement	187.0	192.5	221.7	247.7
Less: Existing Profile of Borrowing and Other Long Term Liabilities	(156.3)	(156.3)	(155.6)	(150.6)
Cumulative Maximum External Borrowing Requirement	30.7	36.2	66.1	97.1
Balances & Reserves	(4.9)	(6.9)	(9.9)	(12.9)
Cumulative Net Borrowing Requirement/Investments	25.8	29.3	56.2	84.2

- 4.5 The Council's strategy is to maintain maximum control over its borrowing activities as well as flexibility on its loans portfolio. Capital expenditure levels, market conditions and interest rate levels will be monitored during the year in order to minimise borrowing costs over the medium to longer term. A prudent and pragmatic approach to borrowing will be maintained to minimise borrowing costs without compromising the longer-term stability of the portfolio, consistent with the Council's Prudential Indicators.

- 4.6 In conjunction with advice from its treasury advisor, Arlingclose Ltd, the Council will keep under review the options it has in borrowing from the PWLB, the market and other sources identified in the Treasury Management Practices Schedules up to the available capacity within its CFR and Affordable Borrowing Limit (defined by CIPFA as the Authorised Limit).

The outlook for borrowing rates:

- 4.7 Short-dated gilt yields are forecast to be lower than medium- and long-dated gilt yields during the financial year. Despite additional gilt issuance to fund the UK government's support to the banking industry, short-dated gilts are expected to benefit from expectations of lower interest rates as the economy struggles through a recession. Yields for these maturities will fall as expectations for lower interest rates mount.
- 4.8 The differential between investment earnings and debt costs, despite long term borrowing rates being around historically low levels, remains acute and

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

this is expected to remain a feature during 2010/11. The so-called "cost of carry" associated with long term borrowing compared to temporary investment returns means that the appetite for new long term borrowing brings with it additional short-term costs. It is not surprising that the use of internal resources in lieu of borrowing has been the most cost effective means of financing capital expenditure but, at some stage, internal resources will become depleted and require topping up.

- 4.9 PWLB variable rates have fallen below 1%. They are expected to remain low as the Bank Rate is maintained at historically low levels to enable the struggling economy emerge from the recession. Against a backdrop of interest rates remaining lower for longer and a continuation of the cost of carry backdrop, then a passive borrowing strategy i.e. borrow long term funds as they are required may remain appropriate. Equally, variable rate funds (that avoid the cost of carry) or EIP (equal instalments of principal) that mitigate the impact are both active considerations.
- 4.10 Decisions to borrow at low, variable rates of interest will be taken after considering the absolute level of longer term interest rate equivalents and the extent of variable rate earnings on the Council's investment balances. When longer term rates move below the cost of variable rate borrowing any strategic exposure to variable interest rates will be reviewed and, if appropriate, reduced.
- 4.11 The PWLB remains the preferred source of borrowing given the transparency and control that its facilities continue to provide.
- 4.12 The Council has £13.5m loans which are LOBO loans (Lender's Options Borrower's Option) which will be in their option stage in FY 2010/11. In the event that the lender exercises the option to change the rate or terms of the loan, the Council will consider (a) the terms being provided and (b) also repayment of the loan without penalty. The Council may utilise cash resources for repayment or may consider replacing the loan(s) by borrowing from the PWLB.
- 4.13 The Council will undertake a financial options appraisal process to establish how it has arrived at its 'value for money' judgement in the use of resources.

5. Debt Rescheduling

- 5.1 The Council has rescheduled debt in FY 2009-10 and will continue to maintain a flexible policy for debt rescheduling. Market volatility and the steep yield curve may provide opportunities for rescheduling debt from time to time. The rationale for rescheduling would be one or more of the following:
 - Savings in interest costs with minimal risk
 - Balancing the volatility profile (i.e. the ratio of fixed to variable rate debt) of the debt portfolio
 - Amending the profile of maturing debt to reduce any inherent refinancing risks.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

- 5.2 In September 2009, the PWLB issued a Consultation document, entitled 'PWLB Fixed Rates', where the PWLB is reviewing the frequency of rate setting (currently daily) and could move to a live pricing basis. The deadline for the consultation period is 08/01/2010. The likely outcome of this is a reduction in the extent of the margins between premature repayment and new borrowing rates, particularly for longer maturities.
- 5.3 Any rescheduling activity will be undertaken within the Council's treasury management policy and strategy. The Council will agree in advance with Arlingclose the strategy and framework within which debt will be repaid/rescheduled if opportunities arise. Thereafter the Council's debt portfolio will be monitored against equivalent interest rates and available refinancing options on a regular basis. As opportunities arise, they will be identified by Arlingclose and discussed with the Council's officers.
- 5.4 All rescheduling activity will comply with the accounting requirements of the local authority SORP and regulatory requirements of the Capital Finance and Accounting Regulations (SI 2007 No 573 as amended by SI 2008/414).
- 5.5 Borrowing and debt rescheduling activity will be reported to the next Executive meeting.

**6. Investment Policy and Strategy
Background**

- 6.1 Guidance from CLG on Local Government Investments in England requires that an Annual Investment Strategy (AIS) be set.

Investment Policy

- 6.2 To comply with the CLG's guidance, the Council's general policy objective is to invest its surplus funds prudently. The Council's investment priorities are:
- security of the invested capital;
 - liquidity of the invested capital;
 - an optimum yield which is commensurate with security and liquidity.
- The CLG's recent (draft) revised Guidance on investments reiterates security and liquidity as the primary objectives of a prudent investment policy. The speculative procedure of borrowing purely in order to invest is unlawful.
- 6.3 Investments are categorised as 'Specified' or 'Non Specified' investments based on the criteria in the CLG Guidance. Potential instruments for the Council's use within its investment strategy are contained in Appendix D.
- 6.4 The credit crisis has refocused attention on the treasury management priority of security of capital monies invested. The Council will continue to maintain a counterparty list based on its criteria and will monitor and update the credit standing of the institutions on a regular basis. This assessment will include credit ratings and other alternative assessments of credit strength as outlined in paragraph 6.12.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

6.5 The Council's current level of investments is presented at Appendix A.

Investment Strategy

6.6 The global financial market storm in 2008 and 2009 has forced investors of public money to reappraise the question of risk versus yield. Income from investments is a key support in the Council's budget.

6.7 The UK Bank Rate has been maintained at 0.5% since March 2009. **Short-term money market rates are likely to remain at very low levels which will have a significant impact on investment income.** The Council's strategy must however be geared towards this development whilst adhering to the principal objective of security of invested monies.

6.8 The Director of Corporate Resources, under delegated powers, will undertake the most appropriate form of investments in keeping with the investment objectives, income and risk management requirements and Prudential Indicators. Decisions taken on the core investment portfolio will be reported to the Executive meeting.

Investments managed in-house:

6.9 The Council's shorter term cash flow investments are made with reference to the outlook for the UK Bank Rate and money market rates.

6.10 In any period of significant stress in the markets, the default position is for investments to be made with the Debt Management Office.

6.11 Currently the Council has restricted its investment activity to:

- The Debt Management Agency Deposit Facility (The rates of interest from the DMADF are significantly below equivalent money market rates. However, the returns are an acceptable trade-off for the guarantee that the Council's capital is secure)
- AAA-rated Money Market Funds with a Constant Net Asset Value (CNAV)
- Deposits with other local authorities
- Business reserve accounts and term deposits. *In 2009/10 these have been primarily restricted to UK institutions that are rated at least AA- long term, and have access to the UK Government's 2008 Credit Guarantee Scheme (CGS)*
- Bonds issued by Multilateral Development Banks
Please see Appendix E for a breakdown of current counterparties, instruments and limits used.

6.12 Conditions in the financial sector have begun to show signs of improvement, albeit with substantial intervention by government authorities. In order to diversify the counterparty list, the use of comparable non-UK Banks for investments is now considered appropriate.

The sovereign states whose banks are to be included are Australia, Canada, Finland, France, Germany, Netherlands, Spain, Switzerland and the US.

Treasury Management Strategy Statement and Investment Strategy 2010/11 to 2012/13

These countries, and the Banks within them (see Appendix E/F), have been selected after analysis and careful monitoring of:

- Credit Ratings (minimum long-term AA-)
- Credit Default Swaps
- GDP; Net Debt as a Percentage of GDP
- Sovereign Support Mechanisms/potential support from a well-resourced parent institution
- Share Price

The Council has also taken into account information on corporate developments and market sentiment towards the counterparties. The Council and its Treasury Advisors, Arlingclose, will continue to analyse and monitor these indicators and credit developments on a regular basis and respond as necessary to ensure security of the capital sums invested.

We do remain in a heightened state of sensitivity to risk. Vigilance is key. This modest expansion of the counterparty list is an incremental step. In order to meet requirements of the revised Code of Practice on Treasury Management, the Council is focusing on a range of indicators (as stated above), not just credit ratings.

Limits for Specified Investments are set out in Appendix E/F.

6.13 To protect against a prolonged period of low interest rates, 1-year deposits and longer-term secure investments will be actively considered within the limits the Council has set for Non-Specified Investments (see Appendix D). The longer-term investments will be likely to include: *(please select /amend as appropriate)*

- **Supranational bonds (bonds issued by multilateral development banks):** The joint and individual pan-European government guarantees in place on these bonds provide security of the principal invested. Even at the lower yields likely to be in force, the return on these bonds will provide certainty of income against an outlook of low official interest rates.
- **UK government guaranteed bonds and debt instruments issued by banks/building societies:** The UK Government's 2008 Credit Guarantee Scheme permits specific UK institutions to issue short-dated bonds with an explicit government guarantee. The bonds are issued at a margin over the underlying gilt and would be a secure longer-term investment option. *(Please note that these bonds would, under existing statute, be capital expenditure investments.)*

Investments managed externally

Funds managed on a segregated basis

6.14 The Council's funds are also managed on a discretionary basis by Investec as listed in Appendix A. The fund's remit allows the managers scope to add value through the use of investments contained in Appendix D/E and within the parameters and guidelines set for the Council's fund. Performance is

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

monitored and measured against the benchmark set for the fund, prevailing economic conditions and investment opportunities.

- 6.15 The fund manager's expectation on the range of returns is based on their economic outlook and their forecasts for gilt/bond yields and money market rates. These are in Appendix C.

Collective Investment Schemes (Pooled Funds)

- 6.16 The Council has evaluated the use of Pooled Funds and determined the appropriateness of their use within the investment portfolio. Pooled funds enable the Council to diversify the assets and the underlying risk in the investment portfolio and provide the potential for enhanced returns.

- 6.17 Investments in pooled funds will be undertaken with advice from Arlingclose.

Investments which constitute capital expenditure

- 6.18 Investments meeting the definition of capital expenditure can be financed from capital or revenue resources. They are also subject to the CLG's Guidance on "non-specified investments". Placing of such investments has accounting, financing and budgetary implications. Whilst it is permissible to fund capital investments by increasing the underlying need to borrow, it should be noted that under the CLG's MRP Guidance, MRP must be applied over a 20 year period.

- 6.19 The Council has determined a maximum of £10m limit to investments which constitute capital expenditure. This includes the Council's existing investment in the Lime Property Fund.

- 6.20 All investment activity will comply with the accounting requirements of the local authority SORP.

7. Balanced Budget Requirement

- 7.1 The Council complies with the provisions of S32 of the Local Government Finance Act 1992 to set a balanced budget.

8. 2010/11 MRP Statement

The Annual MRP Statement is subject to Council approval and may therefore be reported separately to Council instead of being incorporated into the TMSS.

- 8.1 The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 (SI 2008/414) place a duty on local authorities to make a prudent provision for debt redemption. Guidance on Minimum Revenue Provision has been issued by the Secretary of State and local authorities are required to "have regard" to such Guidance under section 21(1A) of the Local Government Act 2003.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

8.2 The four MRP options available are:

- Option 1: Regulatory Method
- Option 2: CFR Method
- Option 3: Asset Life Method
- Option 4: Depreciation Method

NB This does not preclude other prudent methods.

The 2009 SORP and IFRS may result in PFI schemes and leases being brought on balance sheet. Where this is the case the CFR will increase, which will lead to an increase in the MRP charge to revenue. MRP for these items will match the annual principal repayment for the associated deferred liability.

8.3 MRP in 2010/11: Options 1 and 2 may be used only for supported expenditure. Methods of making prudent provision for self financed expenditure include Options 3 and 4 (which may also be used for supported expenditure if the Council chooses).

8.4 The MRP Statement will be submitted to Council before the start of the 2010/11 financial year. If it is ever proposed to vary the terms of the original MRP Statement during the year, a revised statement should be put to Council at that time.

8.5 The Council will apply Option 1 in respect of supported capital expenditure and Option 3 in respect of unsupported capital expenditure.

MRP in respect of PFI and leases brought on Balance Sheet under the 2009 SORP and IFRS will match the annual principal repayment for the associated deferred liability.

9. Reporting on the Treasury Outturn

The Portfolio Holder - Resources will report to the Executive on treasury management activity / performance as follows:

- (a) quarterly against the strategy approved for the year.
- (b) The Council will produce an outturn report on its treasury activity no later than 30th September after the financial year end.

10. Other items

Member Training

It is expected that CIPFA's revised Code will require the Director of Corporate Resources to ensure that all members tasked with treasury management responsibilities, including scrutiny of the treasury management function, receive appropriate training relevant to their needs and understand fully their roles and responsibilities.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

**APPENDIX A
EXISTING PORTFOLIO PROJECTED FORWARD**

	Current Portfolio £m	%	31 Mar 10 Estimate £m	31 Mar 11 Estimate £m	31 Mar 12 Estimate £m	31 Mar 13 Estimate £m
External Borrowing:						
Fixed Rate – PWLB	123.2	78.9	123.2	123.2	122.6	117.5
Fixed Rate – Market	13.5	8.6	13.5	13.5	13.5	13.5
Variable Rate – PWLB						
Variable Rate – Market	19.5	12.5	19.5	19.5	19.5	19.5
Other long-term liabilities						
IFRS long-term liabilities (to be determined):						
- PFI (2009/10)	0	0.0	0	0	0	0
- Operating Leases (2010/11 onwards)	0	0.0	0	0	0	0
Total External Debt	156.2	100.0	156.2	156.2	155.6	150.5
Investments:						
<i>Managed in-house</i>						
- Deposits and monies on call and Money Market Funds	101.0	90.6	92.0	92.0	92.0	92.0
- Supranational bonds						
- Corporate bonds						
<i>Managed externally</i>						
- Segregated cash and gilt funds (Investec)	5.5	4.9	5.6	5.8	5.9	6.1
- Lime Fund	5.0	4.5	5.0	5.0	5.0	5.0
Total Investments	111.5	100.0	102.6	102.8	102.9	103.1
(Net Borrowing Position)/ Net Investment position	(44.7)		(53.6)	(53.4)	(52.7)	(47.4)

Variable debt will be under constant review and it will be fixed if deemed appropriate.

Analysis of the Council's Private Finance Initiative (PFI) schemes and Operating leases against IFRS requirements is currently being undertaken and may result in the related long term assets and liabilities being brought onto the Council's Balance Sheet.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

APPENDIX B

PRUDENTIAL INDICATORS 2010/11 TO 2012/13

1 Background:

There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators. It should be noted that CIPFA undertook a review of the Code in early 2008. The outcome from that review has yet to be published.

2. Net Borrowing and the Capital Financing Requirement:

This is a key indicator of prudence. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the local authority should ensure that the net external borrowing does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

The Director of Corporate Resources reports that the authority had no difficulty meeting this requirement in 2009/10, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

3. Estimates of Capital Expenditure:

3.1 This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council Tax and in the case of the HRA, housing rent levels.

No. 1	Capital Expenditure	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Non-HRA	50.0	60.0	52.6	41.8
	HRA	5.7	4.9	5.0	5.1
	Total	55.7	64.9	57.6	46.9

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

3.2 Capital expenditure will be financed as follows:

Capital Financing	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
Capital receipts	10.5	11.8	6.2	2.8
Government Grants	24.5	26.2	5.3	1.6
Major Repairs Allowance	3.6	3.8	3.8	4.0
Revenue contributions	0.4	0.4	0.4	0.4
External Contributions	7.9	11.3	6.5	4.9
Contribution Reserves	0.0	0.3	0.3	0.3
Supported borrowing	8.8	11.0	34.9	32.9
Unsupported borrowing	0.0	0.0	0.0	0.0
Total	55.7	64.8	57.4	46.9

Note: the element to be financed from borrowing impacts on the movement in the Capital Financing Requirement.

4. Ratio of Financing Costs to Net Revenue Stream:

4.1 This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs. The definition of financing costs is set out at paragraph 87 of the Prudential Code.

4.2 The ratio is based on costs net of investment income.

No. 2	Ratio of Financing Costs to Net Revenue Stream	2009/10 Revised %	2010/11 Estimate %	2011/12 Estimate %	2012/13 Estimate %
	Non-HRA	5.8	5.8	6.3	6.9
	HRA*	0.4	0.4	0.4	0.4
	Total	5.1	5.2	5.6	6.1

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

5. Capital Financing Requirement:

5.1 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and its financing. It is an aggregation of the amounts shown for Fixed and Intangible assets, the Revaluation Reserve, the Capital Adjustment Account, Government Grants Deferred and any other balances treated as capital expenditure**.

No. 3	Capital Financing Requirement	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Non-HRA	194.7	200.2	229.4	255.4
	HRA*	(7.7)	(7.7)	(7.7)	(7.7)
	Total CFR	187.0	192.5	221.7	247.7

* if applicable

** in line with CIPFA's guidance, any investments or other items not falling within the classification of fixed or intangible assets, but financed from capital resources must be included within the CFR for the purposes of this calculation.

Note: The CFR can be a negative amount in situations where resources were required to be set aside under the 1989 Act regime that exceeded the underlying need to borrow.

5.2 The year-on-year change in the CFR is due to the following

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

Capital Financing Requirement	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
Balance B/F	174.4	187.0	192.5	221.7
Capital expenditure financed from borrowing (per 2.2)	17.6	11.0	34.9	32.9
Revenue provision for debt Redemption.	(5.0)	(5.5)	(5.7)	(6.9)
Deferred Liability Add : PFI brought on Balance Sheet Less : PFI Principal Repayment (to be determined)	0.0	0.0	0.0	0.0
Deferred Liability Add : Operating Lease brought on B/S Less : Operating Lease Principal Repayment (to be determined)	0.0	0.0	0.0	0.0
Other items (<i>specify</i>)	0.0	0.0	0.0	0.0
Balance C/F	187.0	192.5	221.7	247.7

Analysis of the Council's Private Finance Initiative (PFI) schemes and Operating leases against IFRS requirements is currently being undertaken and may result in their inclusion in the table above.

6. Actual External Debt:

6.1 This indicator is obtained directly from the Council's balance sheet. It is the closing balance for actual gross borrowing plus other long-term liabilities. This Indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.

No. 4	Actual External Debt as at 31/03/2009	£m
	Borrowing	156.3
	Other Long-term Liabilities	0.0
	Total	156.3

7. Incremental Impact of Capital Investment Decisions:

7.1 This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and Housing Rent levels. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

No. 5	Incremental Impact of Capital Investment Decisions	2009/10 Estimate £	2010/11 Estimate £	2011/12 Estimate £	2012/13 Estimate £
	Increase in Band D Council Tax	1.06	2.12	9.46	8.40
	Increase in Average Weekly Housing Rents	0.39	0.33	0.91	1.21

7.2 Impact of Capital Plans

The increase in Band D council tax/average weekly rents reflects the increases in running costs and/or increases in the provision for Capital Financing Charges.

