

CENTRAL BEDFORDSHIRE COUNCIL

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

PRESENT

Cllr P Hollick (Chairman)
Cllr Mrs R B Gammons (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs S A Goodchild	Cllrs	B Saunders
	Mrs A Barker		Mrs D B Green		J A G Saunders
	A R Bastable		Mrs D B Gurney		A Shadbolt
	L Birt		Mrs C Hegley		N J Sheppard
	M C Blair		J G Jamieson		I Shingler
	D Bowater		R W Johnstone		M A Smith
	A D Brown		D Jones		Miss A Sparrow
	Mrs C F Chapman MBE		M R Jones		B J Spurr
	Mrs S Clark		D J Lawrence		R C Stay
	J A E Clarke		Mrs J G Lawrence		A M Turner
	N B Costin		I A MacKilligan		Mrs P E Turner MBE
	I Dalgarno		K C Matthews		M A G Versallion
	A L Dodwell		Ms C Maudlin		P F Vickers
	Mrs R J Drinkwater		D McVicar		N Warren
	P A Duckett		J Murray		R D Wenham
	Dr R Egan		Mrs M Mustoe		J N Young
	C C Gomm		R B Pepworth		A Zerny

Apologies for Absence

Cllrs	R D Berry	Cllrs	K Janes	Cllrs	B Wells
	D J Hopkin		T Nicols		P Williams

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Officers:	Mr G Alderson	—	Director of Sustainable Communities
	Mr J Atkinson	—	Head of Legal and Democratic Services
	Miss H Bell	—	Committee Services Officer
	Mr R Carr	—	Chief Executive
	Mrs J Ogley	—	Director of Social Care, Health and Housing
	Mrs C Parry	—	Assistant Director (Acting), Children's Services Operations
	Ms M Peaston	—	Committee Services Manager
	Mr C Warboys	—	Chief Finance Officer & Section 151 Officer

C/11/43 **Prayers**

Prayers were taken by Reverend Martin Hathaway.

C/11/44 **Minutes**

RESOLVED

that the minutes of the meeting held on 22 September 2011 be confirmed and signed as a correct record.

C/11/45 **Members' Interests**

(a) **Personal Interests:-**

There were no declarations made.

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

Councillors Mrs J Lawrence and R Stay declared an interest in Agenda Item No 18, Members' Allowances Scheme 2011/12 & 2012/13. The declarations were recorded under that item.

C/11/46 **Chairman's Announcements and Communications**

The Chairman commented on a number of matters:

- Everton Lower School, a Council maintained school, had received "Outstanding" in their recent Ofsted inspection.
- Elayne Clifford had been awarded a Local Policing Commander's Certificate of Merit in recognition of her work as an Emergency Duty Social Worker.
- Workforce planning, which is a statutory function in Children's Services, had been assessed and received high praise compared with the workforce planning of other Councils.

The Chairman also commented on events which had taken place or were planned, to which he had been invited, among these, it was particularly noted that Dunstable had been chosen as a town to take part in the London 2012 Olympic Torch Relay on 9 July 2012.

C/11/47 **Leader of the Council's Announcements and Communications**

The Leader summarised feedback received from the recent Residents' Survey.

C/11/48 **Questions, Statements and Deputations**

Questions and statements were put by a member of the public under the Public Participation provisions set out at Annex 1 of Part A4 of the Constitution.

- (a) Mr Clarke asked a question relating to the cost of awarded contracts.

The Deputy Leader and Executive Member for Corporate Resources indicated he would provide a written reply.

- (b) Mr Clarke asked a question about compensation payments.

The Deputy Leader and Executive Member for Corporate Resources indicated he would provide a written reply.

- (c) Mr Clarke made a statement on recommendations set out under Agenda Item No 10, Recommendations from the Constitution Advisory Group and requested that some specific changes proposed be rejected and others supported.

- (d) Mr Clarke made a statement on recommendations set out under Agenda Item No 18, Recommendations from the Constitution Advisory Group.

C/11/49 **Petitions**

No petitions had been received.

C/11/50 **Recommendations from the Executive**

Economic Development Plan

The Council considered a recommendation from the meeting of the Executive held on 15 November 2011, seeking adoption of the Economic Development Plan.

RESOLVED

that the Economic Development Plan, as set out in the Executive report of 15 November 2011, be adopted as part of the Council's Policy Framework.

