

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 24 February 2011.

### PRESENT

Cllr P Hollick (Chairman)  
Cllr Mrs C F Chapman MBE (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs S A Goodchild	Cllrs	J Murray
	R A Baker		Ms A M W Graham		Mrs M Mustoe
	Mrs A Barker		T Green		Ms J Nunn
	A R Bastable		Mrs D B Gurney		P Rawcliffe
	R D Berry		Mrs C Hegley		J A G Saunders
	L Birt		D J Hopkin		A Shadbolt
	P A Blaine		K Janes		K Sharer
	D Bowater		R W Johnstone		P Snelling
	A D Brown		M R Jones		Miss A Sparrow
	J A E Clarke		J Kane		R C Stay
	I Dalgarno		D J Lawrence		J Street
	P A Duckett		Mrs J G Lawrence		A M Turner
	Dr R Egan		Mrs A M Lewis		Mrs C Turner
	A Fahn		H J Lockey		Mrs P E Turner MB
	Mrs J Freeman		S F Male		E
	P Freeman		K C Matthews		P F Vickers
	D J Gale		Ms C Maudlin		B Wells
	M Gibson		D McVicar		P Williams
					J N Young

### Apologies for Absence

Cllrs	N B Costin	Cllrs	A Northwood	Cllrs	G Summerfield
	Mrs R B Gammons		A A J Rogers		
	J G Jamieson		B J Spurr		

Officers in Attendance:	Mr J Atkinson	–	Head of Legal and Democratic Services
	Mr R Carr	–	Chief Executive
	Mrs E Grant	–	Deputy Chief Executive and Director of Children's Services
	Mrs S Hobbs	–	Committee Services Officer
	Mrs J Ogley	–	Director of Social Care, Health and Housing
	Ms M Peaston	–	Committee Services Manager
	Mr R Ellis	–	Director of Customer and Shared Services
	Mr J Unsworth	–	Interim Assistant Director of Finance

## **PRAYERS**

Prayers were taken by Reverend Martin Hathaway.

### **C/10/79 Minutes**

#### **RESOLVED**

that the minutes of the meeting held on 20 January 2011 be confirmed and signed by the Chairman as a correct record.

### **C/10/80 Members' Interests**

#### **(a) Personal Interests:-**

Cllr Murray declared a personal interest in the Revenue Budget as he had been lobbied about a number of proposals.

Cllr Bowater declared a personal interest in respect of the recommendation at item 9: Prohibiting the Consumption of Alcohol in Designated Area in view of his son-in-law being a Director of Better Regulation Local Office, which was currently working with the Council.

Cllr Hollick declared a personal interest by virtue of being a Patron of Bedfordshire Youth Music.

**Note:** Further declarations were made at minute C/10/85 (c).

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

None.

### **C/10/81 Chairman's Announcements and Communications**

The Chairman reported the death of Bob Firman, a previous member of a legacy authority.

The Chairman also commented on the success of various recent functions, including the Civic Service on 23 January and the Elizabeth Cross presentations, and on preparations for a forthcoming dinner at Stotfold Mill.

### **C/10/82 Leader of the Council's Announcements and Communications**

The Leader commented on a presentation by the Chief Executives' Forum to Leaders and Board Members which she had attended recently, on the opportunities identified for cost savings through inter agency collaboration building on the Total Place initiative.

The Leader also reported on a card she had received thanking the Council for the steps taken to support school crossing patrols for a further year, to allow time for alternative arrangements to be made.

C/10/83

### **Questions, Statements or Deputations**

The following questions and statements were put by members of the public under the Public Participation provisions at Annex 1 of Part A4 of the Constitution:-

1. Mr Clarke commented on item 16 of the Council agenda, Members' Allowances, where he felt the proposals were inappropriate in the current financial climate. He quoted figures for staff sickness absence and pension fund contributions and contended that the Council wasted money.
2. As already detailed at the meeting of the Executive on 15 February 2011, Mr Konstantinidis explained that he was concerned with the accuracy of the Council's financial information and the implications of this for budget setting.
3. Linda Jack, previously an employee of the Council responsible for various youth centres in the area, registered concern with the impact of the proposed changes to youth services. She sought assurance that impact and equality assessments had been carried out, and asked whether consultation had been carried out with young people.