8. Authorised Limit and Operational Boundary for External Debt:

8.1 The Council has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Council and not just those arising from capital spending reflected in the CFR.

8.2 The **Authorised Limit** sets the maximum level of external borrowing on a gross basis (i.e. not net of investments) for the Council. It is measured on a daily basis against all external borrowing items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Council's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

8.3 The Authorised Limit has been set on the estimate of the most likely, prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

8.4 The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

No. 6	Authorised Limit for External Debt	2009/10 Approved £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Borrowing	360	221	232	243
	Other Long-term Liabilities	0	0	0	0
	Total	360	221	232	243

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

8.5 The **Operational Boundary** links directly to the Council's estimates of the CFR and estimates of other cashflow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely, prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.

8.6 The Director of Corporate Resources has delegated authority, within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long-term liabilities. Decisions will be based on the outcome of financial option appraisals and best value considerations. Any movement between these separate limits will be reported to the next meeting of the Executive.

No. 7	Operational Boundary for External Debt	2009/10 Approved £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Borrowing	350	211	222	233
	Other Long-term Liabilities	0	0	0	0
	Total	350	211	222	233

9. Adoption of the CIPFA Treasury Management Code:

9.1 This indicator demonstrates that the Council has adopted the principles of best practice.

No. 8	Adoption of the CIPFA Code of Practice in Treasury Management
	The Council approved the adoption of the CIPFA Treasury Management Code at its Shadow Executive meeting on 17 th February 2009

10. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure:

10.1 These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. This Council calculates these limits on (*select as appropriate*) net principal outstanding sums, (i.e. fixed rate debt net of fixed rate investments).

10.2 The upper limit for variable rate exposure has been set to ensure that the Council is not exposed to interest rate rises which could adversely impact on the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

		2009/10 Approved %	2009/10 Revised %	2010/11 Estimate %	2011/12 Estimate %	2012/13 Estimate %
No. 9	Upper Limit for Fixed Interest Rate Exposure	100	100	100	100	100
No. 10	Upper Limit for Variable Interest Rate Exposure	50	50	35	35	35

10.3 The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Council's treasury management strategy.

10.4 As the Council's investments are substantially in excess of its borrowing, these calculations have resulted in a negative figure.

11. Maturity Structure of Fixed Rate borrowing:

11.1 This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

11.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

No. 11	Maturity structure of fixed rate borrowing	Upper Limit %
	under 12 months	100
	12 months and within 24 months	100
	24 months and within 5 years	100
	5 years and within 10 years	100
	10 years and within 20 years	100
	20 years and within 30 years	100
	30 years and within 40 years	100
	40 years and within 50 years	100
	50 years and above	100

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

12. Upper Limit for total principal sums invested over 364 days:

12.1 The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Council having to seek early repayment of the sums invested.

No. 12	Upper Limit for total principal sums invested over 364 days	2009/10 Approved £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
		20	20	20	20

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

APPENDIX C

Arlingclose's Economic and Interest Rate Forecast

	Dec-09	Mar-10	Jun-10	Sep-10	Dec-10	Mar-11	Jun-11	Sep-11	Dec-11	Mar-12
Official Bank Rate										
Upside risk				+0.25	+0.25	+0.50	+0.50	+0.50	+0.50	+0.50
Central case	0.50	0.50	0.50	0.50	1.00	1.50	2.25	3.00	4.00	4.00
Downside risk					-0.50	-0.50	-0.50	-0.25	-0.25	-0.25
1-yr LIBID										
Upside risk				+0.25	+0.50	+0.50	+0.50	+0.50	+0.50	+0.50
Central case	1.25	1.25	1.25	1.50	2.00	2.75	3.50	4.00	4.25	4.25
Downside risk					-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
5-yr gilt										
Upside risk		+0.25	+0.25	+0.25	+0.50	+0.50	+0.50	+0.50	+0.50	+0.50
Central case	2.60	2.70	2.80	2.90	3.00	3.25	3.50	3.75	4.00	4.25
Downside risk		-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
10-yr gilt										
Upside risk			+0.25	+0.25	+0.25	+0.25	+0.25	+0.25	+0.25	+0.25
Central case	3.60	3.75	3.75	4.00	4.00	4.25	4.25	4.50	4.50	4.75
Downside risk			-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
20-yr gilt										
Upside risk		+0.25	+0.25	+0.25	+0.25	+0.25	+0.25	+0.25	+0.25	+0.25
Central case	4.10	4.25	4.50	4.75	4.75	5.00	5.00	5.00	5.00	5.00
Downside risk		-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
50-yr gilt										
Upside risk	+0.25	+0.25	+0.25	+0.50	+0.50	+0.50	+0.50	+0.50	+0.50	+0.50
Central case	4.00	4.25	4.50	4.50	4.50	4.75	4.75	4.75	4.75	4.75
Downside risk			-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25

- The recovery in growth is likely to be slow and uneven, more "W" than "V" shaped. The Bank of England will stick to its lower-for-longer stance on policy rates.
- Gilt yields will remain volatile; yields have been compressed by Quantitative Easing and will rise once QE tapers off and if government debt remains at record high levels.
- Central banks will eventually wind down and exit their emergency liquidity provisions and shrink their balance sheets, but official interest rates in the UK, Eurozone and US will stay low for some while.
- There are significant threats to the forecast from potential downgrades to sovereign ratings and/or political instability.

Assumptions

- The Bank of England has increased **Quantitative Easing (QE)** to £200bn to insure against the downside risks to growth and stimulate the economy.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

- The Bank forecasts **GDP** to grow by 4% in 2011 but concedes growth could be impeded by corporate and consumer balance sheet adjustments, restrictions in bank credit and consumers' cautious spending behaviour. This is an optimistic forecast in our view; evidence of recovery is scant with weak real economic data and rising unemployment.
- Looming bank regulation and liquidity and capital requirements will curb banking lending activity. The Bank retains the option to reduce the rate on commercial banks' deposits to encourage them to lend.
- The **employment** outlook remains uncertain. Pay freezes and job cuts will continue into 2010.
- **Inflation** is not an immediate worry. The Bank's forecast is for CPI to rise in the next few months from higher commodity prices and VAT reverting to 17.5%, but is forecast to remain below 2% in the short term, only surpassing the target in 2012. There is a risk that inflation overshoots in 2010 prompting a letter from the Bank's Governor to the Chancellor.
- The **UK fiscal deficit** remains acute. Cuts in public spending and tax increases are now inevitable and more likely to be pushed through in 2010 by a new government with a clear majority.
- The net supply of gilts will rise to unprecedented levels in 2010. Failure to articulate and deliver on an urgent and credible plan to lower government borrowing to sustainable levels over the medium term will be negative for gilts.
- The Federal Reserve Chairman Bernanke's diagnosis of a weak U.S. economy and labour market signal that the Fed's "extended period" of low rates may get even longer. The outlook the Eurozone is more optimistic but the European Central Bank will only increase rates after a durable upturn in growth.

Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

APPENDIX D

Specified and Non Specified Investments

Please note the CLG is in the process of undertaking a review of the Investment Guidance for Local Authorities in England and this section would therefore be subject to review and amendment

Specified Investments identified for use by the Council

Specified Investments will be those that meet the criteria in the CLG Guidance, i.e. the investment

- is sterling denominated
- has a maximum maturity of 1 year
- meets the "high" credit criteria as determined by the Council or is made with the UK government or is made with a local authority in England, Wales and Scotland.
- the making of which is not defined as capital expenditure under section 25(1)(d) in SI 2003 No 3146 (i.e. the investment is not loan capital or share capital in a body corporate).

"Specified" Investments identified for the Council's use are:

- Deposits in the DMO's Debt Management Account Deposit Facility
- Deposits with UK local authorities
- Deposits with banks and building societies
- *Certificates of deposit with banks and building societies
- *Gilts : (bonds issued by the UK government)
- *Bonds issued by multilateral development banks
- AAA-rated Money Market Funds with a Constant Net Asset Value (Constant NAV)
- Other Money Market Funds and Collective Investment Schemes– i.e. credit rated funds which meet the definition of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573.

1. ** Investments in these instruments will be on advice from the Council's treasury advisor.*
2. *The use of the above instruments by the Council's fund manager(s) will be by reference to the fund guidelines contained in the agreement between the Council and the individual manager.*

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

For credit rated counterparties, the minimum criteria will be the highest short-term and a long-term rating (equivalent of AA- or higher) assigned by various agencies which may include Moody's Investors Services, Standard & Poor's, Fitch Ratings.

The Council will also take into account information on corporate developments of and market sentiment towards investment counterparties.

New specified investments will be made within the following limits:

Instrument In-house	Country	Counterparty	Maximum Limit of Investments %/£m
Term Deposits	UK	DMADF, DMO	No limit
Term Deposits/Call Accounts	UK	Other UK Local Authorities	No limit
Term Deposits/Call Accounts	UK	Abbey	25
Term Deposits/Call Accounts	UK	Bank of Scotland/Lloyds	25
Term Deposits/Call Accounts	UK	Barclays	25
Term Deposits/Call Accounts	UK	Clydesdale	25
Term Deposits/Call Accounts	UK	HSBC	25
Term Deposits/Call Accounts	UK	Nationwide	25
Term Deposits/Call Accounts	UK	Royal Bank of Scotland/Natwest	30
Term Deposits/Call Accounts	Australia	Australia and NZ Banking Group	5
Term Deposits/Call Accounts	Australia	Commonwealth Bank of Australia	5
Term Deposits/Call Accounts	Australia	National Australia Bank Ltd	5
Term Deposits/Call Accounts	Australia	Westpac Banking Corp	5

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

Term Deposits/Call Accounts	Canada	Bank of Montreal	5
Term Deposits/Call Accounts	Canada	Bank of Nova Scotia	5
Term Deposits/Call Accounts	Canada	Canadian Imperial Bank of Commerce	5
Term Deposits/Call Accounts	Canada	Royal Bank of Canada	5
Term Deposits/Call Accounts	Canada	Toronto-Dominion Bank	5
Term Deposits/Call Accounts	Finland	Nordea Bank Finland	5
Term Deposits/Call Accounts	France	BNP Paribas	5
Term Deposits/Call Accounts	France	Calyon (Credit Agricole Group)	5
Term Deposits/Call Accounts	France	Credit Agricole SA	5
Term Deposits/Call Accounts	Germany	Deutsche Bank AG	5
Term Deposits/Call Accounts	Netherlands	Rabobank	5
Term Deposits/Call Accounts	Spain	Banco Bilbao Vizcaya Argentaria	5
Term Deposits/Call Accounts	Spain	Banco Santander SA	5
Term Deposits/Call Accounts	Switzerland	Credit Suisse	5
Term Deposits/Call Accounts	US	JP Morgan	5
Gilts	UK	DMO	No limit

Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

Bonds	EU	For example, European Investment Bank/ Council of Europe	
AAA rated Money Market Funds	UK/Ireland/ Luxembourg	CNAV MMFs	40%
Other MMFs and CIS	UK	Collective Investment Schemes	
Instrument External		Counterparty	Maximum Limit of Investments %/£m
Deposits, Certificates of Deposits,	Fund Managers	Min AA-long term category and F1+ short term rating or equivalent	15% per counterparty
	Lime Fund	N/A	£10m

NB Any existing deposits outside of the current criteria will be reinvested with the above criteria on maturity.

NB Our advice is that non-UK banks should be restricted to a maximum exposure of 40%.

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

APPENDIX E

Non-Specified Investments determined for use by the Council

Having considered the rationale and risk associated with Non-Specified Investments, the following have been determined for the Council's use:

	In-house use	Use by fund managers	Maximum maturity	Max % of portfolio	Capital expenditure?
<ul style="list-style-type: none"> ▪ Deposits with banks and building societies ▪ Certificates of deposit with banks and building societies 	<p>✓</p> <p>✓</p>	<p>✓</p>	<u>5 yrs</u>	<u>60%</u> in aggregate	No
Gilts and bonds <ul style="list-style-type: none"> ▪ Gilts ▪ Bonds issued by multilateral development banks ▪ Bonds issued by financial institutions guaranteed by the UK government, e.g. GEFCO ▪ Sterling denominated bonds by non-UK sovereign governments 	<p>✓ (on advice from treasury advisor)</p>	<p>✓</p>	<u>10 years</u>	<u>75%</u> in aggregate	No
Money Market Funds and Collective Investment Schemes (pooled funds which meet the definition)	<p>✓ (on advice from treasury advisor)</p>	<p>✓</p>	These funds do not have a defined maturity date	<u>50%</u>	No

Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573) but which are not credit rated					
Government guaranteed bonds and debt instruments (e.g. floating rate notes) issued by corporate bodies (e.g. govt bonds issued by HBOS / RBS / Nationwide, etc)	✓ (on advice from treasury advisor)	✓	<u>10 years</u>	<u>£5m</u>	Yes
Non-guaranteed bonds and debt instruments (e.g. floating rate notes) issued by corporate bodies	✓	✓	<u>10 years</u>	<u>£5m</u>	Yes
Collective Investment Schemes (Pooled funds) which do not meet the definition of collective investment schemes in SI 2004 No 534 or SI 2007 No 573	✓ (on advice from treasury advisor)	✓	These funds do not have a defined maturity date	<u>£10m</u>	Yes

**Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

1. In determining the period to maturity of an investment, the investment should be regarded as commencing on the date of the commitment of the investment rather than the date on which funds are paid over to the counterparty.
2. The use of the above instruments by the Council's fund manager(s) will be by reference to the fund guidelines contained in the agreement between the Council and the individual manager.

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COUNCIL MEETING – 25 FEBRUARY 2010

Recommendations to Council from the Executive: 9 February 2010

E/09/170 **Review and Refresh of the Local Area Agreement**

The Executive considered a report from Councillor Mrs Tricia Turner, Chairman of the Executive and Leader of the Council setting out the proposed changes to the Local Area Agreement (LAA).

(NOTE: A copy of the report has been circulated as part of the Executive agenda to all Councillors.)

The Executive was advised that the Council, as the Accountable Body for the Local Area Agreement, had a statutory duty to refresh the LAA annually. The refresh followed a light touch review of the existing LAA conducted by the Government Office for the East of England (GO-East), following closely on from the Comprehensive Area Assessment. It was noted that the review report being produced by GO- East would be available in early February 2010.

Members were informed that the LAA was entering the final year of its three-year duration and the scope to alter the existing agreement this time round was relatively limited. As a result of negotiation, an amendment to two indicators that were frozen in 2009 due to the effects of the economic recession were proposed in respect of *NI 152 Working age people on out of work benefits* and *NI 154 Net additional homes provided*. It was noted that GO-EAST had confirmed that the proposed amendments were acceptable that following approval by the full Council on 25 February 2010 the refreshed LAA document would be submitted to GO-East by the 12 March 2010 for formal sign-off by the Secretary of State.

Reasons for decision: Central Bedfordshire Council is the Accountable Body for the Local Area Agreement. The refreshed LAA therefore needs to go to full Council on the 25 February 2010, enabling it to then be submitted to the Government Office for the East of England (GO-East) on the 12 March. GO-East will then on the 17 March 2010 send it to the Secretary of State for formal sign-off.

RECOMMENDED:

- 1. That the revised Local Area Agreement (LAA) target being proposed by Central Bedfordshire Council for National Indicator 152 working age people on out of work benefits, as detailed in paragraph 12 of the submitted report, be approved.**
- 2. That the revised LAA targets being proposed by Central Bedfordshire Council for National Indicator 154 Net Additional Homes Provided, as detailed in paragraphs 13 & 14 of the submitted report, be approved.**

E/09/172 **Capital Programme 2010/11 to 2014/15**

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Executive received a statement from Mr Andrew Hicks, a member of the Clophill Parish Action Sub-Committee urging the Executive to include £75K for the Old Church (St Mary's) Clophill in the 2010/11 Capital Programme to assist with building a lodge for a resident warden. The Executive was advised that the building works were part of a much wider project with EEDA and the development of the Greensand Ridge Walk. Mr Hicks explained that the money from the Council would enable further funding to be raised, including from English Heritage. The local Members contributed their perspectives on the project.

The Executive then considered the report from Councillor Maurice Jones, Portfolio Holder for Resources setting out the proposed programme from 2010/11 to 2014/15 including the associated funding arrangements. Attention was drawn to two minor corrections to the report and a report from the Chairman of the Corporate Resources Overview and Scrutiny Committee, containing the comments and observations from Overview and Scrutiny Committee, which had been circulated with the Chairman's Briefing Note.

(Note: A copy of the report has been circulated with the Executive agenda to all Councillors)

Introducing the report, the Portfolio Holder explained that the provisional 2010/11 programme agreed in February 2009, plus the additional slippage from the legacy authorities had created serious financial challenges for the Council over the next three years and had raised expectations about the overall size of the Programme. The proposed Capital Programme 2010/11 had therefore been comprehensively reviewed and prioritised against agreed criteria, and proposals for an affordable and sustainable programme were put forward for the approval of Council. It was noted that there had also been a change in approach with no slippage assumed to balance the problem.

The Portfolio Holder for Corporate Resources then tabled revised recommendations as follows: -

That the Executive recommends the Council to:-

- (1) approve the Capital Programme 2010/11 to 2014/15 now submitted, subject to:-
 - (a) all borrowing associated with the Capital Programme being kept to the minimum necessary, with a target of achieving at least a 20% reduction in borrowing; and

- (b) reducing the value of the scheme known as 'ICT Infrastructure' in the 2010/11 starts by £247,000 and substituting it, to the same value, with the scheme known as 'Timberlands / Chiltern Way Travellers Site' from the reserve listing.
- (2) Note the future resourcing issues and risks associated with the delivery of a robust Capital Programme beyond 2011/12.
- (3) Approve the Housing Revenue Account Capital Programme as set out at Appendix F.
- (4) Agree therefore, having taken account of the comments of the Corporate Resource Overview and Scrutiny Committee:-
 - (a) That a further review of the Capital Programme should be undertaken at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12;
 - (b) That as part of the review referred to in (a) above:-
 - (i) the comments of the Overview and Scrutiny Committees relating to the capital projects should be addressed; and
 - (ii) the position regarding the scheme for the extension of Sandy Sports and Recreation Centre should be considered.

The Portfolio Holder explained that the additional recommendation to ensure borrowing associated with the Capital Programme was kept to a minimum with a target of achieving a 20% reduction in borrowing, had been put forward because of the financial pressures the Council was facing. A further recommendation had also been added, in response to comments of the Corporate Resource Overview and Scrutiny Committee, to carry out a further review of the Capital Programme at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12

The Executive then debated the report and revised recommendations during which the Portfolio Holder responded to questions and comments from the Executive and non Executive Members in attendance.

With regard to the Clophill Parish Action Sub-Committee's request for assistance with the project at the Old Church, Clophill, the Portfolio Holder for Sustainable Development explained that the Old Church ruins were owned by the Council and on Council owned land; the £75,000 included in the Capital Programme was for essential maintenance. However, officers had been asked to investigate an alternative way forward for the project.

Concerning a question about why the 'ICT Infrastructure' scheme was proposed to be reduced in value in the 2010/11 starts, Councillor Jones explained that because additional ICT spend was included in the Accommodation Programme the opportunity had been taken to include the scheme known as 'Timberlands/Chiltern Way Travellers Site' from the reserve listing, which inadvertently had been omitted from the programme. It was noted that the Site should correctly be known as the 'Timberlands Travellers Site'.