Capital Programme Review

The Council considered a report of the meeting of the Executive held on 15 November 2011, seeking approval of the revised Capital Programme for 2011/12.

RESOLVED

that the revised Capital Programme for 2011/12 be approved as set out in the report of the Executive of 15 November 2011.

C/11/51

Recommendations from General Purposes Committee

Boundary Commission for England – Parliamentary Constituency Boundaries Review

The Council considered a recommendation from the meeting of the General Purposes Committee held on 6 October 2011 seeking approval and adoption of alternative proposals for the Parliamentary Boundary as set out in Appendix A, which was circulated separately from the agenda.

RESOLVED

that the alternative proposals for those Parliamentary boundaries as they affect the Bedfordshire and Hertfordshire Sub- Region of the Eastern Region, as revised by officers in consultation with the Chairman of General Purposes Committee, be approved and adopted and then submitted to the Boundary Commission for England for consideration, as set out in Appendix A to the report.

C/11/52

Recommendations from Constitution Advisory Group

The Council considered recommendations from the meeting of the Constitution Advisory Group held on 31 October 2011.

The Council took into account the representations made by Mr George Konstantinides under the Public Participation Scheme.

Further to discussion an amendment to Appendix C was moved and seconded based on a revised Appendix C which was tabled at the meeting.

RESOLVED

to adopt the changes to the Constitution set out in Appendices A, B, revised Appendix C, and D-H inclusive, with the following effects:

- A. changes to provide for a process for petitions relating to the budget;**
- B. changes to provide for a timeframe of 3 minutes for public participation for all purposes and all meetings, by amending “5 minutes” where stated, to “3 minutes”;**
- C. changes to suggest a notice period of 2 clear working days for questions from the public at public meetings to enable questions to be answered at the meeting, with questions not**

previously notified being answered either at the meeting or afterwards, in writing;

- D. changes to remove the provision for members of the public to speak twice on the same matter;
- E. changes to replace the existing list of key plans, policies and strategies in the Council's Policy Framework;
- F. changes to provide for a Council budget setting meeting;
- G. changes to a specified threshold sum and other minor drafting amendments;
- H changes to reflect legislative provisions governing Council Members' attendance and speaking at quasi judicial Committees and Sub-Committees.

C/11/53 **Report of the Police Authority**

A report of the meeting of the Bedfordshire Police Authority held on 10 September 2011 was submitted.

Councillor Hollick, representative of the Police Authority, answered questions on issues in the report.

RESOLVED

that the report of the Bedfordshire Police Authority be noted.

C/11/54 **Report of the Fire Authority**

The Council considered a report of the Bedfordshire and Luton Combined Fire Authority detailing information from its meeting held on 7 September 2011.

RESOLVED

that the report of the Bedfordshire and Luton Combined Fire Authority be noted.

C/11/55 **Written Questions**

A written question had been submitted under Rule 12.2 by Councillor Aldis as follows:

“At the last meeting of the Council I asked a question about land for allotments in Sandy. What hope can the Executive Member offer to the present and future

allotment holders in Sandy of having a plot on which to “grow their own” in the near future? Can he give indication of the progress that is being made in securing land for allotments and the timescales that he sees as being realistic and meaningful?”

The following reply was received:

“Central Bedfordshire Council is well aware of the lack of allotments in Sandy and is working with Sandy Town Council to address the Town Council’s need to meet its statutory duty. Finding a site has proved difficult and several options have been looked at but dismissed.

I can confirm that Officers have located a potential site on land east of the A1. Discussions need to reach a conclusion with the Council’s tenant before any further progress can be made as his consent and the amendment of his tenancy are required.

An exact timescale is not available at this stage of the negotiations and residents are asked to be patient. This is a priority matter for Central Bedfordshire Council and we are keeping the Town Council and Allotment Association Members aware of progress”.

C/11/56

Open Questions

The Chairman presided over Open Questions asked of Executive Members and Deputy Members under Procedure Rule 12.7.

1. Councillor Murray asked about the progress of a claim that had been submitted to the Council from a member of the public.

The Deputy Leader and Executive Member for Corporate Resources advised that the claim was being addressed.

2. Councillor Duckett asked a question about the economic benefits of the Luton Busway Scheme to Central Bedfordshire.

The Deputy Executive Member for Sustainable Communities Strategic Planning & Economic Development explained the benefits, including the impact on jobs and new homes in Central Bedfordshire.