C/10/84

### **Petitions**

In accordance with the Public Participation Scheme set out in Annex 2 of Part A4 of the Constitution, the Council received the following petition:

#### **Garden Waste collection method in the Spring Grove area of Sandy.**

Councillor Aldis presented the petition which contained 13 signatures. He advised that currently biodegradable bags were used for garden waste collection in the particular area and that re-usable bags would be preferred by the petitioners.

The Assistant Portfolio Holder for Safer Communities and Healthier Lifestyles thanked Councillor Aldis and commented that plans were in place for a smaller vehicle to be used for the collection of green waste in this area of narrow roads with rear loading instead of side loading. He commented that when this was introduced, re-usable bags would be issued to the residents. He advised that Cllr Aldis would be kept informed about developments.

C/10/85

### **Recommendations from the Executive**

#### **(a) Treasury Management Strategy**

The Council considered the recommendation from the meeting of the Executive held on 15 February 2011 seeking approval of the proposed Treasury Management Policy and Treasury Management Strategy.

**RESOLVED**

**that the Treasury Management Policy and Treasury Management Strategy, as attached to the report submitted to the Executive, be approved.**

**(b) Capital Programme 2011/12**

The Council considered the recommendations from the meeting of the Executive held on 15 February 2011 in respect of the proposed Capital Programme for 2011/12.

**RESOLVED:-**

- (i) that the 2011/12 to 2014/15 Capital Programme, as attached to Appendix A to the report submitted to the Executive, be approved;**
- (ii) that the 2011/12 to 2014/15 Capital Programme – Housing Revenue Account, as attached at Appendix B to the report submitted to the Executive, be approved.**

**(c) Draft Medium Term Financial Plan and Revenue Budget for 2011/12 and item 15 Council Tax Resolution**

In advance of consideration of this matter, the Chairman advised that under Rule 5 of the Council Procedure Rules he would vary the order of business to enable item 15 on the agenda, Council Tax Resolution, to be taken in conjunction with this matter.

The Council considered recommendations from the meeting of the Executive on 15 February 2011 seeking approval of the proposed Medium Term Financial Plan and Revenue Budget for 2011/12 .

In his introduction, the Portfolio Holder for Finance, Governance and People drew attention to the financial challenge facing the country as a whole and the Government's plan for responding to this. This included a significant reduction in financial support to local authorities, particularly in the early part of the four year term covered by the Comprehensive Spending Review.

The Portfolio Holder referred to the extensive consultation on the budget proposals which had been adjusted to take account of the comments and petitions. The proposals included additional investment in Children's Services and Adult Social Care, and a freezing of Council Tax.

The Leader of the Council added that approximately 300 posts had been deleted since 2009 with more yet to come, and that new ways of working with partners were being sought to find alternative methods of delivering some services.

The Leader of the Liberal Democrat Group moved an amendment to the budget proposal which was duly seconded, as follows:-

<i>2. to vary the Revenue Budget for 2011/12 by the following:</i>	<i>£k</i>
<i>a) to delay the announced closure of Houghton Regis leisure centre and instruct officers to bring forward alternative funding to enable the centre to remain open</i>	<i>42</i>
<i>(b) to delay the closure of the Mobile Library service until the full review of the Library Service had been completed</i>	<i>55</i>
<i>(c) Partnership funding to be made available to help facilitate Youth Service providers</i>	<i>218</i>
<i>(d) reduce all councillors' basic allowance by 2%</i>	<i>-14</i>
<i>(e) reduce all Special Responsibility allowances by 10%</i>	<i>-35</i>
<i>(f) Remove all Special Responsibilities allowances for Vice-Chairman</i>	<i>-16</i>
<i>(g) reduce the contribution to balances</i>	<i>-200</i>
<i>(h) estimated improvements in investment interest receipts</i>	<i>-50</i>
<i>NET CHANGE</i>	<i>0</i>