In response to various comments about capital schemes previously approved by the Executive and which had been rescheduled, including the scheme for the extension of Sandy Sports and Recreation Centre, the Portfolio Holder explained that these could be revisited as part of the further review of the capital programme which was proposed alongside other competing priorities.

Following comments that the proposed capital programme did not include new school provision, Members were reminded that the Council was in the process of reviewing its educational vision for Central Bedfordshire and the future direction for school organisation. It was noted that decisions on the building of new schools could not be made until the area reviews in the four geographical areas, which would determine how school organisation in each area could best meet the Vision's aspirations, were completed. With regard to concern that S106 money could be lost, the Portfolio Holder for Sustainable Development reported that a schedule of S106 agreements was being compiled to address this.

Responding to comments, the Portfolio Holder advised that the Highways capital budget had been reduced by approximately £1M. However, despite the reduction, the programme included a £10.9M investment on Highways. It was noted that the reduction included Parish Partnership capital money in the LTP programme being moved to 2011/12 and a reduction in the ambitious replacement street lighting programme would be curtailed, unsafe street light columns would continue to be removed and/or replaced.

The comment was made that whilst the rephrasing of schemes was disappointing, given the financial pressures the Council was facing it was right for the programme in the short term to focus on schemes delivering priorities and efficiencies. It was noted that there were certain schemes, for example the Flitwick Leisure Centre, that would use half of the Directorate's budget if they were to proceed in 2010/11.

The Portfolio Holder explained that whilst capital receipts were unlikely in the short term, the longer-term prospects for Central Bedfordshire were better. Future capital programme planning would need to be informed by the Council's emerging Asset Management Plan and an analysis of the current stock of properties and facilities.

Councillor Maurice Jones, Portfolio Holder for Corporate Resources concluded by proposing the Capital Programme 2010/11 to 2014/15 to the Council on 25 February 2010.

Reason for decisions: To agree new capital schemes to commence in 2010/11.

RECOMMENDED:

The Executive proposes to the Council: -

- 1. the Capital Programme 2010/11 to 2014/15 now submitted, subject to:-**
 - (a) all borrowing associated with the Capital Programme being kept to the minimum necessary, with a target of achieving at least 20% reduction in borrowing; and**
 - (b) reducing the value of the scheme known as 'ICT' Infrastructure' in the 2010/11 starts by £247,000 and substituting it, to the same value, with the scheme known as 'Timberlands Travellers Site' from the reserve listing;**
- 2. that the future resourcing issues and risks associated with the delivery of a robust Capital Programme beyond 2011/12 be noted;**
- 3. the Housing Revenue Account Capital Programme as set out at Appendix F;**
- 4. that, having taken account of the comments of the Corporate Resources Overview and Scrutiny Committee: -**
 - (a) a further review of the Capital Programme should be undertaken at the end of the first quarter of the next financial year with the objective of minimising the borrowing impact during 2011/12;**
 - (b) that as part of the review referred to in (a) above:-**
 - (i) the comments of the Overview and Scrutiny Committees relating to capital projects should be addressed; and**
 - (ii) the position regarding the scheme for the extension of Sandy Sports and Recreation Centre should be considered.**

E/09/173 **Medium Term Financial Plan and Budget 2010/11 to 2014/15.**

The Executive received a report from Councillor Maurice Jones, Portfolio Holder for Corporate Resources proposing the Council's Medium Term Financial Plan 2010/11 to 2014/15 and the Council Tax increase for 2010/11, with indicative figures for future years. Attention was drawn to a number of typographical amendments to the report and a report from the Chairman of the Corporate Resources Overview and Scrutiny Committee, containing the comments and observations from the Overview and Scrutiny Committees, which had been circulated with the Chairman's Briefing Note.

(NOTE: A copy of the report has been circulated with the Executive agenda to all Councillors).

The Portfolio Holder for Corporate Resources then tabled revised recommendations as follows: -

1. That the comments of the Overview and Scrutiny Committees be noted.
2. That the Executive recommends the Council to: -
 - (a) Agree the Revenue Budget for 2010/11 and the Medium Term Financial Plan 2010/11 to 2014/15 as set out in Appendix A.
 - (b) Note the requirement to achieve targeted efficiency savings of £12.074M and instruct the Corporate Management Team to implement these savings, or to propose compensatory savings, where any specific proposal now identified cannot be delivered.
 - (c) Note the Council Tax Base as set out in Appendix E.
 - (d) Agree a Band D Council Tax of: -
 - (i) £1,308.33 for residents in the north of Central Bedfordshire (ie: within the area of the former Mid Bedfordshire District Council as listed in Appendix E (i)); and
 - (ii) £1,344.15 for residents in the south of Central Bedfordshire (ie; within the area of the former South Bedfordshire District Council as listed in Appendix E (i)).
 - (e) Approve the Housing Revenue Account Business Plan set out in Appendix I.
 - (f) Agree, to delegate authority to the Portfolio Holder, in consultation with the Director of Social Care, Health and Housing to amend the rent increase accordingly, in the event of the final HRA rent/subsidy determination being amended.

(g) Agree that, having taken into account the views of the Corporate Resources Overview and Scrutiny Committee, that any additional savings being identified, over and above those already included within the Revenue Budget now submitted: -

- (i) should be separately identified;
- (ii) should be retained within the service budget within which the savings originated, but should be returned to reserves and the original service budget adjusted accordingly; and
- (iii) should not be utilised without the approval of the Executive.

The Portfolio Holder introduced the revised recommendations and explained that recommendation 2(b) above had been added in order to achieve targeted efficiency savings of £12.074M. It was clarified that in instructing the Corporate Management Team (CMT) to implement the savings, where any specific proposal identified could not be delivered, CMT would propose compensatory savings to the Executive. As an example, the Chief Executive pointed out that the outcome of certain consultation processes could not be pre-empted.

In response to a Member question, the Portfolio Holder for Corporate Resources confirmed that the purpose of recommendation (g) was not to fetter Directors in the normal operation of their departments and that the carrying out of virements would continue as set out in the Council's constitution.

Councillor Maurice Jones, Portfolio for Corporate Resources concluded by proposing the Council's Medium Term Financial Plan 2010/11 to 2014/15 and the Council Tax rates for 2010/11 to the Council on 25 February 2010.

Reason for decisions: To enable Central Bedfordshire to set a legal and robust Medium Term Financial Plan.

RECOMMENDED:

The Executive proposes to the Council:-

- (a) the Revenue Budget for 2010/11 and the Medium Term Financial Plan 2010/11 to 2014/15 as set out in Appendix A of the submitted report;**
- (b) that the requirement to achieve targeted efficiency savings of £12.074M be noted and that the Corporate Management Team be instructed to implement these savings, or to propose compensatory savings, where any specific proposal now identified cannot be delivered;**

- (c) a Council Tax Base of 2010/11 as set out in Appendix E;**
- (d) a Band D Council Tax 2010/11 :-**
 - (i) £1,308.33 for residents in the north of Central Bedfordshire (ie: within the area of the former Mid Bedfordshire District Council as listed in Appendix E (i)); and**
 - (ii) £1,344.15 for residents in the south of Central Bedfordshire (ie; within the area of the former South Bedfordshire District Council as listed in Appendix E (i));**
- (e) the Housing Revenue Account Business Plan as set out in Appendix I;**
- (f) that delegated authority be given to the Portfolio Holder for Housing, in consultation with the Director of Social Care, Health and Housing, to amend the rent increase accordingly, in the event of the final HRA rent/subsidy determination being amended;**
- (g) having taken into account the views of the Corporate Resources Overview and Scrutiny Committee, that any additional savings being identified, over and above those already included within the Revenue Budget now submitted: -**
 - (i) should be separately identified;**
 - (ii) should not be retained within the service budget within which the savings originated, but should be returned to reserves and the original service budget adjusted accordingly; and**
 - (iii) should not be utilised without the approval of the Executive.**

It was also RESOLVED:

That the comments of the Overview and Scrutiny Committees be noted.

The Gambling Act 2005 – Gambling Policy

E/09/178

The Executive considered a report from Councillor David McVicar, Portfolio Holder for Safer and Stronger Communities proposing a Statement of Principles Policy under the Gambling Act 2005.

(NOTE: A copy of the report has been circulated with the Executive agenda to all Councillors).

The Portfolio Holder advised the Executive that the Council, as the licensing authority, was required under the Gambling Act 2005 to adopt a 'Statement of Principles' policy every three years in line with statutory dates. Due to the transition to a Unitary Authority, the Council was required to ensure the policy was in place by the 1 April 2010.

The report advised that the policy must promote the three licensing objectives :

- Preventing gambling from being a source of crime, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling was conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Executive noted that the draft policy had been endorsed by the Licensing Committee on 13 January 2010. It was also noted that two responses had been received to the consultation, which supported the policy.

Reason for decisions: So that the 'Statement of Principles' policy required by the Gambling Act 2005 can go to Full Council on the 25 February 2010 for adoption.

RECOMMENDED:

- 1. That the Gambling Act 2005, 'Statement of Principles' policy, as attached to the submitted report, be adopted.**
- 2. That delegated authority be given to the Director of Sustainable Communities, in consultation with the Portfolio Holder for Safer and Stronger Communities, to undertake any necessary minor amendments to the policy prior to its publication.**

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COUNCIL MEETING – 25 FEBRUARY 2010

**Recommendations to Council from the Licensing Committee held on
13 January 2010**

**Minute No.
L/09/14** **THE LICENSING ACT 2003 – LICENSING POLICY**

The Committee received and considered a report of the Licensing and Policy Officer proposing that following the consultation period the Committee recommend that Full Council adopt the Licensing Policy. A copy of the draft Licensing Policy was attached to the agenda.

The Committee noted that the draft Licensing Policy was sent out for consultation to the responsible authorities and interested parties, the consultation period ran from 16 September through to 9 December 2009. Four responses were received, 2 in support of the policy and 2 made comments for consideration, details of which were set out in the report.

RESOLVED

- (1) *that the amendments, highlighted in bold, to the Licensing Act 2003, Licensing Policy as proposed in recommendations A and B of the report be endorsed.***
- (2) *that the Licensing Act 2003, Licensing Policy as amended in resolution (1) to this minute be approved.***
- (3) *that the Assistant Director of Community Safety and Public Protection, in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the policy prior to publication and subject to endorsement by Full Council.***

RECOMMENDED

that the Licensing Act 2003, Licensing Policy, at Appendix A, be adopted to incorporate changes, highlighted in bold, agreed by the Licensing Committee.

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Appendix A



CENTRAL BEDFORDSHIRE COUNCIL

THE LICENSING ACT 2003

LICENSING POLICY

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INDEX

		Page no.
1.	Executive Summary	3
2.	Introduction	
	2.1 The Central Bedfordshire Area	3
	2.2 Licensing Policy Statement	3
	2.3 Purpose of Policy	4
	2.4 Licensing Objectives	4
	2.5 Licensable Activities	4
	2.6 Authorisations for licensable activities	5
	2.7 General principles	5
	2.8 Consultation	5
3.	Related Strategies and Initiatives	7
4.	Cumulative Impact	8
5.	Licensing Process and Delegations	9
6.	Applications	12
	6.1 Premises Licence	12
	6.2 Club Premises Certificates	13
	6.3 Temporary Event Notices	13
	6.4 Provisional Statements	13
	6.5 Personal Licences	13
	6.6 Designated Premises Supervisor	14
	6.7 Reviews	14
7.	Licensing Functions	15
	7.1 The prevention of crime and disorder	15
	7.2 Public safety	16
	7.3 The prevention of public nuisance	16
	7.4 The protection of children from harm	17
8.	Enforcement	19
9.	Contact details	20

1.0 Executive Summary

The Licensing Authority seeks to achieve a balance between the licensed trade, the community and other stakeholders. Whilst conscious of the importance of licensed premises to the local economy and vitality of the community, the Licensing Authority acknowledges the potential issues associated with licensable activities in relation to nuisance and anti-social behaviour, which in turn impacts on the community in a variety of ways. The Licensing Authority seeks to achieve a mutual co-existence, and will work with the licensed trade, responsible authorities and local communities to identify and resolve issues wherever possible.

2.0 Introduction

2.1 The Central Bedfordshire Area

Central Bedfordshire lies in the heart of the county, covering some 712 square kilometres from Leighton Linlade and Dunstable in the west to Sandy and Arlesey in the east, and from Woburn to Whipsnade. The Chiltern Hills, an Area of Outstanding Natural Beauty, form a major feature in the west including chalk scarp and downlands and the Greensand Ridge runs eastwards throughout the area. The Grand Union canal also passes through the area.

The area is diverse with picturesque villages, hamlets and historic market towns whilst, as one of the most rapidly growing unitary councils in England, it is planning for substantial additional development. With a total population of some 255,000, the largest communities within Central Bedfordshire are Dunstable, Leighton Buzzard, Houghton Regis, Biggleswade, Flitwick, Sandy, Ampthill and Shefford.

In September 2009 Central Bedfordshire had issued over 800 premises licences under the Licensing Act 2003. The Licensing Authority had also issued over 2000 Personal licences. This number includes people that live within Central Bedfordshire area but that may work elsewhere.

2.2 Licensing Policy Statement

The Licensing Act 2003 ('The Act') requires the Licensing Authority, in this case Central Bedfordshire Council ('The Council') to review and publish its Statement of Licensing Policy every three years.

This Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and having regard to the Guidance to Local Authorities issued under Section 182 of the Act.

The Act requires that a Statement of Licensing Policy is published every three years on specified dates. As a new Authority this is the first Statement of Licensing Policy: the next review must be completed by 7th January 2014 to meet the requirements of the Act. Further consultations will take place before any amendments are made. In addition the Council will keep its policy under constant review, and make revisions as appropriate.

Nothing in this policy prevents anyone applying for authorisations under the Licensing Act 2003.

2.3 Purpose of Policy

The purpose of this policy is to set out the approach that the Licensing Authority intends to take when determining applications and carrying out its duties with regard to regulation and enforcement. The policy does not seek to fully explain the various application processes, however guidance and advice on making an application or requesting a review of a licence is available from the Licensing Authority on request. Applicants and members of the public are advised to contact the Licensing Authority in the event of any enquiry for appropriate advice.

2.4 Licensing Objectives

The Licensing Authority has a duty to promote the four licensing objectives of the Act, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The promotion of these licensing objectives places a responsibility on all license holders to become partners in achieving the objectives. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained in order to promote the objectives. These measures will be relevant to the individual style and characteristic of the premises and the events therein.

For further guidance please see section 7.0 or contact the Licensing Authority.

2.5 Licensable Activities

This policy relates to the following activities that are required to be licensed under the Act:

- Retail sale of alcohol
- Supply of alcohol by or on behalf of a club, or to the order of a member of the club
- Provision of 'regulated entertainment' to the public, club members or with a view to profit
- Provision of late night refreshment (Supply of hot food and/or drink from any premises between 11pm and 5am)

Regulated entertainment includes:

- Performance of a play
- Exhibition of a film
- Indoor sporting events

- Boxing/wrestling entertainment
- Performance of live music
- Playing of recorded music
- Performance of dance
- Provision of facilities for making music
- Provision of facilities for dancing

2.6 Authorisations for licensable activities

It is an offence under the Act to carry on licensable activities except under and in accordance with an authorisation, or to allow such activities to be carried on. There are various exempt activities that may be carried out without an authorisation and further information and advice is available from the Licensing Authority on request.

2.7 General principles

Notwithstanding the above, the Licensing Authority will ensure that:

- Every application is considered on its own merit, having regard to the Guidance issued under Section 182 of the Act.
- The rules of natural justice (**fair treatment and fair decisions**) are applied at all times
- The right of any individual to apply, under the terms of the Act, for a variety of permissions is not undermined
- The right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act is not overridden.
- The provisions of The Human Rights Act 1998, Article 6 (that in determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law), Article 8 (that everyone has the right to respect for their home and private life) and Article 1 of the First Protocol (that every person is entitled to the peaceful enjoyment of their possessions, including for example the possession of a licence) are given proper regard.
- Central Bedfordshire Council has not adopted a “vicinity” policy and will only seek to control those measures within the control of the licensee.
- This Licensing Authority acknowledges that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder.
- The Licensing Authority may depart from the guidance and this policy where it is deemed appropriate in order to promote one or all of the licensing objectives. In these circumstances, reasons for the decision will be provided.

2.8 Consultation

This policy was drawn up after consulting with the following bodies :-

- The Police

- The Fire Service
- Current licence holders
- Bodies representing local holders of premises licences
- Bodies representing local holders of club premises certificates
- Bodies representing local holders of personal licences
- Local businesses and their representatives
- Local residents and their representatives
- Community Safety Liaison Officer
- Community Development Officer
- Town & Parish Councils
- Representatives of any Local Strategic Partnership
- Child Protection Agency
- Ofsted
- Trading Standards
- Bedfordshire Drugs Action Team (B:DaT)
- Tourism South East
- Licensing Solicitors
- Ambulance Service
- Voluntary Organisations
- Ward Councillors
- Environmental Health
- Other relevant services within Central Bedfordshire Council
- Local Authorities with which this Licensing Authority has boundaries

This Policy will come into force on the 1st April 2010. The next review must be undertaken and the policy published by the 7th January 2014. The Policy may also be reviewed, updated and modified as and when the Licensing Authority considers appropriate to promote one or all of the licensing objectives.

The consultation took place between 16th September 2009 and 9th December 2009, and the views of the parties consulted have been given proper weighting.

Subject to Full Council Adoption

has been submitted for approval
[The policy was ~~approved~~ at a meeting of the Full Council on 25th February 2010 and was published via our website on 4th March 2010.]

Should you have any comments regarding this policy statement please send them via e-mail or letter to the following contact:

Licensing Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

E-mail: licensing.section@centralbedfordshire.gov.uk

Any amendments to the Policy will be subject to further consultation.

3.0 Related Strategies and Initiatives

The Licensing Authority will avoid duplication with other statutory regimes and if conditions are already provided for in other legislation, they cannot be considered necessary in the context of licensing law.

Applicants may find it useful to consider other Central Bedfordshire Council strategies and initiatives, Responsible Authority guidance and Central Government legislation and guidance. These may include:

- Community, cultural and community safety strategies
- Alcohol harm reduction strategy
- Safer Clubbing
- Anti Social Behaviour Act 2003
- Health Act 2006
- Health & Safety at Work etc Act 1974
- Regulatory Reform (Fire Safety) Order 2005
- Race Relations (Amendment) Act 2000
- Environmental Protection Act 1990
- Disability Discrimination Act 1996
- Human Rights Act 1998
- Crime & Disorder Act 1998
- The Event Safety Guide
- The Bedfordshire Community Safety Design Guide
- Safer Communities
- The Gambling Act 2005
- Planning Control (The planning and licensing regimes will be clearly separated to avoid duplication and inefficiency)
- Any other relevant documents

4.0 Cumulative Impact

Central Bedfordshire Council has not adopted a saturation policy at this time.

The Licensing Authority will not operate a quota of any kind which would pre-determine any application, nor will it seek to impose general limitations on trading hours in any area. Due regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres and other clubs all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be given to those differences and the impact they are likely to have on the local community and the promotion of the licensing objectives.

If the Licensing Authority receives representations from a responsible authority or interested party, to the effect that a particular area is becoming saturated with premises, creating problems of disorder and nuisance, the Licensing Authority may take into account cumulative impact when considering the individual merits of any application.

This should not be confused with 'need' which relates to the commercial demand for a particular type of premises e.g. a pub, restaurant or hotel. This is not a matter for the Licensing Authority, but for planning committees and for the market.

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5.0 Licensing Process and Delegations

- 5.1 Applicants must complete the relevant application form and submit it to the Licensing Authority with all the relevant documentation and fees. Copies must be sent to the Responsible Authorities, as listed below.
- 5.2 For the purposes of this Act the body deemed by this Licensing Authority to be competent to advise it on the protection of children from harm is Central Bedfordshire Council Policy & Strategy, Children Families and Learning.

The Responsible Authorities for the Licensing Act 2003 are:

- Chief Officer of Police
 - Chief Fire Officer
 - Health & Safety. This must be sent to the relevant enforcing Authority for the Health and Safety at Work etc. Act 1974 which in most cases is the Local Authority. In all other cases it is the Health and Safety Executive. If in doubt please contact Central Bedfordshire Council Health and Safety Department for further guidance
 - Central Bedfordshire Council Environmental Health
 - Central Bedfordshire Council Planning
 - Central Bedfordshire Council, Policy & Strategy, Children Families and Learning
 - Trading Standards
- 5.3 As contacts for Responsible Authorities under the Act are liable to change, their details are available on a separate document and can be obtained by contacting the licensing team, or on the Central Bedfordshire Council website www.centralbedfordshire.gov.uk

- 5.4 Applicants must also advertise their application in the prescribed manner to ensure that all interested parties are aware of the application and are able to make representations if they so wish.

An interested party is defined in the Act as:

- A person living in the vicinity of the premises in question
 - A body representing persons living in that vicinity (e.g. a residents association, town or parish council)
 - A person involved in a business in the vicinity of the premises in question
 - A body representing persons involved in such businesses (e.g. a trade association)
 - A Member of the Authority
- 5.5 If no relevant representations are received the Licensing Authority must grant the licence and may only attach conditions that are consistent with the operating schedule and any mandatory conditions as prescribed in the Act. Applications where there are relevant representations that have not been withdrawn as a result of mediation,

will be dealt with by a Committee of the Licensing Authority, as will any application for review of a licence (see Section 7.0).

5.6 When determining applications the Licensing Authority will have regard to the Guidance issued by the Department of Culture, Media and Sport (DCMS). In particular account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's consideration will be balanced against the wider benefits to the community.

5.7 The Licensing Authority may depart from the guidance and this policy where it is deemed appropriate in order to promote one or all of the licensing objectives. In these circumstances, reasons for the decision will be provided.

5.8 Delegation of Functions

Matter to be dealt with	Licensing Committee	Officers
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for Interim Authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.		All cases

Decision to object when Local Authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police representation to a temporary event notice	All cases	
Application for a Minor Variation either with or without representations	All cases (subject to approval by the constitutional working group and members)	

5.9 Conditions may only be attached to a premises licence or club premises certificate if relevant representations are received. Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.

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6.0 Applications

Before making an application, applicants should refer to the Central Bedfordshire Guidance to the Licensing Act 2003.

6.1 Premises Licence

A premises licence is required for any of the licensable activities listed at 2.5. 'Premises' is defined in the Act as meaning any place and includes a vehicle, vessel or moveable structure.

Any person aged over 18 years, a business or partnership, may apply for a premises licence. The application must be made on the prescribed form and must be accompanied by;

- The required fee
- An operating schedule
- A plan of the premises to which the application relates
- If it is intended to supply alcohol, the applicant must provide a form of consent from the individual that the applicant wishes to have specified as the "designated premises supervisor".

Applicants are encouraged to enter pre-application discussions with the Licensing Authority and Responsible Authorities, to ensure that they have adequately addressed all the licensing objectives.

The operating schedule should include information which will enable the Licensing Authority, Responsible Authorities and Interested Parties to assess the steps taken by the applicant to promote the licensing objectives. Further advice on operating schedules may be obtained from the Licensing Authority.

A Responsible Authority or Interested Party can make representations to the Licensing Authority in relation to a Premises Licence Application. A representation can be in support of or oppose the application, but must relate to the premises and the likely impact of the application on one or more of the licensing objectives. A representation must be served on the Licensing Authority within the statutory deadline, which is 28 days from the date the application was made or accepted.

Where a premises licence authorises the supply of alcohol, the following mandatory conditions will apply:

"No supply of alcohol may be made under the premises licence

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended".

"Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence".

Where an application is made by a community premises under The Legislative Reform (Supervision of Alcohol Sales in Church & Village Halls &c.) Order 2009, to apply the alternative condition, that condition shall replace the above with "Every supply of alcohol under the premises licence must be made or authorised by the management committee".

6.2 Club Premises Certificates

The procedures and legal requirements for Club Premises Certificates are largely the same as for Premises Licences, with the major difference being that under a Club Premises Certificate there is no requirement for a Designated Premises Supervisor.

Further information and advice on specific circumstances may be obtained from the Licensing Authority.

6.3 Temporary Event Notices

The Act provides for the temporary carrying on of the sale or supply of alcohol, the provision of regulated entertainment or the provision of late night refreshment at premises which are not authorised by a premises licence or a club premises certificate.

There are various restrictions in relation to the use of Temporary Event Notices and event organisers are advised to contact the Licensing Authority for further details.

Only the police may object to a Temporary Event Notice and only where they consider that the event is likely to undermine the crime prevention objective.

The Act states that a Temporary Event Notice must be given to the Licensing Authority and to the police at least 10 working days before the day on which the event is due to begin (This does not include the day of receipt of the application by the Licensing Authority or the first day of the event). The Licensing Authority however recommends that at least 28 days notice be given, to allow the Licensing Authority and the police to take full consideration of the notice.

6.4 Provisional Statements

Where premises are being constructed, extended or otherwise altered with a view to providing a licensable activity under the Act, an individual over the age of 18 years, who has an interest in the premises, may apply for a Provisional Statement.

Please contact the Licensing Authority for further details.

6.5 Personal Licences

A personal licence is required by individuals making or authorising the sale or supply of alcohol in accordance with a premises licence. Not every person retailing alcohol at licensed premises needs to hold a personal licence, but

every sale or supply of alcohol must be at least authorised by a personal licence holder.

The Licensing Authority must grant an application for a personal licence if the criteria set down in the Act are satisfied.

Personal licences are portable from one premises to another. An applicant can apply for a personal licence whether or not they have current employment or business interests associated with the use of the licence.

For further guidance and advice please contact the Licensing Authority.

6.6 Designated Premises Supervisor

The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries with it greater responsibility than that associated with the provision of regulated entertainment and late night refreshment. This is why a personal licence is required by all persons authorising such sales.

Each premises licence which authorises the sale of alcohol requires a personal licence holder to be the Designated Premises Supervisor, (the only exception is for community premises which have successfully made an application to disapply the usual mandatory conditions). This is to ensure that there is always one individual who can be readily identified in case of emergency. The Designated Premises Supervisor should have day to day responsibility for the running of the premises and should be on the premises on a frequent and regular basis. Suitable arrangements should be in place to provide cover where the Designated Premises Supervisor is absent due to holidays, sickness or similar circumstances.

6.7 Reviews

The Act provides a review mechanism for premises where one or more of the licensing objectives are not being met. However, no more than one review will normally be permitted within any 12 month period on similar grounds, except in exceptional and compelling circumstances or where it arises following a Closure Order.

Responsible Authorities and Interested Parties can apply for a review of a premises licence but must provide evidence to the Licensing Authority that one or more of the licensing objectives are not being met.

Requests for a review will be rejected if:

- the reason does not relate to one or more of the licensing objectives
- if the grounds are, in the opinion of the Licensing Authority, frivolous, vexatious or repetitive. Repetitive grounds are those which are substantially the same, or identical to those considered at a previous hearing within the last 12 months.

Any review of a licence will take place before the Licensing Sub Committee.

7.0 Licensing Functions

Central Bedfordshire Council's Licensing Authority recognise that there are many other departments of the council who have legal responsibilities in relation to premises, that may wish to be, or are already licensed; for example, environmental health, trading standards, planning, building control, community safety etc. However, whilst supportive of those other responsibilities the Licensing Authority can only act in accordance with the Licensing Act 2003. It is therefore vital that a clear distinction is made between the Licensing Authority and all other Council departments.

In most cases (other than minor variations), if representations are received from, or a review is requested by, a responsible authority or interested party, and these cannot be resolved by discussion between the responsible authority, the interested party, the applicant and the licensing authority, a public hearing will be held by the Licensing Sub Committee. At the hearing the Licensing Sub Committee will listen to the evidence and statements of the responsible authority and/or interested party who have made representations/called for a review, and any information the applicant wishes to provide.

The Licensing Sub Committee will only consider the evidence relating to representations which are in connection with one or more of the four licensing objectives. Consequently, the Licensing Sub Committee will only attach conditions to authorisations, where representations have been made, and where those conditions are considered necessary to ensure that the licensing objectives are being met. If it is ruled that the applicant has met the licensing objectives then no conditions will be attached. The Licensing Sub Committee may also choose to refuse the application; however, the presumption of the Act is that all applications will be granted unless there are exceptional circumstances where the licensing objectives cannot be met. The Licensing Sub Committee will seek to avoid attaching conditions that duplicate other regulatory regimes as far as possible. They will also only seek to attach conditions that are focused on matters in the direct control of the licence holder or club.

In ensuring that the four licensing objectives are met the Licensing Sub Committee would expect the applicant to have demonstrated that they have undertaken a risk assessment to ensure they have considered all the relevant factors for their individual circumstances, including the individual styles and characteristics of the premises and the types of event proposed.

The types of issues that should be considered by the applicant for each licensing objective include, but are not limited to:

7.1 The Prevention of Crime and Disorder

Applicants should consider how they propose to deal with:

- Under age drinking
- Drunkenness on premises
- Drugs

- Violent behaviour
- Anti Social Behaviour

Licensing application operating schedules should therefore consider measures for:

- Provision of door supervisors, properly licensed by the Security Industry Authority.
- Bottle bans or requirement to provide plastic containers/toughened glass. (Where risk assessment determines that there is a high risk in this area, providing polycarbonate glasses will be a condition for new applications).
- CCTV, both inside and outside the premises.
- Ban on open containers being taken from premises (e.g. glasses and open bottles)
- Restrictions on drinking areas.
- Capacity limits
- Proof of age cards.
- Responsible drinks promotions
- Crime prevention notices/signage.
- Effective and responsible management and supervision of premises
- Appropriate instruction and training given to staff in crime prevention measures
- Security arrangements
- Participation in Pub Watch/Shop Watch schemes
- Adoption of existing and future Best Practice Guides, such as Safer Clubbing, the National Alcohol Harm Reduction Strategy etc.

Licensees and certificate holders should take reasonable steps to prevent the occurrence or crime and disorder immediately outside their premises, for example on the pavement, in a beer garden or in a smoking shelter, where and to the extent that these matters are within their control

7.2 Public Safety

Applicants should show that they have adequately considered the safety of the public when they are visiting the premises. This will include demonstrating that they have considered appropriate management procedures for ensuring public safety.

Applicants need not duplicate any matters that are considered as part of the requirements of the Regulatory Reform (Fire Safety) Order 2005, which requires fire risk assessments to be undertaken. However the Licensing Authority will consider the implications relating to public safety for each individual application and operating schedules provided by applicants will be expected to address any specific public safety issues not covered by other legislation.

7.3 The Prevention of Public Nuisance

The Licensing Act 2003 recognises the need for flexibility with regard to licensing hours, to reduce the likelihood of disturbances due to large numbers

of people leaving licensed premises simultaneously. Applicants should consider their opening hours in relation to the nature of their business, the other licensed premises in the local area and the likelihood for public nuisance to occur.

Public Nuisance will be taken in its widest sense to include such issues as noise, light, vibration, odour, litter and anti social behaviour where these matters can impact on those living or working in the area. In particular, with regard to noise sensitive areas the Licensing Authority will apply such additional conditions as necessary to promote the licensing objectives.

Licensing application operating schedules should therefore consider measures and management procedures to deal with potential for nuisance, which may include:

- Prevention of noise breakout (this includes music, ventilation equipment and human voice whether amplified or not) e.g. sound proofing arrangements, restrictions on times when music or other licensable activities may take place, use of noise limiters properly set to prevent noise breakout and disturbance.
- Prevention of disturbance by customers arriving and leaving the premises and the delivery of goods or services (This will be of greater importance between 11.00pm and 07.00am) e.g. restrictions on deliveries/collections, signage requesting customers to leave quietly and to respect the rights of nearby residents.
- Limiting and or controlling the use of outdoor areas, gardens and patios for licensable activities, where these activities may cause a public nuisance. (Applicants will be required to inform the Licensing Authority of any proposed use of outdoor areas for licensable activities).
- Controlling odours and litter within the curtilage and vicinity of the premises.
- Consideration of light and vibration sources and their potential impact on neighbouring properties.

7.4 The Protection of Children from Harm

- Whether there are effective measures to check the age of those young people who appear under 21 to ensure that alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises.
- Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
- Whether accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises are taking a table meal or are being entertained by a live performance.
- The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises.
- Whether due regard is paid to industry codes of good practice on the labeling and display of alcoholic drinks.

- Whether there are adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult.
- The likelihood of children being attracted to the premises; e.g. by the nature of activities or facilities provided whether or not these are licensed.
- Whether there is evidence of heavy, binge or underage drinking on the premises.
- Whether the premises commonly provides entertainment or services of an adult or sexual nature
- Whether there is a strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines).
- Whether films are to be shown and the measures to restrict children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the council itself
- If performances or activities are likely to attract children, the number of adults required for the supervision of children.
- Where play facilities are provided if an adequate risk assessment has been made and appropriate measures taken.
- The measures to be taken to ensure that those supervising or having significant contact with children have been appropriately vetted to ensure that they pose no risk to children. Obtaining Enhanced Disclosure from the Criminal Records Bureau may be appropriate in some cases.
- Proposals for the provision or arrangement for safe transport for children.

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8.0 Enforcement

The need for compliance with the licensing objectives and licensing conditions will, in most cases, be carried out with co-operation and liaison between the Licensing Authority and licence holders. A policy of consistency, transparency and proportionality will be the key to success.

The Licensing Authority will liaise with all responsible authorities to ensure that, where enforcement is required to support compliance, it will be done using the most appropriate primary legislation. Where this is not possible the Licensing Authority's enforcement officer will investigate and make recommendations under the relevant provisions of the Licensing Act and its guidance. The current Central Bedfordshire Council enforcement policy and agreed principles of Enforcement Concordat will also be considered.

The Licensing Authority agrees with the principles recommended within the guidance to the Act, of risk rating and targeting to ensure that resources can be properly assigned where needed. A lighter touch approach to enforcement will be used where a low risk rating is identified.

The promotion of the four licensing objectives will be paramount to all enforcement actions.

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9.0 Contact Details

Further information about The Licensing Act 2003 and the Councils Licensing Policy can be obtained from:

Central Bedfordshire Council
Public Protection

Priory House	or	The Council Offices
Monks Walk		High Street North
Chicksands		Dunstable
Shefford		Beds
Beds		LU6 1LF
SG17 5TQ		
Tel: 0300 300 8000		Tel: 0300 300 8000

Details of where to send applications, and addresses for Responsible Authorities are available in a separate document, as these are liable to change. Please contact the licensing team for details.

This policy will also be available on our website:
www.centralbedfordshire.gov.uk

Information is also available from;

The Department for Culture, Media and Sport
2-4 Cockspur Street
London
SW1Y 5DH

Tel: 0207 211 6200
e-mail: enquiries@culture.gov.uk
Website: www.culture.gov.uk

Local Government Licensing Forum:
Website: www.lqlf.org

The Portman Group:
Website: www.portmangroup.co.uk

COUNCIL MEETING – 25 FEBRUARY 2010

**Recommendations to Council from the Regulation Committee held on
13 January 2010**

**Minute No.
REG/09/39** **HACKNEY CARRIAGE BYELAWS**

The Committee received and considered a report of the Director of Sustainable Communities, which sought a decision on whether or not Members wished to retain separate licensing zones or establish a single taxi licensing area in order to adopt new Hackney Carriage byelaws for Central Bedfordshire.

The Committee in particular noted that policies and conditions attached to former South Bedfordshire District Council licences differed to the former Mid Bedfordshire District Council, therefore it was now necessary to agree new policies and conditions for Central Bedfordshire. During the transitional period it had been necessary to zone Central Bedfordshire into two areas to reflect the policies and regulations adopted by the two legacy authorities. It was advised that the byelaws must be implemented by 1 April 2010.

Responses to the consultation were attached at Appendix C to the report.

RECOMMENDED

- (1) That a single taxi licensing area for the Central Bedfordshire area be approved.***
- (2) That, subject to (1) above, the new set of Hackney Carriage byelaws now submitted at Appendix A, be Approved.***

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Appendix A

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CENTRAL BEDFORDSHIRE COUNCIL BYELAWS FOR HACKNEY CARRIAGES

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by Central Bedfordshire Council with respect to hackney carriages.

Interpretation

1. Throughout these byelaws "the Council" means Central Bedfordshire Council.

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its licence, shall be displayed

2. (a) The Proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.

(b) A proprietor or driver of a hackney carriage shall:-
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire; and
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be covered with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;

- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the carriage to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:-
- (a) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
 - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within Central Bedfordshire in their several employments, and determining whether such drivers shall wear any and what badges

5. The driver of a hackney carriage shall:-
 - (a) when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter;
 - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
 - (a) proceed with reasonable speed to one of the stands appointed by the Council;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time, when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. The driver of a hackney carriage shall, when standing or plying for hire, and when hired, wear the badge provided by the Council and delivered to him in such a position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage;
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person; and
 - (d) permit small articles to be carried in the passenger compartment unless it is unreasonable to do so.

Provisions fixing the rates or fares to be paid for hackney carriages within Central Bedfordshire and securing the due publication of such fares

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the table of fares from time to time fixed by the Council in accordance with section 65 of the Local Government (Miscellaneous Provisions) Act 1976 the rate or fare being calculated by distance and time unless the hirer expresses at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised in the table of fares from time to time fixed by the Council in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause the statement of the fares fixed by the Council in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 to be exhibited inside the carriage, in clearly distinguishable letters and figures.

- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or, negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re- delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof

- 16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
- 17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-
 - (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station in the district, and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police office whichever be the greater) but no more than five pounds.

Penalties

- 18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefor.

Repeals

- 19. The Byelaws with respect to hackney carriages made by South Bedfordshire District Council on
 - (a) the 4th day of March 1976 and confirmed by one of the Assistant Under Secretaries of State of The Home Office on the 2nd day of July 1976 and on:
 - (b) the 19th day of April 1977 and confirmed by one of the Assistant Under Secretaries of State of The Home Office on the 17th day of June 1997.

- (c) the 8th October 1991 and confirmed by one of the Assistant Under Secretaries of State of the Home Office on 20th day of December 1991.

are hereby repealed.

The Byelaws with respect to hackney carriages made by Mid Bedfordshire District Council dated 8th January 1988.

are hereby repealed.

Council Meeting – 25 February 2010

Agenda Item 12

RECOMMENDATIONS FROM CONSTITUTION ADVISORY GROUP

The Constitution Advisory Group at its meetings on 25 January and 15 February 2010 received a number of reports relating to constitutional matters, some of which proposed changes to the Council's Constitution. The Group considered those reports and made recommendations to the Council as set out in 1 to 7 below.

1. CHANGE OF PROCUREMENT THRESHOLDS

The Constitution Advisory Group received and considered a report by the Director of Corporate Resources proposing changes to procurement thresholds which would reduce bureaucracy and speed up the recruitment process whilst obtaining best value for money in the procurement process. The report also set out new mandatory changes to European Thresholds for advertising contracts across the EU.