*To add the following paragraphs:*

*9. Commit the Council to join the CCLA Public Sector Deposit Fund, a secure AAA rated, UK based MM, which offers a better interest rate of return than banks, thus facilitating higher interest income from 2012/13.*

*10. Establish a trading company to allow more flexibility in charging policy from 2012/13.*

Following debate, a vote by show of hands was taken on the amendment which was declared to be lost.

Additional debate took place on the original motion. During the course of debate, the following Councillors declared a personal interest by reason of being a Trustee of Ludun:

Councillors Birt, Egan, Hollick, Goodchild, Green, Rogers and Young.

In accordance with paragraph 20.5 of Part B5 of the Council Procedure Rules, ten members of the Council stood to request a recorded vote.

Those in favour of the motion were Councillors Baker, Mrs Barker, Bastable, Berry, Birt, Bowater, Brown, Mrs Chapman, Clarke, Dalgarno, Mrs Drinkwater, Duckett, Mrs Freeman, Freeman, Gibson, Green, Mrs Gurney, Mrs Hegley, Hollick, Hopkin, Janes, Johnstone, M Jones, Kane, Lawrence, Mrs Lawrence, Mrs Lewis, Lockey, Male, Matthews, Ms Maudlin, McVicar, Mrs Mustoe, Nicols, Rawcliffe, Rogers, Saunders, Shadbolt, Sharer, Miss Sparrow, Stay, Street, A Turner, Mrs C Turner, Mrs P Turner, Vickers, Wells and Young.

Those against the motion were Councillors Aldis, Blaine, Dr Egan, Fahn, Mrs Goodchild, Ms Graham, D Jones, Murray, Ms Nunn, Snelling and Williams.

**RESOLVED:**

- 1. that the response to consultation with Overview & Scrutiny Committees and the public, set out in paragraphs 17 to 21 of the report submitted to the Executive, be noted;**
- 2. that the Revenue Budget for 2011/12 and the Medium Term Financial Plan 2011/12 to 2014/15, as attached to the report submitted to the Executive, be approved;**
- 3. that the following adjustments to the draft budget in response to comments and representations received throughout the scrutiny and consultation process, be noted:**
  - (a) adjustments to the proposals covering Overview & Scrutiny offset by further reductions within the Democratic Services budget;**
  - (b) no reduction in School Crossing Patrols from 1 April 2011, but that contributions be sought from communities and partners during the course of the year, with a view to securing the patrols beyond 2011/12;**
  - (c) the creation of a fund to facilitate the transfer of services to partners and communities and that the costs of Public Conveniences be a first charge on this fund during 2011/12; and**
  - (d) a reduction in the proposed increases in car parking charges;**
- 4. that the Council Tax Base, attached at Appendix G to the report submitted to the Executive, be noted;**

5. to agree the Council Tax Resolution set out in Appendix A to the report attached to the agenda at item 15, Council Tax Resolution;
6. to note that this sets a Band D Council Tax of:
  - £1,308.33 for residents in the north of Central Bedfordshire
  - £1,344.15 for residents in the south of Central Bedfordshire
7. that the fees and charges set out in Appendix K to the report submitted to the Executive, be approved;
8. that the additional objective set out in paragraph 58 to the Treasury Management Strategy, be included;
9. that the Housing Revenue Account Business Plan set out in Appendix L to the report submitted to the Executive, with an average increase in rents of 7.02%, be approved.

**(d) Local Transport Plan 3**

The Council considered a recommendation from the meeting of the Executive on 15 February 2011 seeking approval of Local Transport Plan 3, and for authority to be delegated to the relevant Director, in consultation with the appropriate Portfolio Holder, to make any necessary minor changes to the document prior to final publication.