The Group noted that benchmarking had been carried out with other local authorities. The proposed changes were pragmatic in that they would reduce bureaucracy but would not lead to a loss of control.

In response to a question it was noted that there were provisions in place to ensure best value for money.

A discussion ensued on whether officers should be enabled to make use of better prices where they found them. It was noted that enabling this tended to lead to a loss of efficiencies and that CBC corporate contracts or framework agreements should always be used where they existed.

AGREED TO RECOMMEND TO COUNCIL:-

That the procurement thresholds and processes in the Code of Procurement Governance be amended as listed below, whilst steering officers into using both Central Bedfordshire Council's corporate contracts and framework agreements (contracts) set up by other councils and consortia. The process to be as follows:-

Step 1:

Always use Central Bedfordshire Council corporate contracts or Consortium framework agreements (as listed on the internet) where they already exist. Where they do not, the following rules apply:-

Step 2:

- **Up to £2,000 - seek best value or two quotations**
- **£2001 to £20,000 – 3 written quotations demonstrating best value (based on price and quality)**
- **£20,000 to £59,999 – 3-5 written quotations by sealed bid**
- **£60,000 to EU threshold – invite 5 tenders, advertised and by sealed bid**
- **above EU threshold (works £3,927,260, supplies and services £156,442) must be advertised in OJEU and 5 written tenders must be invited (mandatory new EU law).**

The replacement Table 1, section 5.1 of Part I3 of the Constitution is attached at **Appendix A**.

2. MEMBERS' ACCEPTABLE USE POLICY

The Constitution Advisory Group received and considered a report of the Assistant Director Legal and Democratic inviting Members to consider including the Members' Acceptable Use Policy (ICT) in the Constitution.

A discussion ensued as to whether it was most appropriate for this document to be included in the Constitution or whether it would be more likely to be read and referred to if maintained in some other location. Members considered that this document was for Members' guidance and would therefore be most appropriately kept in the Councillors' Guide, which was in effect a guidebook for members of the Council. However, reference should be made to it in the relevant part of the Constitution.

AGREED:-

To note the Executive's approval on 13 October 2009 of the new Members' Acceptable Use Policy (ICT).

AGREED TO RECOMMEND TO COUNCIL

That the Constitution should make reference to the new Members' Acceptable Use Policy (ICT) but the document should be maintained in the Councillors' Guide and not the Constitution.

3. DELEGATED AUTHORITY FOR THE APPOINTMENT OF ASSISTANT DIRECTORS

The Constitution Advisory Group considered a report of the Chief Executive proposing an amendment to the Constitution to allow for the Head of Paid Service (or delegated Director) to appoint Assistant Directors.

A discussion ensued regarding the position of statutory posts such as the S151 Officer, the Monitoring Officer and the Scrutiny Officer. It was noted that

there was a legal requirement that an independent review take place before the post holders of the designated S151 Officer and the Monitoring Officer could be dismissed by Council.

Members were reminded that appointments to any post at a lower tier than Assistant Director were statutorily required to be made by officers, not members of the Council.

Members were of the view that if the posts of S151 Officer and Monitoring Officer were at Assistant Director level or above, the appointments should be made by Members. All other Assistant Director appointments should be delegated to the Chief Executive.

A discussion took place on the review of the Senior Management Structure which was currently in progress.

Members noted that the proposals for the Senior Management Review, including moving to a four-directorate model, had been the subject of consideration by the Executive which had authorised the Chief Executive to implement the necessary arrangements, including a review of Assistant Director and Head of Service level posts. Following questions from Members, a copy of the relevant minute of the Executive was circulated at the meeting.

A view was expressed that there should be an opportunity for the emergent managements structure to be subject to review at Member level to ensure it was fit for purpose.

Reference was also made to the fact that the outcome of the review would require amendments throughout the Constitution, including the structure diagram at part H2. It was noted however that the review was not yet sufficiently progressed to enable officers to inform the Advisory Group of the consequential amendments likely to be required to the Constitution. It would be necessary to report to Council at the appropriate time regarding the designation of statutory officers where these varied from the Council's current structure.

It was suggested that the management structure diagram included in the Constitution should be at a higher level and reflect the tier of officers to be appointed by Members.

The Committee drew up a recommendation to Council delegating Assistant Director level appointments to Officers subject to the endorsement of General Purposes Committee.

The General Purposes Committee considered the matter at its meeting on 10 February, 2010 and formulated the following recommendations to Council:-

- 1. that the authority to appoint posts at Assistant Director level is delegated to the Head of Paid Service together with the relevant Director, subject to recommendation 2 below:**

2. **that the period of delegation to the Head of Paid Service and relevant Director is for no more than 6 months, or until such time as the Head of Paid Service reports to the Committee on the outcome of the Review of the Senior Management Structure, whichever is the sooner.**
3. **that the posts of S151 Officer and Monitoring Officer remain at Assistant Director level or above and that these appointments continue to be made by the Appointments Sub-Committee.**

The Constitution Advisory Group, at its meeting on 15 February, 2010 considered the response of General Purposes Committee. As no apparent rationale was available to the Group in support of this approach, the Constitution Advisory Group did not see any merit in pursuing this course and decided to proceed with its original recommendation to Council.

AGREED TO RECOMMEND TO COUNCIL:-

1. **That, subject to 2 below, authority to appoint posts at Assistant Director level be delegated to the Head of Paid Service, together with the relevant Director and that sections E2 (8.1.1), F4 (5.1.4), H3 (3.2.1.3) and H4 of the Constitution be amended accordingly;**
2. **that in the event of the posts of S151 Officer and Monitoring Officer being at Assistant Director level, these will nonetheless be retained as appointments made by members of the Council.**

4. EFFICIENCIES – EXECUTIVE BUSINESS

The Advisory Group considered a report of the Head of Democratic Services seeking comments on the suggestion that it should no longer be a requirement to report minutes of the Audit Committee or Key Decisions taken by an individual Portfolio Holder, committee of the Executive or officer, to meetings of the Executive.

Members were advised that the minutes of both the Audit Committee and notices of delegated decisions were as a matter of course published on the Council's website.

It was noted that decisions taken under the emergency provisions would still be reported to the Executive.

AGREED TO RECOMMEND TO COUNCIL:-

That minutes of the Audit Committee and Key Decisions taken by an individual Portfolio Holder, committee of the Executive or officer, no longer be reported to meetings of the Executive, and that part C4

paragraphs 10.1.8 and 10.1.11 of the Constitution be amended accordingly.

5. DELEGATIONS TO OFFICERS

The Constitution Advisory Group noted a number of executive delegations to officers which the Leader had recently approved under her authority set out at paragraph 3 of the Executive Procedure Rules. These delegations are referred to elsewhere on the agenda in the report entitled “Decisions taken by the Leader”. These delegations include the transfer of a number of powers from the Director of Children, Families and Learning to the Director of Sustainable Communities following the transfer of responsibility for community and cultural learning to the latter directorate.

The Advisory Group has subsequently noted however that certain delegations relating to Council functions also need to transfer between directorates.

AGREED TO RECOMMEND TO COUNCIL

That the following delegations be transferred from the Director for Children, Families and Learning to the Director for Sustainable Communities and that Part H3 of the Constitution be amended accordingly:-

4.4.15	To carry out the functions of the Council in respect of public rights of way, including the exercise of the Council’s powers and duties under the Wildlife and Countryside Act 1981, the Highways Act 1980, Sections 257 and 258 of the Town and Country Planning Act 1990 (including the maintenance, protection, enforcement, extinguishments, creation, diversion and modification of public rights of way) and the making of road traffic regulation orders in respect of public rights of way.	Subject to consultation with the relevant ward Member, and subject to the Director’s power to authorise the making of orders in respect of public rights of way applying only in so far as no significant objection has been made to the application, proposal or matter concerned.
4.4.17	To carry out the functions of the Council in respect of Commons, Town and Village Greens and the countryside.	Subject to prior consultation with the Assistant Director, Legal and Democratic in so far as functions relate to enforcement action and instituting legal proceedings.

6. REVIEW OF THE OVERVIEW AND SCRUTINY ARRANGEMENTS

The Constitution Advisory Group at its meeting on 15 February 2010 received a report setting out proposals to revise the Overview and Scrutiny arrangements. It was noted that the Overview and Scrutiny Co-ordination Panel (consisting of the Chairmen and Vice-Chairmen of the five current Overview and Scrutiny Committees) at its meeting on 3 February 2010 had reviewed a number of options for revising the structures and working practices of the Overview and Scrutiny function and the scope for streamlining other Council arrangements generally.

A firm set of proposals had emerged from this meeting which were now before the Constitution Advisory Group for consideration.

A discussion ensued regarding the appropriate means of reflecting changes to the Constitution arising from the Senior Management Review. A view was expressed that it was not appropriate for the structure diagram to be in the Constitution and that the website should include information of this kind in an accessible place for members of the public to view easily.

Members discussed at length the proposals set out in the report for the Overview and Scrutiny structure. The conclusion was reached that the proposals in the report were appropriate and that the terms of reference for the newly-merged fourth committee would be an amalgamation of the terms of reference from the currently existing Corporate Resources and Business Transformation Overview and Scrutiny Committees. The suggestion of "Central Services Overview and Scrutiny Committee" as an appropriate name for the new committee was well-received.

The Group also considered the need to have a work programme in place to plan looking at the operational efficiency of the Council and amend the Constitution where necessary. A suggestion was made that an exercise to review the need for the non-statutory Committees of the Council could be valuable. Members welcomed this proposal.

AGREED

that a Work programme be drawn up for the Constitution Advisory Group, including an item for the consideration of the role of non-statutory committees of the Council and whether they were needed, to take place in the spring/summer 2010.

AGREED TO RECOMMEND TO COUNCIL

- 1. to amend the Overview and Scrutiny structure to provide for four committees which mirror the Council's organisational structure with effect from the Council's annual meeting on 18 April 2010;**

2. **as a consequence of recommendation 1 above, to dissolve the Business Transformation and Corporate Resources Overview and Scrutiny Committees and establish a Central Services Overview and Scrutiny Committee with terms of reference which are an amalgamation of the previous two committees;**
3. **to authorise the Monitoring Officer in consultation with the Constitution Advisory Group to make the necessary consequential arrangements to the Constitution arising from recommendations 1 and 2 above;**
4. **that the Organisational Structure diagram should be removed from the Constitution and kept up to date on the Council's website and in the Councillors' Guide.**

7. SCHEME OF DELEGATION TO OFFICERS

The Advisory Group considered points which had been raised by Members in relation to the Constitution.

Regarding delegation 4.6.31 "to settle on appropriate terms any litigation or claim made by or against the Council" the Group noted that there was currently no upper financial limit to the officer's delegation to carry this out. Members considered that this was too open and that thresholds should be put in place.

The Group noted a new delegation approved by the Leader of the Council to the Portfolio Holder for Sustainable Development.

The Group considered that there was no need for delegations made by the Leader of the Council to be reported to the Constitution Advisory Group and Council provided all Members were notified of them.

The Group was invited to consider whether it wished to conduct a review of the scheme of delegation to officers, with a view to producing a more streamlined scheme. It was proposed that officers conduct a review of the scheme of delegation of the unitary authorities within the Council's CIPFA comparator group. The need for inclusion of the detailed scheme within the Constitution should also be reviewed.

AGREED

that a review of the schemes of delegation to officers of the unitary authorities within the Council's CIPFA comparator group be undertaken and reported back to the Constitution Advisory Group.

AGREED TO RECOMMEND TO COUNCIL:-

1. **that the following upper financial limit should be imposed on the delegation set out at Section H3 paragraph 4.6.31, namely,**

“to settle on appropriate terms any litigation or claim made by or against the Council”, as follows:-

<i>Financial Threshold</i>	<i>Approval by</i>
Up to £200,000 (ie Key Decision threshold)	Assistant Director Legal and Democratic
£200,000 - £500,000 (in line with the new delegations to individual Portfolio Holders)	Portfolio Holder for Corporate Resources, in consultation with the relevant Portfolio Holder and Assistant Director Legal and Democratic
£500,000 and above	Leader of the Council, in consultation with the Portfolio Holder for Corporate Resources, relevant Portfolio Holder and Assistant Director Legal and Democratic
(Note: Delegations to individual Portfolio Holders are subject to approval by the Leader of the Council.)	

2. that the Constitution be amended to provide that the delegations agreed by the Leader of the Council do not need to be reported to Executive or Council as they would be advised to all Members as and when they occurred.

I3 CODE OF PROCUREMENT GOVERNANCE

1. Introduction

1.1 The Council's Code of Procurement Governance, which is given operational effect by the Council's Procurement Procedures that set out the detailed provisions relating to procurement, applies to all its procurement activity except for employment contracts. Officers and members involved in procurement, contracting and asset disposal (including land and property) are required to observe the rules, and it is a disciplinary offence not to do so. The Procurement Procedures specify the minimum procedural requirements, but more exacting procedures may be appropriate in high-risk projects. The Code of Procurement Governance and Procurement Procedures are managed by the Council's Procurement Team which provides training, advice and support. Any amendments to the Code of Procurement Governance shall be considered by the Constitution Advisory Group and recommended for Full Council approval.

2. Strategic Principles

- 2.1 **Compliance with Legislation:** The Procurement Procedures are intended to ensure that in all its dealings the Council complies with European Union (EU) and United Kingdom (UK) law as well as with its own Code of Financial Governance and supporting Financial Procedures.
- 2.2 **Competition and Best Value:** The Procurement Procedures are based upon the principle that competition is a key driver of value for money and is to be encouraged at all times.
- 2.3 **Procurement Efficiency:** The Council intends to maximise the use of e-procurement, and wherever possible Requests for Quotations, Proposals and Invitations to Tender should be issued and received electronically. The Council will use e-auctions whenever possible.
- 2.4 **Continuous Improvement:** All contracts of more than one year duration must provide for continuous improvement throughout their lifetime.
- 2.5 **Openness, Integrity, Transparency and Fairness:** Any procurement or disposal process must demonstrate the highest standards of integrity, ensuring openness, fairness and transparency at all times. Non-commercial considerations must not be allowed to influence contractual decisions.

3. Responsibilities of Directors

- 3.1 Directors have a duty to ensure that officers dealing with contracts have written authority to do so, and comply with all appropriate rules.

4. Responsibilities of Officers

- 4.1 Officers dealing with contracts must have written authority to do so. Officers must ensure that procurement projects have policy approval and budgetary provision, and the sources of funding must be agreed and stated.

5. Key Elements of the Procurement Procedures

- 5.1 **Thresholds:** All procurement is subject to the financial thresholds in Table 1 below. The Executive must approve expenditure before commencing any procurement over £500,000 per annum (revenue) or £500,000 whole life/total contract value (capital). Expenditure approval between £200,001 and £500,000 inclusive is delegated to the relevant Portfolio holder – see Part C3, paragraph 3. Following approval, the Executive need only approve the award of contracts where the recommended contractor's tender exceeds the approved sum, or where there are exceptional circumstances.

Note: It is never acceptable to split contracts in order to avoid threshold requirements.

Table 1

Total Contract Value:	Contract/ Order signed by:	Expenditure approved by:	Short listing approved by:	Procurement procedure:
£0-£2,000	Authorised officer	Budget holder	No short listing required	For contracts valued below £2,000 the principles of best value apply and the selection process should be documented. Wherever possible at least 2 competitive quotations should be obtained. If the contract is then awarded to any other than the lowest bidder then the reasons for doing so should be justified and recorded in writing

Total Contract Value:	Contract/ Order signed by:	Expenditure approved by:	Short listing approved by:	Procurement procedure:
£2,001 to £20,000	Authorised officer	Budget holder	No short listing required	A minimum of three written quotations on the suppliers' headed notepaper or from the suppliers' email domain to the originating officer. If the contract is then awarded to any other than the lowest bidder then the reasons for doing so should be justified and recorded in writing
£20,001-£59,999	Authorised officer	Budget holder	Budget holder	Formal quotation by sealed bid, (Unopened Envelope) opened in the presence of an independent authorised officer. At least three tenders should be invited; five or more is best practice where possible.

£60,000 – European Union threshold	Authorised officer	Assistant Directors	Assistant Directors	A formal tender with advertisement and the inclusion of contract conditions is required. Five or more tenders should be invited where possible. A minimum of three is permitted by exception subject to the approval of the Chief Finance Officer. Guidance must be sought from the Procurement Team.
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Total Contract Value:	Contract/ Order signed by:	Expenditure approved by:	Short listing approved by:	Procurement procedure:
Above European Union thresholds below Works £3,927,260 Supplies & Services £156,442	Director	Director up to and including £200,000 Portfolio holder between £200,001 and £500,000 inclusive Executive above £500,000	Director	A formal European Union compliant tender is required. The Procurement Team must be involved in the project as a senior supplier in Prince 2 terms.

5.2 Requirements for Tendering:

5.2.1 Invitations to Tender and Requests for Quotation must include a clear specification of requirements.

5.2.2 All candidates invited to bid must be issued with the same information at the same time, subject to the same terms and conditions. Candidates invited to bid must have adequate and equal time in which to submit a quotation or tender.

5.2.3 Where the contract value exceeds £60,000 the need for wide competition is paramount, so contracts must be advertised.

5.2.4 Invitations to Tender must require candidates to provide sufficient detail to enable checking of their financial stability, technical ability and performance and capability in the areas of health and safety, environmental management, and equality and diversity.

5.2.5 All candidates must be notified in writing, simultaneously and promptly, as to the outcome of any tender exercise.

5.3 **Form of Contracts:** All contracts must be in writing and must clearly specify the goods, works or services to be provided, including a programme of delivery, price, terms of payment, and any other terms agreed, together with exit procedures for when the contract either comes to its natural end or is terminated early, perhaps because the contractor has not fulfilled his contractual obligations.

5.4 **Register of Contracts:** The Council is required to keep records of its contracting activity. Every contract over £60,000 must be recorded on the Council's Register of Contracts.

- 5.5 **Equal Opportunities:** The Procurement Procedures recognise the Council's duties under Race, Disability and Gender Equality legislation, including the requirement to target services on the most vulnerable sections of the community and increase inclusion and participation amongst these groups.
- 5.6 **Risk Management:** The Procurement Procedures require appropriate risk management and contingency planning arrangements for all contracts exceeding £60,000 in value.
- 5.7 **Financial Protection:** The Procurement Procedures require officers to take appropriate advice regarding bonds or parent company guarantees.
- 5.8 **Probity and Record Keeping:**
- 5.8.1 The criteria for awarding contracts must always be designed to give best value for money. Award criteria must always be appropriate to the contract, must be subject to strict change control processes, and must not be changed after tender proposals have been opened.
 - 5.8.2 In the event of a marked or late tender the Section 151 Officer must decide whether or not the tender should be accepted.
 - 5.8.3 Officers must ensure the confidentiality of all tender/quotation submissions.
 - 5.8.4 The policy regarding the prevention and detection of corruption is set out in the Council's Code of Conduct for officers.
- 5.9 **Post Contract Management:**
- 5.9.1 All contracts must have a nominated officer to act as contract manager for the whole contract.
 - 5.9.2 All contracts which exceed the EU threshold values, or which are high-risk, must be subject to regular, formal review with the contractor.
 - 5.9.3 Officers must not terminate a contract over £60,000 prior to its expiry date without obtaining legal advice. Early termination requires the approval of the Section 151 Officer.

- 5.9.4 If payments to a contractor are to be withheld or if there is a problem with a contract which may result in early termination, then legal advice must be sought.
- 5.10 **Professional Advice:** The Council uses the expertise of specialist consultants to undertake a range of procurement exercises on its behalf. The Procurement Procedures set out the way in which consultants must be commissioned and the appropriate Inland Revenue checks to be undertaken.
- 5.11 **Waivers:** Any provision of the Procurement Procedures, except those relating to the EU Directives, may be exempted or waived in certain circumstances. Before any action is taken, waivers must be authorised in writing by the Director or Assistant Directors and the Section 151 Officer, who must be satisfied that a range of criteria are met.

Decisions Taken by the Leader

To advise the Council of changes in Executive delegations to Officers in accordance with Paragraph 1.4 of Part C4 of the Constitution:-

Transfer of Delegations from the Director of Children, Families and Learning to the Director for Sustainable Communities

<i>Delegation No.</i>	<i>Function</i>	<i>Variation</i>
<i>Libraries and Museums</i>		
4.4.12	To carry out the functions of the Council as Library and Museum authority, and generally act in relation to Libraries, Museums and associated cultural services.	Transfer to the Director for Sustainable Communities
<i>Archives and Records</i>		
4.4.13	To carry out the Council's functions in relation to archives and records in accordance with the statutory framework provided by the Public Records Act 1958 s.5, the Manorial Documents and Tithe Rules, Local Government (Records) Act 1962, Local Government Act 1972 ss. 224 – 229, the Parochial Registers and Records Measure 1978 (amended 1992) and related statutes imposing record keeping and information access duties and obligations.	Transfer to the Director for Sustainable Communities
<i>Adult Learning</i>		
4.4.14	To carry out the functions of the Council as local education authority in relation to adult learning and further education including the functions set out in:- <ul style="list-style-type: none"> • Section 120 (3) of the Education Reform Act 1988 (functions of Leas with respect of higher and further education); 	Transfer to the Director for Sustainable Communities

- Section 85 (2) and (3) of the Further and Higher Education Act 1992 (finance and government of locally funded further and higher education);
- Section 15B of the Education Act 1996 or section 23 of the Learning and Skills Act 2000 (education for persons who have attained the age of 19);
- Section 22 of the Teaching and Higher Education Act 1998 (financial support to students).

*Commons, Towns and Village
Greens and Play and Open Spaces*

4.4.16	To manage the Council's play areas and open spaces and take any action which is deemed necessary to maintain a safe and usable environment.	Transfer to the Director of Sustainable Communities
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Leisure and Recreation

4.4.18	To manage and regulate the Council's leisure and recreational facilities.	Transfer to the Director of Sustainable Communities
4.4.19	To approve expenditure up to the sum of £25,000 from the Profit Share Account for Council Leisure Centres.	Transfer to the Director of Sustainable Communities

Grants

4.4.20	To approve grant applications under the Council's grant aid schemes up to a maximum of £15,000 subject to the application being in accordance with the approved council criteria relating to the relevant grant fund and to any grant being "one-off" with no recurring liability.	Transfer to the Director of Sustainable Communities
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(Note: the qualifications to these amendments remain as set out in the Scheme of Delegation)

New Delegations to the Portfolio Holder for Sustainable Development:

<i>Individual Member of the Executive</i>	<i>Function</i>	<i>Limits and Qualifications if any</i>
Portfolio Holder for Sustainable Development	<ul style="list-style-type: none"> (i) To agree updates to existing Conservation Area Reviews. (ii) To consider representations received during public consultation in respect of Conservation Area Reviews and to determine the Council's response thereto. (iii) To adopt Conservation Area Reviews as Technical Guidance for the purposes of informing development management decisions. 	<p>The following qualifications shall apply to the exercise of the functions at (i) to (iii) in the opposite column:-</p> <ul style="list-style-type: none"> (a) In reaching decisions, the Portfolio Holder shall have regard to the views of ward members who will be invited to attend any meeting at which a decision is to be made. (b) In the event of any objection being received from a ward member, which the Portfolio Holder is unable to resolve, the matter shall be referred to the Executive for determination. (c) Decisions to be taken in accordance with the provisions of paragraph 19 of the Access to Information Procedure Rules. (d) The public participation provisions in Appendices A and B to Part A4 of the Constitution shall apply to meetings at which a decision is to be made.

- (e) In the event of the Portfolio Holder having a conflict of interest, this shall be dealt with as set out in paragraph 4.3 of the Executive Procedure Rules.

New Delegations to the Director of Children, Families and Learning

Power

To approve grant applications under the Youth Capital Fund, subject to the application being submitted in accordance with the approved Department for Children, Schools and Families (DCSF) criteria.

To approve allocation of funds under the Consortia Support Grant, to ensure future development and preparation for Diplomas and functional skills is influenced and directed by Central Bedfordshire in accordance with the conditions of the grant set down by the Department for Children, Schools and Families.

Qualifications (if any)

After consultation with the "Streetcred" Panel (a panel of young people appointed for this purpose) and to any grant being "one-off" with no recurring liability.

After consultation with the 14 - 19 Strategic Forum (the partnership forum established to oversee 14 – 19 education provision in Central Bedfordshire).

Meeting: Council

Date: 25 February 2010

Subject: Council Tax Resolution

Report of: Cllr Maurice Jones, Portfolio Holder for Corporate Resources

Summary: The report puts forward the Budget Proposals of the Executive from its meeting of 9 February 2010 and presents the Formal Council Tax Resolution.

Advising Officer: Clive Heaphy, Director of Corporate Resources

Contact Officer: Matt Bowmer, Assistant Director Financial Services

Public/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS:

Council Priorities:

None

Financial:

Based on the revenue budget proposals, approving the formal Council Tax Resolution as set out in Appendix A would result in an average Band D Council Tax for Central Bedfordshire of £1,324.96.
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Legal:

The Council Tax Resolution is set in accordance with Section 30(2) of the Local Government Finance Act 1992.
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Risk Management:

None

Staffing (including Trade Unions):

None

Equalities / Human Rights:

None

Community Safety:

None

Sustainability:

None

Summary of Overview & Scrutiny Comments:

None

RECOMMENDATION(S):

that the Council agree the Council Tax Resolution set out in Appendix A

Background

1. The Executive at its meeting on the 9 February 2010 considered a detailed report on the Medium Term Financial Plan for 2010/11 to 2014/15. Members are asked to refer to that report for a detailed explanation of the background to this report.
2. The Council Tax Resolution is set in accordance with Section 30(2) of the Local Government Finance Act 1992 and is submitted at this stage on the basis of the budget proposals set out in that report.
3. The precepts and Band D levels of precepting bodies have been received. These are detailed below:

Town & Parish Councils/Meetings

4. The Town & Parish Council/Meetings Precepts for 2010/2011 are detailed in Appendix B and total £8,503,797. The increase in the average Band D Council Tax for Town and Parish Councils/Meetings is 3.28% and results in an average Band D Council Tax figure of £89.32 for 2010/11.

Bedfordshire Police Authority

5. Bedfordshire Police Authority met on 12 February 2010 and set its precept at £13,782,973. This results in a Band D Council Tax of £144.77 for 2010/11 compared with £140.56 for 2009/10, being an increase of 3.00%.

Bedfordshire and Luton Combined Fire Authority

6. Bedfordshire and Luton Combined Fire Authority met on 5 February 2010 and set its precept at £7,848,782. This results in a Band D Council Tax of £82.44 for 2010/11 compared with £81.63 for 2009/10, being an increase of 1.00%.

PROPOSALS

7. Council is required to approve a resolution in the statutory format and the formal Council Tax Resolution at Appendix A is based on the budget proposals, which result in the total Band D Council Tax as shown in the "Valuation Bands" on that Appendix. The various levels of Council Tax for each Band for each Town and Parish Council/Meeting are shown at Appendix C.

Appendices:

Appendix A – Council Tax Resolution 2010/2011

Appendix B – Town and Parish Council/Meeting Precepts

Appendix C – Council Tax Schedule by Town and Parish Areas

Background Papers:

Estimate Working Papers

Town & Parish Council/Meeting Precept Submissions

Executive Report of 9 February 2010

Medium Term Financial Plan

Local Government Finance Settlement 2010/11

Location of papers:

Corporate Resources Directorate, Priory House, Chicksands

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APPENDIX A

COUNCIL TAX RESOLUTION 2010/2011

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

		AUTHORITY	MID BEDS AREA	SOUTH BEDS AREA
a	Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a to e) of the Act (Budget expenditure, transfers to reserves and town & parish precepts)	376,442,347		
b	Aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a to c) of the Act (Budget income and grants)	190,911,760		
c	The amount by which the aggregate at 1(a) above exceeds the aggregate at 1(b) above, calculated by the Council in accordance with Section 32(4) of the Act (Budget requirement for the year)	185,530,587		
d	Aggregate of the sums which the Council estimates for 2010/11 will be payable into its General Fund in respect of:			
i	Formula Grant	50,714,103		
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 for 2010/11 (including prior year adjustments)	170,000		
		50,884,103		
e	The amount at 1(c) (Budget requirement for the year)	185,530,587		

	Less the amount at 1(d)	50,884,103		
	Net Budget Requirement for the Year	134,646,484	70,655,385	63,992,365
	Divided by the Council Tax Base (calculated in accordance with Section 33(1) of the Act) as approved by Executive on 9 th February 2010 (95,206) equals the basic amount of its Council Tax for 2010/11.	£1,414.26	£1,385.07	£1,447.99
f	Aggregate of all special items referred to in Section 34(1) of the Act (town & parish precepts)	8,503,797	3,914,640	4,589,157
g	The amount at 1(e) above	£1,414.26	£1,385.07	£1,447.99
	Less the amount at 1(f) above divided by the Council Tax Base of 95,206	£86.32	£76.74	£103.84
h	Equals the basic amount of its Council Tax for 2010/11 for dwellings in those parts of the area to which no special item relates (calculated in accordance with Section 34(2) of the Act)	£1,324.96	£1,308.33	£1,344.15

i	The amounts shown in the schedule to this Appendix in the column "Band D", lines (b), being the amounts given by adding to that amount in 1(h) 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 2010/11 for dwellings in those parts of its area to which the special items relate.
J	The amounts shown in the schedule to this Appendix, lines (b), being the amounts given by multiplying the amounts at 1(h) and 1(i) above by the number which, in the proportion set out 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 2010/11, in respect of the categories of dwellings listed in the different valuation bands.

2. That the 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 2010/11 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
£872.22	£1,017.59	£1,162.96	£1,308.33	£1,599.07	£1,889.81	£2,180.55	£2,616.66

CENTRAL BEDFORDSHIRE COUNCIL - SOUTH BEDS AREA

A	B	C	D	E	F	G	H
£896.10	£1,045.45	£1,194.80	£1,344.15	£1,642.85	£1,941.55	£2,240.25	£2,688.30

BEDFORDSHIRE POLICE AUTHORITY

A	B	C	D	E	F	G	H
£96.51	£112.60	£128.68	£144.77	£176.94	£209.11	£241.28	£289.54

BEDFORDSHIRE & LUTON FIRE & RESCUE AUTHORITY

A	B	C	D	E	F	G	H
£54.96	£64.12	£73.28	£82.44	£100.76	£119.08	£137.40	£164.88

AGGREGATE OF COUNCIL TAX REQUIREMENTS – MID BEDS AREA

A	B	C	D	E	F	G	H
£1,023.69	£1,194.31	£1,364.92	£1,535.54	£1,876.77	£2,218.00	£2,559.23	£3,071.08

AGGREGATE OF COUNCIL TAX REQUIREMENTS – SOUTH BEDS AREA

A	B	C	D	E	F	G	H
£1,045.57	£1,222.17	£1,396.76	£1,571.36	£1,920.55	£2,269.74	£2,618.93	£3,142.72

TOWN & PARISH COUNCIL/MEETING PRECEPTS								
Area	Town/Parish Council	2009/10			2010/11			2010/11
		Tax	Precept	Council	Tax	Precept	Council	C Tax
		Base	£	Band D (£)	Base		Band D (£)	Increase
M	Amphill	2,793	498,150	178.36	2,795	498,150	178.23	-0.07%
M	Arlesey	1,961	173,150	88.3	1,958	174,187	88.96	0.75%
M	Aspley Guise	1,033	30,700	29.72	1,037	32,200	31.05	4.48%
M	Aspley Heath	364	7,000	19.23	361	7,870	21.80	13.37%
M	Astwick	14	0	0	14	-	0.00	
S	Barton-le-Clay	1,999	121,590	60.82	2,012	125,393	62.32	2.47%
M	Battlesden	20	0	0	19	-	0.00	
M	Biggleswade	5,652	589,694	104.33	5,706	607,124	106.40	1.99%
S	Billington	172	6,000	34.9	178	6,000	33.71	-3.42%
M	Blunham	428	12,000	28.04	434	14,500	33.41	19.15%
M	Brogborough	107	7,325	68.46	108	7,425	68.75	0.42%
S	Caddington	1,529	71,354	46.67	1,539	71,354	46.36	-0.66%
M	Campton and Chicksands	549	17,000	30.97	627	17,500	27.91	-9.88%
S	Chalgrave	218	5,812	26.7	215	6,393	29.73	11.37%
S	Chalton	229	10,800	47.18	231	11,000	47.62	0.93%
M	Clifton	1,148	34,000	29.62	1,133	34,000	30.01	1.31%
M	Clophill	741	22,650	30.57	742	22,650	30.53	-0.15%
M	Cranfield	1,537	80,800	52.57	1,546	83,100	53.75	2.25%
S	Dunstable	12,541	1,669,610	133.13	12,681	1,770,901	139.65	4.90%
M	Dunton	254	13,940	54.88	256	14,050	54.88	0.01%
S	Eaton Bray	1,187	48,400	40.77	1,181	49,000	41.49	1.77%
M	Edworth	30	0	0	30	-	0.00	
S	Eggington	126	5,400	42.99	126	5,600	44.44	3.38%
M	Eversholt	207	3,000	14.49	201	4,532	22.55	55.61%
M	Everton	215	10,500	48.84	217	10,500	48.39	-0.93%
M	Eyeworth	45	0	0	45	-	0.00	
M	Flitton and Greenfield	617	20,500	33.23	628	21,115	33.62	1.17%
M	Flitwick	4,705	598,644	127.24	4,730	609,710	128.90	1.31%
M	Gravenhurst	256	10,000	39.06	257	14,500	56.42	44.45%
M	Harlington	891	80,000	89.79	902	104,000	115.30	28.41%
M	Haynes	532	20,000	37.59	534	21,000	39.33	4.62%
S	Heath and Reach	619	24,000	38.77	621	25,200	40.58	4.67%
M	Henlow	1,470	103,050	70.1	1,482	103,050	69.53	-0.81%
S	Hockcliffe	313	13,400	42.8	329	13,400	40.73	-4.84%
M	Houghton Conquest	555	28,000	50.45	567	28,000	49.38	-2.12%
S	Houghton Regis	5,049	637,500	126.26	5,144	662,000	128.69	1.93%
M	Hulcote and Salford	92	4,000	43.48	92	5,500	59.78	37.49%
M	Husborne Crawley	108	2,772	25.67	106	2,827	26.67	3.90%
S	Hyde	162	3,800	23.41	161	3,800	23.60	0.82%
S	Kensworth	633	20,188	31.91	637	20,683	32.47	1.75%
M	Langford	1,241	88,250	71.11	1,289	88,250	68.46	-3.72%
S	Leighton-Linslade	13,423	1,515,111	112.88	13,729	1,575,841	114.78	1.68%
M	Lidlington	481	25,000	51.98	482	25,000	51.87	-0.21%
M	Marston Moretaine	1,573	80,370	51.09	1,583	89,065	56.26	10.13%
M	Maulden	1,287	40,000	31.08	1,303	40,000	30.70	-1.22%
M	Meppershall	721	31,000	43	718	37,000	51.53	19.84%
M	Millbrook	61	2,000	32.79	61	3,000	49.18	49.99%
M	Milton Bryan	80	1,915	23.94	80	2,094	26.18	9.34%

TOWN & PARISH COUNCIL/MEETING PRECEPTS								
Area	Town/Parish Council	2009/10			2010/11			2010/11
		Tax	Precept	Council	Tax	Precept	Council	C Tax
		Base	£	Band D (£)	Base		Band D (£)	Increase
M	Moggerhanger	256	11,600	45.31	257	11,600	45.14	-0.38%
M	Northill	993	40,000	40.28	993	42,000	42.30	5.01%
M	Old Warden	124	3,000	24.19	130	3,060	23.54	-2.69%
M	Potsgrove	24	0	0	23	-	0.00	
M	Potton	1,882	105,000	55.79	1,894	115,000	60.72	8.83%
M	Pulloxhill	407	8,547	21	436	8,720	20.00	-4.76%
M	Ridgmont	164	12,000	73.17	167	12,000	71.86	-1.80%
M	Sandy	4,138	350,000	84.58	4,150	370,911	89.38	5.67%
M	Shefford	2,191	118,700	54.18	2,192	130,000	59.31	9.46%
M	Shillington	785	30,000	38.22	796	30,000	37.69	-1.39%
M	Silsoe	743	23,500	31.63	768	25,000	32.55	2.92%
S	Slip End	743	37,135	50	749	38,199	51.00	2.00%
M	Southill	493	11,500	23.33	493	11,500	23.33	-0.01%
S	Stanbridge	353	10,040	28.43	357	15,000	42.02	47.79%
M	Steppingley	101	5,515	54.6	101	5,791	57.34	5.01%
M	Stondon	891	35,682	40.05	904	35,682	39.47	-1.45%
M	Stotfold	3,416	295,048	86.37	3,573	310,211	86.82	0.52%
S	Streatley	717	9,057	12.63	723	11,900	16.46	30.32%
S	Studham	623	16,690	26.77	615	16,145	26.25	-1.93%
S	Sundon	186	12,600	67.92	190	12,700	66.84	-1.59%
M	Sutton	134	4,700	35.07	131	4,700	35.88	2.30%
M	Tempsford	231	12,000	51.95	234	12,000	51.28	-1.29%
S	Tilsworth	157	5,500	35.01	157	6,250	39.81	13.71%
M	Tingrith	76	1,600	21.05	75	1,600	21.33	1.35%
S	Toddington	1,845	103,201	55.94	1,850	122,079	65.99	17.96%
S	Totternhoe	536	13,395	24.98	537	13,633	25.39	1.63%
M	Westoning	871	24,050	27.61	873	24,350	27.89	1.02%
S	Whipsnade	231	6,500	28.14	232	6,686	28.82	2.41%
M	Woburn	424	21,116	49.8	434	21,116	48.65	-2.30%
M	Wrestlingworth and Cockayne Hatley	338	17,000	50.3	345	17,500	50.72	0.84%
	TOTAL / AVERAGE	94,041	8,133,051	86.48	95,206	8,503,797	89.32	3.28%
	TOTAL FOR MBDC	50,450	3,765,968	74.65	51,012	3,914,640	76.74	2.80%
	TOTAL FOR SBDC	43,591	4,367,083	100.18	44,194	4,589,157	103.84	3.65%