In the debate which ensued comments were made about the needs of people with disabilities and the impact of the Plan on access in rural communities.

The Portfolio Holder for Sustainable Development advised that appropriate consultation had taken place over a period of 6 weeks.

**RESOLVED**

1. that the Local Transport Plan for Central Bedfordshire be approved;
2. that the Director of Sustainable Communities, in consultation with the Portfolio Holder for Sustainable Development, be authorised to make any necessary minor drafting changes to the document prior to final publication.

C/10/86

**Recommendations from Regulation Committee**

- (a) Adoption of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982

The Council considered a recommendation from the Regulation Committee at its meeting on 16 February 2011 on the regulation of street trading.

It was noted that a notification process had been undertaken to comply with the legal requirements of adopting the Schedule to regulate street trading. No outstanding, negative or unresolved representations had been received.

**RESOLVED**

**to adopt the relevant provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 to enable the regulation of street trading, as set out in the report to the Regulation Committee on 16 February 2011.**

**(b) Prohibition of the Consumption of Alcohol in designated public place – Sandy**

The Council considered a recommendation from the Licensing Committee held on 16 February 2011 seeking approval of a Designation Order for the prohibition of the consumption of alcohol in a designated area.

It was noted that no objections had been received to the proposed restriction on alcohol consumption in response to an advertisement in a newspaper inviting comments.

The Designation Order was tabled at the meeting.

**RESOLVED**

- 1. to approve the Designation Order as detailed in the report to Licensing Committee on 16 February 2011 and tabled at the meeting;**
- 2. that the Designation Order come into force on 24 March 2011.**

C/10/87

**Report of the Bedfordshire Police Authority**

Councillor Hollick, as the Council's representative on the Bedfordshire Police Authority, gave an oral report on the proceedings of the Authority's meeting which had been held on 18 February 2011. His report included details of:-

- the Police Authority's budget
- performance in crime detection
- the risk assessment process for the issuing of Firearms Certificates
- policing of a recent public demonstration in Luton.



It was noted that the written report of Bedfordshire Police Authority's meeting would be brought to the next meeting.

Councillor Hollick responded to questions. He indicated that the proposal to merge aspects of traffic management between Bedfordshire and Hertfordshire Police would achieve financial savings.

Additional comments were made on the new arrangements covering firearms licensing and information supplied by the police on these was requested.

### **RESOLVED**

**that the oral report of the meeting of Bedfordshire Police Authority's meeting on 18 February 2011 be noted.**

#### **C/10/88 Report of the Bedfordshire and Luton Combined Fire Authority**

A report from the meeting of the Bedfordshire and Luton Combined Fire Authority held on 10 December 2010 was submitted.

### **RESOLVED**

**that the report of the Bedfordshire and Luton Combined Fire Authority held on 10 December 2011 be noted.**

#### **C/10/89 Written Questions**

A written question had been submitted under Rule 12.2 by Councillor Murray, as follows:-

- (a) How much in cash terms is being sliced from Central Bedfordshire Council's education resources for 2011/12, including funds from Government, to help the funding of Academies?
- (b) How much is that in percentage terms?

The following reply was received:

The current estimate for recoupment of Central Bedfordshire Council grants in relation to Academies in 2011/12 is £600,000 from Revenue Support Grant and £332,000 from Direct Support Grant, total £932,000.

This is based on six known Academies out of 136 schools across the Authority and will increase as more are confirmed. (Source: Schools Forum papers March 2011)

This represents 0.6% of the Direct Schools Grant, £152.0m and 6.0% of centrally retained funds, £15.6m.

C/10/90

## Open Questions

The Chairman presided over Open Questions asked of Portfolio Holders and Assistant Portfolio Holders under Council Procedure Rule 12.7.

1. Councillor Mrs Chapman asked whether the relevant Government Minister should be advised of the Highways Agency's decision to cease consultation with Parish Councils and local people, contrary to the spirit of the "Localism" agenda.