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS										
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £	
Battlesden	(a)	-	-	-	0.00	-	-	-	-	
	(b)	872.22	1,017.59	1,162.96	1,308.33	1,599.07	1,889.81	2,180.55	2,616.66	
	(c)	1,023.69	1,194.31	1,364.92	1,535.54	1,876.77	2,218.00	2,559.23	3,071.08	
Biggleswade	(a)	70.93	82.76	94.58	106.40	130.05	153.69	177.33	212.80	
	(b)	943.15	1,100.35	1,257.54	1,414.73	1,729.12	2,043.50	2,357.88	2,829.46	
	(c)	1,094.63	1,277.07	1,459.50	1,641.94	2,006.82	2,371.69	2,736.57	3,283.88	
Billington	(a)	22.47	26.22	29.96	33.71	41.20	48.69	56.18	67.42	
	(b)	918.57	1,071.67	1,224.76	1,377.86	1,684.05	1,990.24	2,296.43	2,755.72	
	(c)	1,070.05	1,248.39	1,426.73	1,605.07	1,961.75	2,318.43	2,675.11	3,210.14	
Blunham	(a)	22.27	25.99	29.70	33.41	40.83	48.26	55.68	66.82	
	(b)	894.49	1,043.58	1,192.66	1,341.74	1,639.90	1,938.07	2,236.23	2,683.48	
	(c)	1,045.97	1,220.29	1,394.62	1,568.95	1,917.61	2,266.26	2,614.92	3,137.90	
Brogborough	(a)	45.83	53.47	61.11	68.75	84.03	99.31	114.58	137.50	
	(b)	918.05	1,071.06	1,224.07	1,377.08	1,683.10	1,989.12	2,295.13	2,754.16	
	(c)	1,069.53	1,247.78	1,426.04	1,604.29	1,960.80	2,317.31	2,673.82	3,208.58	
Caddington	(a)	30.91	36.06	41.21	46.36	56.67	66.97	77.27	92.73	
	(b)	927.01	1,081.51	1,236.01	1,390.51	1,699.52	2,008.52	2,317.52	2,781.03	
	(c)	1,078.48	1,258.23	1,437.98	1,617.72	1,977.22	2,336.71	2,696.21	3,235.45	
Campton/Chicksands	(a)	18.61	21.71	24.81	27.91	34.11	40.32	46.52	55.82	
	(b)	890.83	1,039.30	1,187.77	1,336.24	1,633.18	1,930.13	2,227.07	2,672.48	
	(c)	1,042.30	1,216.02	1,389.73	1,563.45	1,910.88	2,258.32	2,605.75	3,126.90	
Chalgrave	(a)	19.82	23.13	26.43	29.73	36.34	42.95	49.56	59.47	
	(b)	915.92	1,068.58	1,221.23	1,373.88	1,679.19	1,984.50	2,289.81	2,747.77	
	(c)	1,067.40	1,245.30	1,423.20	1,601.09	1,956.89	2,312.69	2,668.49	3,202.19	
Chalton	(a)	31.75	37.04	42.33	47.62	58.20	68.78	79.37	95.24	
	(b)	927.85	1,082.49	1,237.13	1,391.77	1,701.05	2,010.33	2,319.62	2,783.54	
	(c)	1,079.32	1,259.21	1,439.09	1,618.98	1,978.75	2,338.53	2,698.30	3,237.96	
Clifton	(a)	20.01	23.34	26.67	30.01	36.68	43.35	50.01	60.02	
	(b)	892.23	1,040.93	1,189.63	1,338.34	1,635.75	1,933.16	2,230.56	2,676.68	
	(c)	1,043.70	1,217.65	1,391.60	1,565.55	1,913.45	2,261.35	2,609.25	3,131.10	
Clophill	(a)	20.35	23.74	27.13	30.53	37.31	44.09	50.88	61.05	

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS									
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
(b)		892.57	1,041.33	1,190.09	1,338.86	1,636.38	1,933.90	2,231.43	2,677.71
(c)		1,044.04	1,218.05	1,392.06	1,566.07	1,914.08	2,262.09	2,610.11	3,132.13
(a)	M	35.83	41.81	47.78	53.75	65.70	77.64	89.59	107.50
(b)		908.05	1,059.40	1,210.74	1,362.08	1,664.77	1,967.45	2,270.14	2,724.16
(c)	S	1,059.53	1,236.12	1,412.70	1,589.29	1,942.47	2,295.64	2,648.82	3,178.58
(a)		93.10	108.62	124.13	139.65	170.68	201.72	232.75	279.30
(b)		989.20	1,154.07	1,318.93	1,483.80	1,813.53	2,143.27	2,473.00	2,967.60
(c)	M	1,140.67	1,330.79	1,520.90	1,711.01	2,091.23	2,471.46	2,851.68	3,422.02
(a)		36.59	42.69	48.78	54.88	67.08	79.28	91.47	109.77
(b)		908.81	1,060.28	1,211.74	1,363.21	1,666.15	1,969.09	2,272.02	2,726.43
(c)	S	1,060.28	1,237.00	1,413.71	1,590.42	1,943.85	2,297.28	2,650.70	3,180.85
(a)		27.66	32.27	36.88	41.49	50.71	59.93	69.15	82.98
(b)		923.76	1,077.72	1,231.68	1,385.64	1,693.56	2,001.48	2,309.40	2,771.28
(c)	M	1,075.23	1,254.44	1,433.64	1,612.85	1,971.26	2,329.67	2,688.08	3,225.70
(a)		-	-	-	0.00	-	-	-	-
(b)		872.22	1,017.59	1,162.96	1,308.33	1,599.07	1,889.81	2,180.55	2,616.66
(c)	S	1,023.69	1,194.31	1,364.92	1,535.54	1,876.77	2,218.00	2,559.23	3,071.08
(a)		29.63	34.57	39.51	44.44	54.32	64.20	74.07	88.89
(b)		925.73	1,080.02	1,234.31	1,388.59	1,697.17	2,005.75	2,314.32	2,777.19
(c)	M	1,077.20	1,256.74	1,436.27	1,615.80	1,974.87	2,333.94	2,693.01	3,231.61
(a)		15.03	17.54	20.04	22.55	27.56	32.57	37.58	45.09
(b)		887.25	1,035.13	1,183.00	1,330.88	1,626.63	1,922.38	2,218.13	2,661.75
(c)	M	1,038.72	1,211.85	1,384.97	1,558.09	1,904.33	2,250.57	2,596.81	3,116.17
(a)		32.26	37.63	43.01	48.39	59.14	69.89	80.65	96.77
(b)		904.48	1,055.22	1,205.97	1,356.72	1,658.21	1,959.70	2,261.20	2,713.43
(c)	M	1,055.95	1,231.94	1,407.94	1,583.93	1,935.91	2,287.89	2,639.88	3,167.85
(a)		-	-	-	0.00	-	-	-	-
(b)		872.22	1,017.59	1,162.96	1,308.33	1,599.07	1,889.81	2,180.55	2,616.66
(c)	M	1,023.69	1,194.31	1,364.92	1,535.54	1,876.77	2,218.00	2,559.23	3,071.08
(a)		22.42	26.15	29.89	33.62	41.09	48.57	56.04	67.25
(b)	Flitton/Greenfield	894.64	1,043.74	1,192.85	1,341.95	1,640.16	1,938.38	2,236.59	2,683.91

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS									
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Flitwick	(c)	1,046.11	1,220.46	1,394.81	1,569.16	1,917.87	2,266.57	2,615.27	3,138.33
	(a)	85.94	100.26	114.58	128.90	157.55	186.19	214.84	257.81
	(b)	958.16	1,117.85	1,277.54	1,437.23	1,756.62	2,076.00	2,395.39	2,874.47
Gravenhurst	(c)	1,109.63	1,294.57	1,479.50	1,664.44	2,034.32	2,404.20	2,774.07	3,328.89
	(a)	37.61	43.88	50.15	56.42	68.96	81.50	94.03	112.84
	(b)	909.83	1,061.47	1,213.11	1,364.75	1,668.03	1,971.31	2,274.58	2,729.50
Harlington	(c)	1,061.31	1,238.19	1,415.08	1,591.96	1,945.73	2,299.50	2,653.27	3,183.92
	(a)	76.87	89.68	102.49	115.30	140.92	166.54	192.17	230.60
	(b)	949.09	1,107.27	1,265.45	1,423.63	1,739.99	2,056.35	2,372.72	2,847.26
Haynes	(c)	1,100.56	1,283.99	1,467.41	1,650.84	2,017.69	2,384.55	2,751.40	3,301.68
	(a)	26.22	30.59	34.96	39.33	48.06	56.80	65.54	78.65
	(b)	898.44	1,048.18	1,197.92	1,347.66	1,647.13	1,946.61	2,246.09	2,695.31
Heath & Reach	(c)	1,049.91	1,224.90	1,399.88	1,574.87	1,924.84	2,274.81	2,624.78	3,149.73
	(a)	27.05	31.56	36.07	40.58	49.60	58.62	67.63	81.16
	(b)	923.15	1,077.01	1,230.87	1,384.73	1,692.45	2,000.17	2,307.88	2,769.46
Henlow	(c)	1,074.63	1,253.73	1,432.84	1,611.94	1,970.15	2,328.36	2,686.57	3,223.88
	(a)	46.36	54.08	61.81	69.53	84.99	100.44	115.89	139.07
	(b)	918.58	1,071.67	1,224.77	1,377.86	1,684.06	1,990.25	2,296.44	2,755.73
Hockliffe	(c)	1,070.05	1,248.39	1,426.73	1,605.07	1,961.76	2,318.44	2,675.12	3,210.15
	(a)	27.15	31.68	36.20	40.73	49.78	58.83	67.88	81.46
	(b)	923.25	1,077.13	1,231.00	1,384.88	1,692.63	2,000.38	2,308.13	2,769.76
Houghton Conquest	(c)	1,074.73	1,253.85	1,432.97	1,612.09	1,970.33	2,328.57	2,686.82	3,224.18
	(a)	32.92	38.41	43.90	49.38	60.36	71.33	82.30	98.77
	(b)	905.14	1,056.00	1,206.86	1,357.71	1,659.43	1,961.14	2,262.85	2,715.43
Houghton Regis	(c)	1,056.62	1,232.72	1,408.82	1,584.92	1,937.13	2,289.33	2,641.54	3,169.85
	(a)	85.80	100.10	114.39	128.69	157.29	185.89	214.49	257.39
	(b)	981.90	1,145.55	1,309.19	1,472.84	1,800.14	2,127.44	2,454.74	2,945.69
Hulcote & Salford	(c)	1,133.37	1,322.26	1,511.16	1,700.05	2,077.84	2,455.63	2,833.42	3,400.11
	(a)	39.86	46.50	53.14	59.78	73.07	86.35	99.64	119.57
	(b)	912.08	1,064.09	1,216.10	1,368.11	1,672.14	1,976.16	2,280.19	2,736.23
(c)	1,063.55	1,240.81	1,418.06	1,595.32	1,949.84	2,304.35	2,658.87	3,190.65	

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS									
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Husbourne Crawley	(a)	17.78	20.74	23.71	26.67	32.60	38.52	44.45	53.34
	(b)	890.00	1,038.33	1,186.67	1,335.00	1,631.67	1,928.33	2,225.00	2,670.00
	(c)	1,041.47	1,215.05	1,388.63	1,562.21	1,909.37	2,256.53	2,603.68	3,124.42
Hyde	(a)	15.73	18.36	20.98	23.60	28.85	34.09	39.34	47.20
	(b)	911.83	1,063.81	1,215.78	1,367.75	1,671.70	1,975.64	2,279.59	2,735.50
	(c)	1,063.31	1,240.53	1,417.74	1,594.96	1,949.40	2,303.83	2,658.27	3,189.92
Kensworth	(a)	21.65	25.25	28.86	32.47	39.68	46.90	54.12	64.94
	(b)	917.75	1,070.70	1,223.66	1,376.62	1,682.53	1,988.45	2,294.37	2,753.24
	(c)	1,069.22	1,247.42	1,425.63	1,603.83	1,960.24	2,316.64	2,673.05	3,207.66
Langford	(a)	45.64	53.25	60.86	68.46	83.68	98.89	114.11	136.93
	(b)	917.86	1,070.84	1,223.82	1,376.79	1,682.75	1,988.70	2,294.66	2,753.59
	(c)	1,069.34	1,247.56	1,425.78	1,604.00	1,960.45	2,316.89	2,673.34	3,208.01
Leighton-Linslade	(a)	76.52	89.27	102.03	114.78	140.29	165.80	191.30	229.56
	(b)	972.62	1,134.72	1,296.83	1,458.93	1,783.14	2,107.35	2,431.55	2,917.86
	(c)	1,124.09	1,311.44	1,498.79	1,686.14	2,060.84	2,435.54	2,810.24	3,372.28
Lidlington	(a)	34.58	40.34	46.10	51.87	63.39	74.92	86.45	103.73
	(b)	906.80	1,057.93	1,209.06	1,360.20	1,662.46	1,964.73	2,267.00	2,720.39
	(c)	1,058.27	1,234.65	1,411.03	1,587.41	1,940.16	2,292.92	2,645.68	3,174.81
Marston Moretaine	(a)	37.51	43.76	50.01	56.26	68.77	81.27	93.77	112.53
	(b)	909.73	1,061.35	1,212.97	1,364.59	1,667.84	1,971.08	2,274.32	2,729.19
	(c)	1,061.20	1,238.07	1,414.94	1,591.80	1,945.54	2,299.27	2,653.01	3,183.61
Maulden	(a)	20.47	23.88	27.29	30.70	37.52	44.34	51.16	61.40
	(b)	892.69	1,041.47	1,190.25	1,339.03	1,636.59	1,934.15	2,231.71	2,678.06
	(c)	1,044.16	1,218.19	1,392.21	1,566.24	1,914.29	2,262.34	2,610.40	3,132.48
Meppershall	(a)	34.35	40.08	45.81	51.53	62.98	74.44	85.89	103.06
	(b)	906.57	1,057.67	1,208.77	1,359.86	1,662.05	1,964.25	2,266.44	2,719.72
	(c)	1,058.05	1,234.39	1,410.73	1,587.07	1,939.75	2,292.44	2,645.12	3,174.14
Millbrook	(a)	32.79	38.25	43.72	49.18	60.11	71.04	81.97	98.36
	(b)	905.01	1,055.84	1,206.68	1,357.51	1,659.18	1,960.85	2,262.52	2,715.02
	(c)	1,056.48	1,232.56	1,408.64	1,584.72	1,936.88	2,289.04	2,641.20	3,169.44
Milton Bryan	(a)	17.45	20.36	23.27	26.18	31.99	37.81	43.63	52.35

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS									
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
(b) (c)	Mogerhanger	889.67	1,037.95	1,186.23	1,334.51	1,631.06	1,927.62	2,224.18	2,669.01
		1,041.14	1,214.67	1,388.19	1,561.72	1,908.76	2,255.81	2,602.86	3,123.43
		30.09	35.11	40.12	45.14	55.17	65.20	75.23	90.27
(a) (b) (c)	Northill	902.31	1,052.70	1,203.08	1,353.47	1,654.24	1,955.01	2,255.78	2,706.93
		1,053.78	1,229.41	1,405.05	1,580.68	1,931.94	2,283.20	2,634.46	3,161.35
		28.20	32.90	37.60	42.30	51.70	61.09	70.49	84.59
(a) (b) (c)	Old Warden	900.42	1,050.49	1,200.56	1,350.63	1,650.77	1,950.90	2,251.04	2,701.25
		1,051.89	1,227.21	1,402.52	1,577.84	1,928.47	2,279.10	2,629.73	3,155.67
		15.69	18.31	20.92	23.54	28.77	34.00	39.23	47.08
(a) (b) (c)	Potsgrove	887.91	1,035.90	1,183.88	1,331.87	1,627.84	1,923.81	2,219.78	2,663.74
		1,039.39	1,212.62	1,385.85	1,559.08	1,905.54	2,252.00	2,598.46	3,118.16
		-	-	-	0.00	-	-	-	-
(a) (b) (c)	Potton	872.22	1,017.59	1,162.96	1,308.33	1,599.07	1,889.81	2,180.55	2,616.66
		1,023.69	1,194.31	1,364.92	1,535.54	1,876.77	2,218.00	2,559.23	3,071.08
		40.48	47.23	53.97	60.72	74.21	87.70	101.20	121.44
(a) (b) (c)	Pulloxhill	912.70	1,064.82	1,216.93	1,369.05	1,673.28	1,977.51	2,281.75	2,738.10
		1,064.17	1,241.53	1,418.90	1,596.26	1,950.98	2,305.71	2,660.43	3,192.52
		13.33	15.56	17.78	20.00	24.44	28.89	33.33	40.00
(a) (b) (c)	Ridgmont	885.55	1,033.15	1,180.74	1,328.33	1,623.51	1,918.70	2,213.88	2,656.66
		1,037.03	1,209.86	1,382.70	1,555.54	1,901.22	2,246.89	2,592.57	3,111.08
		47.90	55.89	63.87	71.86	87.82	103.79	119.76	143.71
(a) (b) (c)	Sandy	920.12	1,073.48	1,226.83	1,380.19	1,686.89	1,993.60	2,300.31	2,760.37
		1,071.60	1,250.20	1,428.80	1,607.40	1,964.60	2,321.79	2,678.99	3,214.79
		59.58	69.51	79.45	89.38	109.24	129.10	148.96	178.75
(a) (b) (c)	Shefford	931.80	1,087.10	1,242.41	1,397.71	1,708.31	2,018.91	2,329.51	2,795.41
		1,083.28	1,263.82	1,444.37	1,624.92	1,986.01	2,347.10	2,708.19	3,249.83
		39.54	46.13	52.72	59.31	72.49	85.67	98.84	118.61
(a) (b) (c)	Shillington	911.76	1,063.72	1,215.68	1,367.64	1,671.56	1,975.48	2,279.39	2,735.27
		1,063.23	1,240.44	1,417.64	1,594.85	1,949.26	2,303.67	2,658.08	3,189.69
		25.13	29.31	33.50	37.69	46.06	54.44	62.81	75.38
(b)		897.35	1,046.90	1,196.46	1,346.02	1,645.13	1,944.25	2,243.36	2,692.04