The Portfolio Holder for Safer Communities and Healthier Lifestyles indicated that consultation was carried out through the Highways Agency website and that it was unlikely that wider consultation would be reinstated.

2. Councillor Fahn asked whether Section 215 Notices (requiring an owner to repair a property) could be issued to prompt improvements in Leighton Buzzard.

The Portfolio Holder for Sustainable Development undertook to look into this matter.

3. Councillor Aldis asked about progress with increasing the extent of recycling, including when a kerbside glass collection would be introduced in the rural south of the area.

The Assistant Portfolio Holder for Safer Communities and Healthier Lifestyles indicated that there were continuing improvements in recycling and that residents were disposing of less waste. He also advised that there were no current plans to introduce a kerbside glass collection service.

4. Councillor Duckett asked a question in relation to the recent Government announcement of additional funding to repair potholes following the adverse weather conditions in December 2010, and whether any of the funding could be used to reinstate certain yellow lines in Ampthill.

The Portfolio Holder for Safer Communities and Healthier Lifestyles advised that Central Bedfordshire Council expected to receive some of the £100m which the Government was making available to local authorities. The same amount had been made available last year and Central Bedfordshire Council had received £300,000. He would check on the position with the reinstatement of yellow lines.

5. Councillor Green asked why access to circle seats at the Grove Theatre was restricted for many shows.

The Portfolio Holder for Safer Communities and Healthier Lifestyles advised that the hirer of the Grove Theatre could dictate the terms on which tickets were sold, and that circle seats were sometimes available.

6. Councillor Blaine asked a question about the necessity for a survey of streetlighting in Sandy being undertaken by Amey given that Sandy Town Council had recently undertaken its own survey.

The Portfolio Holder for Safer Communities and Healthier Lifestyles indicated that he would look into the matter and respond directly to Councillor Blaine.

7. Councillor Dr Egan asked a question about whether funding would be made available to enable LuDun employees to undertake training to assist them in the job market.

The Portfolio Holder for Social Care and Health was unaware whether there was dedicated funding for this purpose but indicated that the issues relating to LuDun were being appropriately addressed.

8. Councillor Ms Graham asked how many Special Educational Needs pupils within Central Bedfordshire, who were subject to phase transfer in this year, had received their final statements, and how many had not.

The Portfolio Holder for Children's Services indicated that she would provide Councillor Ms Graham with a written reply.

9. Councillor Dr Egan asked a question about the availability of NHS dental care in Dunstable and Leighton Buzzard.

The Portfolio Holder for Social Care and Health indicated that this had already been considered at an Overview and Scrutiny Committee meeting, and that the change related to people with special dental care needs.

10. Councillor Brown asked whether the food waste bin liners used in the recycling of food waste, for which the Council had received plaudits, would continue to be available.

The Assistant Portfolio Holder for Safer Communities and Healthier Lifestyles replied that the bags would continue to be available in 2011/12 but that in the future the Bedfordshire Energy and Recycling (BEaR) project would address the treatment of food waste.

11. Councillor Bowater asked whether there were plans to relax the Road Closure Order rules in view of the forthcoming royal wedding and the possibility of street parties.

The Portfolio Holder for Safer Communities and Healthier Lifestyles advised that residents proposing to hold a street party would be assisted to make the necessary arrangements and also commented that the closure of major routes had considerable implications.

12. Councillor Fahn asked whether resources could be used to address estate roads and pavements now that major highways in Central Bedfordshire were in a fit state.

The Portfolio Holder for Safer Communities and Healthier Lifestyles replied that resources would be used to improve B-roads for a period of a year, but after that period resources would be used to ensure that standards were maintained on the main highways.

13. Councillor Dr Egan asked when planned works would start on Bidford Hill to reinstate yellow lines leading to the intersection with Bedford Road.

The Portfolio Holder for Safer Communities and Healthier Lifestyles advised that works to reinstate the yellow lines would begin in the near future.