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS									
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Silsoe	(c)	1,048.82	1,223.62	1,398.43	1,573.23	1,922.83	2,272.44	2,622.05	3,146.46
	(a)	21.70	25.32	28.94	32.55	39.79	47.02	54.25	65.10
	(b)	893.92	1,042.91	1,191.90	1,340.88	1,638.86	1,936.83	2,234.80	2,681.76
Slip End	(c)	1,045.39	1,219.63	1,393.86	1,568.09	1,916.56	2,265.02	2,613.49	3,136.18
	(a)	34.00	39.67	45.33	51.00	62.33	73.67	85.00	102.00
	(b)	930.10	1,085.12	1,240.13	1,395.15	1,705.18	2,015.22	2,325.25	2,790.30
Southill	(c)	1,081.57	1,261.84	1,442.10	1,622.36	1,982.88	2,343.41	2,703.93	3,244.72
	(a)	15.55	18.14	20.73	23.33	28.51	33.69	38.88	46.65
	(b)	887.77	1,035.73	1,183.69	1,331.66	1,627.58	1,923.50	2,219.43	2,663.31
Stanbridge	(c)	1,039.24	1,212.45	1,385.66	1,558.87	1,905.28	2,251.70	2,598.11	3,117.73
	(a)	28.01	32.68	37.35	42.02	51.35	60.69	70.03	84.03
	(b)	924.11	1,078.13	1,232.15	1,386.17	1,694.20	2,002.24	2,310.28	2,772.33
Steppingley	(c)	1,075.58	1,254.85	1,434.11	1,613.38	1,971.90	2,330.43	2,688.96	3,226.75
	(a)	38.22	44.60	50.97	57.34	70.08	82.82	95.56	114.67
	(b)	910.44	1,062.19	1,213.93	1,365.67	1,669.15	1,972.63	2,276.11	2,731.33
Stondon	(c)	1,061.92	1,238.90	1,415.89	1,592.88	1,946.85	2,300.82	2,654.79	3,185.75
	(a)	26.31	30.70	35.09	39.47	48.24	57.01	65.79	78.94
	(b)	898.53	1,048.29	1,198.05	1,347.80	1,647.31	1,946.82	2,246.34	2,695.60
Stotfold	(c)	1,050.01	1,225.01	1,400.01	1,575.01	1,925.01	2,275.02	2,625.02	3,150.02
	(a)	57.88	67.53	77.17	86.82	106.11	125.41	144.70	173.64
	(b)	930.10	1,085.12	1,240.13	1,395.15	1,705.18	2,015.22	2,325.25	2,790.30
Streatley	(c)	1,081.57	1,261.84	1,442.10	1,622.36	1,982.89	2,343.41	2,703.93	3,244.72
	(a)	10.97	12.80	14.63	16.46	20.12	23.77	27.43	32.92
	(b)	907.07	1,058.25	1,209.43	1,360.61	1,662.97	1,965.32	2,267.68	2,721.22
Studham	(c)	1,058.55	1,234.97	1,411.39	1,587.82	1,940.67	2,293.52	2,646.37	3,175.64
	(a)	17.50	20.42	23.34	26.25	32.09	37.92	43.75	52.50
	(b)	913.60	1,065.87	1,218.14	1,370.40	1,674.94	1,979.47	2,284.00	2,740.80
Sundon	(c)	1,065.07	1,242.59	1,420.10	1,597.61	1,952.64	2,307.66	2,662.69	3,195.22
	(a)	44.56	51.99	59.42	66.84	81.70	96.55	111.40	133.68
	(b)	940.66	1,097.44	1,254.22	1,410.99	1,724.55	2,038.10	2,351.65	2,821.98
(c)	1,092.13	1,274.16	1,456.18	1,638.20	2,002.25	2,366.29	2,730.34	3,276.40	

COUNCIL TAX SCHEDULE BY TOWN & PARISH AREAS										
2010/11	Area	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £	
Sutton	(a)	23.92	27.91	31.89	35.88	43.85	51.82	59.80	71.76	
	(b)	896.14	1,045.50	1,194.85	1,344.21	1,642.92	1,941.63	2,240.35	2,688.42	
	(c)	1,047.61	1,222.21	1,396.82	1,571.42	1,920.62	2,269.83	2,619.03	3,142.84	
Temptford	(a)	34.19	39.89	45.58	51.28	62.68	74.07	85.47	102.56	
	(b)	906.41	1,057.48	1,208.54	1,359.61	1,661.75	1,963.88	2,266.02	2,719.22	
	(c)	1,057.88	1,234.19	1,410.51	1,586.82	1,939.45	2,292.08	2,644.70	3,173.64	
Tilsworth	(a)	26.54	30.96	35.39	39.81	48.66	57.50	66.35	79.62	
	(b)	922.64	1,076.41	1,230.19	1,383.96	1,691.51	1,999.05	2,306.60	2,767.92	
	(c)	1,074.11	1,253.13	1,432.15	1,611.17	1,969.21	2,327.24	2,685.28	3,222.34	
Tingrith	(a)	14.22	16.59	18.96	21.33	26.07	30.81	35.56	42.67	
	(b)	886.44	1,034.18	1,181.92	1,329.66	1,625.14	1,920.62	2,216.11	2,659.33	
	(c)	1,037.92	1,210.90	1,383.89	1,556.87	1,902.85	2,248.82	2,594.79	3,113.75	
Toddington	(a)	43.99	51.32	58.66	65.99	80.65	95.32	109.98	131.98	
	(b)	940.09	1,096.77	1,253.46	1,410.14	1,723.50	2,036.87	2,350.23	2,820.28	
	(c)	1,091.57	1,273.49	1,455.42	1,637.35	2,001.20	2,365.06	2,728.91	3,274.70	
Totterhoe	(a)	16.92	19.75	22.57	25.39	31.03	36.67	42.31	50.77	
	(b)	913.02	1,065.20	1,217.37	1,369.54	1,673.88	1,978.22	2,282.56	2,739.07	
	(c)	1,064.50	1,241.91	1,419.33	1,596.75	1,951.58	2,306.41	2,661.25	3,193.49	
Westoning	(a)	18.59	21.69	24.79	27.89	34.09	40.29	46.49	55.78	
	(b)	890.81	1,039.28	1,187.75	1,336.22	1,633.16	1,930.10	2,227.04	2,672.44	
	(c)	1,042.29	1,216.00	1,389.72	1,563.43	1,910.86	2,258.29	2,605.72	3,126.86	
Whipsnade	(a)	19.21	22.41	25.62	28.82	35.22	41.63	48.03	57.64	
	(b)	915.31	1,067.86	1,220.42	1,372.97	1,678.07	1,983.18	2,288.28	2,745.94	
	(c)	1,066.79	1,244.58	1,422.38	1,600.18	1,955.77	2,311.37	2,666.96	3,200.36	
Woburn	(a)	32.44	37.84	43.25	48.65	59.47	70.28	81.09	97.31	
	(b)	904.66	1,055.43	1,206.21	1,356.98	1,658.54	1,960.09	2,261.64	2,713.97	
	(c)	1,056.13	1,232.15	1,408.17	1,584.19	1,936.24	2,288.28	2,640.32	3,168.39	
Wrestlingworth & Cockayne Hatley	(a)	33.82	39.45	45.09	50.72	62.00	73.27	84.54	101.45	
	(b)	906.04	1,057.04	1,208.05	1,359.05	1,661.07	1,963.08	2,265.09	2,718.11	
	(c)	1,057.51	1,233.76	1,410.01	1,586.26	1,938.77	2,291.27	2,643.77	3,172.53	

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Meeting: Council

Date: 25 February 2010

Subject: Designation of Interim Chief Finance/Section 151 Officer and Revision of the Constitution

Report of: Cllr Tricia Turner, Leader of the Council

Summary: The report requests the Council to designate a post to fulfil the role of Chief Finance/Section 151 Officer on an interim basis and also asks the Council to delegate authority to amend the Constitution to reflect the proposed new directorate structure.

Contact Officer: Richard Carr, Chief Executive

Public/Exempt: Public

Wards Affected: Not applicable

Function of: Council

CORPORATE IMPLICATIONS:

Council Priorities:

The Chief Finance Officer has responsibility for exercising functions under Section 151 of the Local Government Act 1972 in respect of the administration of the Authority's financial affairs and contributes to the delivery of all the Council's objectives by the provision of professional support.

Financial:

None specifically

Legal:

The Council is required to designate one of its officers as Chief Finance Officer to administer arrangements for the financial affairs of the Authority under Sections 151 of the Local Government Act 1972 and Section 6 of the Local Government and Housing Act 1989.

Risk Management:

The recommended action will ensure the effective management of any risk that may arise pending designation on a permanent basis of a post as the Council's Chief Finance Officer.

Staffing (including Trade Unions):

None specifically

Equalities / Human Rights:

There are no direct equalities implications of this proposal. This is an interim arrangement pending the permanent designation of a post as Chief Finance Officer following the conclusion of the Senior Management Review.

Community Safety:

None specifically

Sustainability:

None specifically

RECOMMENDATION(S):

- 1. that the post of Assistant Director, Financial Services be designated as Chief Finance Officer (Section 151 Officer) on an interim basis, pending the permanent designation of a new post as Chief Finance Officer, following the completion of the Senior Management Review.**
- 2. that following ratification of the revised Senior Management Structure by the Executive, the Monitoring Officer, after consultation with the Constitution Advisory Group, be authorised to amend the Constitution, as necessary, to reflect the amended Directorate structure and the allocation of functions within those Directorates.**

Background

1. As Members are aware, the Executive, at its meeting held on 8 December 2009, considered a proposal to revise the Council's senior management arrangements, taking account of the need to reduce the Council's costs and to deliver customer-focused services. The Executive agreed to move to a four directorate model, together with a small office supporting the Chief Executive.

2. The Chief Executive was authorised to implement the necessary arrangements, including a review of Assistant Director and Head of Service level posts, with a view to reducing the costs to the Council over time by 20%.
3. Following the decision of the Executive on 8 December 2009, a period of formal consultation took place upon the four directorate structure with the affected staff and unions. The Appointments Sub Committee conducted interviews on 12 January 2010 for the new post of Director of Customer and Shared Services. Richard Ellis, who currently holds the post of Director of Business Transformation, has been appointed to the newly established post.
4. Revised Assistant Director and Head of Service arrangements, based on the model agreed by the Executive, have been developed and consultation upon the draft proposals is now taking place with the staff concerned and with the recognised trade unions and professional associations.

Designation of Interim Chief Finance Officer

5. Part H1 of the Constitution provides that the Director of Corporate Resources is designated as the Council's Chief Finance Officer. Under the four directorate model referred to above, the post of Director of Corporate Resources will be deleted and the current post holder, will shortly be leaving the Council's employment.
6. It is therefore necessary to designate a post as Chief Finance Officer to exercise the functions under Section 151 of the Local Government Act 1972 in respect of the administration of the Authority's financial affairs.
7. The Chief Finance Officer must be financially qualified and of sufficient status to undertake the duties associated with this statutory role. It is therefore recommended that the post of Assistant Director, Financial Services be designated as the Council's Chief Finance Officer on an interim basis until such time as the Senior Management Review is completed and a permanent appointment can be made.

Consequential Amendments to the Constitution

8. The implementation of the Senior Management Review will have consequential implications for the Constitution most notably in Part H to reflect the changes in the Directorate structure and the need to transfer delegations to the appropriate Director.

9. As consultation is still proceeding upon the draft proposals, it is not possible to bring to the Council at this stage the detailed changes required to the Constitution. In order to facilitate amendment of the Constitution to reflect the consequential changes required, particularly in transfer of delegations to the appropriate Director under the new structure, the Council is requested to authorise the Monitoring Officer, in consultation with the Constitution Advisory Group, to make the necessary amendments, once the Executive has endorsed the revised Senior Management Structure.

Appendices:

None

Background Papers: (open to public inspection)

None

Location of papers:

N/A

Meeting: Council

Date: 25 February 2010

Subject CALENDAR OF MEETINGS 2010/11

Report of: Councillor Maurice Jones – Portfolio Holder for Corporate Resources

Summary: To seek approval of the Calendar of Meetings for the Municipal Year 2010/11.

Contact Officer: Kathrin John (Tel: 01462 611033)

Public/ Exempt: Public

Wards Affected: Not applicable

Function of: Council

CORPORATE IMPLICATIONS

<p>Council Priorities:</p>

<p>The Council is required to approve a calendar of meetings to aid the delivery of all the Council's objectives.</p>

<p>Financial:</p>

<p>None specifically</p>

<p>Legal:</p>

<p>None specifically</p>

<p>Risk Management:</p>

<p>None specifically</p>

<p>Staffing (including Trade Unions):</p>
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<p>None specifically</p>

<p>Equalities/ Human Rights:</p>

<p>None specifically</p>

<p>Community Safety:</p>

<p>None specifically</p>

<p>Sustainability:</p>

None specifically

RECOMMENDATION:

That Council approves the Calendar of Council and Committee meetings for the period June 2010 - June 2011 as set out in Appendix A to this report.

Background:

1. Preparing a Calendar of meetings for the Municipal Year enables effective planning of Council business and preparation of the Forward Plan. In addition the Constitution specifies that citizens have the right to attend meetings of the Council, the Executive and its committees and citizens therefore need to be aware in advance of meeting dates.
2. Set out in Appendix A is a programme of meetings for the period 1 June 2010 - 30 June 2011 to aid the programming of meetings just beyond the Annual Council meeting in 2011.
3. The Calendar has been put together with the current structure of 5 Overview and Scrutiny Committees. In the event of the Council agreeing to the proposed move to a new structure of 4 Overview and Scrutiny Committees the dates scheduled for the Business Transformation Overview and Scrutiny Committee will be utilised for the new Central Services Overview and Scrutiny Committee and the dates for the Corporate Resources Overview and Scrutiny Committee will be removed from the Calendar.
4. The Calendar has been prepared on the following basis: -
 - Council meetings to commence at 6.30 p.m.;
 - Development Management Committee meetings to commence at 10.00 a.m. to consider strategic planning/minerals matters and 2.00 p.m. to consider planning applications (the Chairman being authorised to vary the start time according to business);
 - Executive meetings to commence at 9.30 a.m. and to be held at Priory House, Chicksands;
 - Overview and Scrutiny Committee meetings to commence at 10.00 a.m.; and
 - the venue of Luton and South Bedfordshire Joint Committee to alternate between Dunstable and Luton.
5. It should be noted that the Calendar only lists those meetings which can or need to be programmed (for constitutional, financial or other reasons). Meetings of other Council bodies such as Schools Forums, Licensing Sub-Committees, Appointments Panel etc will be arranged as and when required.

Appendices:-

Appendix A – Draft Calendar of Meetings 2010/11

Background Papers: None

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DRAFT CALENDAR OF MEETINGS 2010/11

Appendix A

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
JUN 2010	7 14 BUS TRANS OSC (R) 21 CORP RES OSC (R) 28 AUDIT	1 EXECUTIVE 8 15 SUS COMM OSC (R) 22 29 CH, FAM, L'NG OSC (R)	2 9 16 23 DMC 30	3 GENERAL PURPOSES 10 17 S CARE, HLTH & HSG OSC (R) 24 COUNCIL (C)	4 11 18 25
JUL 2010	5 12 BUS TRANS OSC 19 CORP RES OSC 26	6 SUS COMM OSC 13 EXECUTIVE 20 27 CH, FAM, L'NG OSC	7 14 21 DMC 28	1 LSP 8 15 S CARE, HLTH & HSG OSC 22 29	2 9 16 OSCP 23 L&SBJC (D) 30
AUG 2010	2 9 BUS TRANS OSC (R) 16 CORP RES OSC (R) 23 30 HOLIDAY	3 SUS COMM OSC (R) 10 17 EXECUTIVE 24 CH, FAM, L'NG OSC (R) 31	4 11 18 DMC 25 LIC'NG/REG	5 12 S CARE, HLTH & HSG OSC (R) 19 26	6 STANDARDS 13 20 27
SEP 2010	6 BUS TRANS OSC 13 CORP RES OSC 20 27 AUDIT	7 SUS COMM OSC 14 EXECUTIVE 21 CH, FAM, L'NG OSC 28	1 8 15 DMC 22 29	2 LSP 9 S CARE, HLTH & HSG OSC 16 23 COUNCIL (D) 30 GENERAL PURPOSES	3 10 17 L&SBJC (L) 24
OCT 2010	4 BUS TRANS OSC (R) 11 CORP RES OSC (R) 18 25	5 SUS COMM OSC (R) 12 EXECUTIVE 19 CH, FAM, L'NG OSC (R) 26	6 13 DMC 20 27	7 S CARE, HLTH & HSG OSC (R) 14 21 28 LSP	1 8 15 OSCP 22 L&SBJC (D) 29
NOV 2010	1 BUS TRANS OSC 8 CORP RES OSC 15 22 29	2 SUS COMM OSC 9 EXECUTIVE 16 CH, FAM, L'NG OSC 23 30	3 10 DMC 17 LIC'NG/REG 24	4 S CARE, HLTH & HSG OSC 11 18 25 COUNCIL (C)	5 STANDARDS 12 19 26
DEC 2010	6 BUS TRANS OSC (R) 13 CORP RES OSC (R) 20 27 HOLIDAY	7 SUS COMM OSC (R) 14 EXECUTIVE 21 CH, FAM, L'NG OSC (R) 28 HOLIDAY	1 8 DMC 15 22 29	2 S CARE, HLTH & HSG OSC (R) 9 LSP 16 23 30	3 10 17 L&SBJC (L) 24 31
JAN 2011	3 HOLIDAY 10 BUS TRANS OSC 17 CORP RES OSC 24 AUDIT	4 SUS COMM OSC 11 EXECUTIVE 18 CH, FAM, L'NG OSC 25 SUS COMM OSC (R)	5 DMC 12 19 26	6 S CARE, HLTH & HSG OSC 13 GENERAL PURPOSES 20 COUNCIL (D) 27	7 14 OSCP 21 28 L&SBJC (D)
FEB 2011	7 14 21 CORP RES OSC (R) 28 BUS TRANS OSC	1 BUS TRANS OSC (R) 8 EXECUTIVE (Budget) 15 22 CH, FAM, L'NG OSC (R)	2 DMC 9 16 LIC'NG/REG 23	3 S CARE, HLTH & HSG OSC (R) 10 17 LSP 24 COUNCIL (Budget) (C)	4 11 STANDARDS 18 25
MAR 2011	7 14 21 CORP RES OSC 28 BUS TRANS OSC (R)	1 SUS COMM OSC 8 EXECUTIVE 15 22 CH, FAM, L'NG OSC 29 SUS COMM OSC (R)	2 DMC 9 16 23 30 DMC	3 S CARE, HLTH & HSG OSC 10 17 24 31 GENERAL PURPOSES	4 11 18 25 L&SBJC (L)
APR 2011	4 11 AUDIT 18 CORP RES OSC (R) 25 HOLIDAY	5 EXECUTIVE 12 CH, FAM, L'NG OSC (R) 19 26 LSP	6 13 LIC'NG/REG 20 27 DMC	7 S CARE, HLTH & HSG OSC (R) 14 COUNCIL (D) 21 28	1 STANDARDS 8 OSCP 15 22 HOLIDAY 29
MAY 2011	2 HOLIDAY 9 16 23 30 HOLIDAY	3 10 17 24 31 EXECUTIVE	4 11 18 25 DMC	5 ELECTIONS 12 INDUCTION EVENT 19 COUNCIL (AGM) (C) 26	6 13 20 27
JUNE 2011	6 13 20 CORP RES OSC 27 BUS TRANS OSC	7 SUS COMM OSC 14 CH, FAM, L'NG OSC 21 28 EXECUTIVE	1 8 15 22 DMC 29	2 GENERAL PURPOSES 9 S CARE, HLTH & HSG OSC 16 23 30	3 10 17 24 L&SBJC (D)

KEY: **DMC** Development Management Committee **LIC'NG/REG** Licensing and Regulation Committees **OSCP** Overview & Scrutiny Committee Panel **L&SBJC** Luton & South Bedfordshire Joint Committee **BUS TRANS OSC** Business Transformation Overview & Scrutiny Committee **SUS COMM OSC** Sustainable Communities Overview & Scrutiny Committee **CORP RES OSC** Corporate Resources Overview & Scrutiny Committee **CH, FAM, L'NG OSC** Children, Families & Learning Overview and Scrutiny Committee **S CARE, HLTH & HSG OSC** Social Care, Health & Housing Overview & Scrutiny Committee.

NOTE: In the event of the Council agreeing to the proposed move to a four Overview and Scrutiny Committee structure the dates scheduled for the Business Transformation OSC will be utilised for the new Central Services OSC and the dates for the Corporate Resources OSC will be removed from the Calendar.

TIME AND VENUES: All meetings will start at 9.30 a.m. unless otherwise stated on the agenda, with the exception of Council starting at 6.30 p.m. (R) indicates a reserve date. Meetings of the Council will be held at alternating venues as indicated: (C) Chicksands or (D) Dunstable. Overview and Scrutiny Committees venues to be determined by each Committee, according to the business to be conducted. Licensing Sub-Committees will be arranged at local venues as and when required. Meetings of the Luton and South Bedfordshire Joint Committee alternate between Dunstable (D) and Luton (L). All other meetings will normally be at Chicksands.