C/10/91

### **Motions**

Notice had been received from Councillor Nicols of a Motion under Procedure Rule 16 as follows:

“The Council notes, with indignation, that whilst Central Bedfordshire is facing a massive reduction in its financial settlement in 2011/12, the UK’s contribution to the European Union (EU) is set to rise by 60% over two years.

This Council notes that, despite the opposition of some MPs and MEPs, it is likely that the Government will agree to a further 2.9% increase in the overall EU budget.

This Council believes the EU should be treated the same as other tiers of government and in these austere times should share responsibility, along with central and local government, for public spending reductions. Sharing the burden would result in less severe cuts for local authorities, and give more assistance to councils to protect front line services.

This Council therefore urges our three MPs not to support an increase in the EU budget.”

The motion was moved by Councillor Nicols and seconded by Councillor Stay.

### **RESOLVED**

**to approve the motion set out above.**

C/10/92

### **Council Tax 2011/12**

This matter was resolved earlier in the meeting (minute C/10/85 (c) above refers).

C/10/93

## Members' Allowances

The Council considered a report of the Portfolio Holder for Finance, Governance and People and noted a change to the recommendations by the Portfolio Holder, tabled at the meeting.

The recommendations set out in the report were replaced by recommendations as follows:-

1. that, subject to paragraphs 2 and 3 below, the Members' Allowances Scheme attached as Appendix A to the report be adopted by the Council for the financial year 2011/12;
2. that the Basic and Special Responsibility Allowances contained in paragraph 3 and Schedule 1 to the Scheme be reduced by 2%;
3. that the mileage rate payable to Councillors who use their own vehicles on Council business be set at the HMRC rate (currently 40p per mile) and that Schedule 3 of the Scheme be amended accordingly;
4. that in accordance with Regulation 19 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the Independent Remuneration Panel be consulted about this proposed amendment to the Scheme and that the proposed reductions be implemented with effect from 1 April 2011, unless the Independent Remuneration Panel recommends otherwise;
5. that a meeting of the Independent Remuneration Panel be convened in the summer of 2011 to review the Scheme and submit a report to Council.

The recommendations were moved by Councillor M Jones and seconded by Councillor Stay.

Clarification was provided that the proposed review by the Independent Remuneration Panel in the summer of 2011 would be to prepare for the Members' Allowances Scheme for 2012/13. Consultation would be undertaken with the Panel immediately regarding the proposed 2% reduction in Basic and Special Responsibility Allowances.

Councillor Graham moved an amendment to the motion, which was duly seconded. The amendment was:

- *at recommendation 2 set out above, add after "2%" the words "and Special Responsibility Allowances by 10%";*
- *at recommendation 5 set out above delete the words "in the summer of 2011 to review the Scheme and submit a report to the Council" with "as soon as possible to review the Scheme."*

A vote on the amendment was taken by show of hands, which was declared to be lost.

**RESOLVED**

- 1. that, subject to paragraphs 2 and 3 below, the Members' Allowances Scheme attached as Appendix A to the report be adopted for the financial year 2011/12;**
- 2. that the Basic and Special Responsibility Allowances contained in paragraph 3 and Schedule 1 to the Scheme be reduced by 2%;**
- 3. that the mileage rate payable to Councillors who use their own vehicles on Council business be set at the HMRC rate (currently 40p per mile) and that Schedule 3 of the Scheme be amended accordingly;**
- 4. that in accordance with Regulation 19 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the Independent Remuneration Panel be consulted about this proposed amendment to the Scheme and that the proposed reductions be implemented with effect from 1 April 2011, unless the Independent Remuneration Panel recommends otherwise;**
- 5. that a meeting of the Independent Remuneration Panel be convened in the summer of 2011 to review the Scheme and submit a report to Council.**

(Note: The meeting commenced at 6.30 p.m. and concluded at 10.46 p.m.)

Chairman .....

Dated .....