3. Councillor Shadbolt asked for an update on the Automatic Number Plate Recognition Scheme (ANPR).

The Executive Member for Sustainable Communities Services advised that the Auto Number Plate Recognition scheme had been launched and that there were three ANPR vehicles working throughout Central Bedfordshire.

4. Councillor McVicar invited the Executive Member for Sustainable Communities to join him in commending the Council on the opening of

Creasey Park football facility which had been assisted by the appropriate application of Section 106 monies.

5. Councillor Murray asked a question about the status of schooling in Dunstable.

The Executive Member for Children's Services clarified the number of schools that had applied for academy status and the associated implications. He indicated that he would meet with Councillors from Dunstable and Houghton Regis to discuss the matter further.

6. Councillor Egan asked questions about implications for low paid workers as a result of a reduction in mileage allowances.

The Deputy Leader and Executive Member for Corporate Resources indicated that he would check the information on which the questions were based and would endeavour to provide a written reply.

7. Councillor Egan sought assurance that problems incurred by a developer who had left a playground in poor condition would be rectified.

The Executive member for Social Care, Health and Housing advised that she was awaiting the outcome of a meeting to discuss resolution of the issue and would now also liaise with the Executive Member for Sustainable Communities-Strategic Planning and Economic Development.

8. Councillor Zerny asked a question about the job role and performance of the Executive Member for Economic Partnerships and the Executive Member for External Affairs.

The Leader advised that he had included an outline of these roles in his address to the Council meeting on 21 July 2011 and commented on the performance of the Executive Members.

9. Councillor Goodchild asked if Central Bedfordshire Council would be supporting a new initiative organised by Daybreak television show and the Salvation Army, "Donate a Coat".

The Executive Member for Social Care, Health & Housing indicated that she would seek further information on the initiative and that she would be minded to support and encourage support from others.

10. Councillor Sparrow asked what effect the public services strike might have on Central Bedfordshire schools.

The Executive Member for Children's Services advised that the exact number of school closures was unknown at this time. Data would be collated for submission to the Department for Education as required two days before the strike.

11. Councillor Duckett asked a question about the approach to the deployment of Section 106 monies in relation to traffic management.

The Executive Member for Sustainable Communities Services confirmed that Councillors would be consulted on the use of Section 106 monies.

12. Councillor Aldis asked a question about the planning consultation process with regard to the installation of a temporary building in Sandy.

The Executive Member for Planning clarified the consultation process which he had no reason to doubt had been followed appropriately.

13. Councillor Clarke asked a question about whether monies available through the Growing Places Fund, allocated to Local Enterprise Partnerships, would benefit Central Bedfordshire.

The Executive Member for Economic Partnerships advised that in excess of £13 million had been allocated to the South East Midlands Local Enterprise Partnership (SEMLEP) and that this Council would be seeking to take advantage of the opportunities this presented.

14. Councillor Murray asked a question about car parking policies in Central Bedfordshire.

The Executive Member for Sustainable-Communities Strategic Planning and Economic Development clarified the car parking policy in Central Bedfordshire.

C/11/57 **Motions (if any)**

No motions had been received under Procedure Rule No 16.

C/11/58 **Calendar of meetings**

The Council considered a report of the Executive Member for Corporate Resources seeking approval of the calendar of meetings for the Municipal Year 2012/13.

RESOLVED

that the calendar of meetings for the period May 2012 – June 2013 as set out in Appendix A to the report be approved.

C/11/59 **Membership of the Independent Remuneration Panel**

The Council considered a report of the Executive Member for Corporate Resources which sought an increase in the size of the membership of the Independent Remuneration Panel from three to four and the re-appointment of Mrs B Heley, an existing Panel member. The Executive Member for Corporate

Resources moved an amendment to the recommendation by adding at the end the words:

“and that the quorum for any meeting of the Panel will be three”.

RESOLVED

- 1. that the size of the Independent Remuneration Panel membership be increased from three to four members, that the persons appointed to serve for the period ending 31 March 2016 and that the quorum for any meeting of the Panel be three;**
- 2. that Mrs B Heley be offered a further appointment to the Independent Remuneration Panel for the period ending 31 March 2015;**
- 3. that the appointment process to fill vacancies on the Independent Remuneration Panel as set out in Paragraph 10 of the report of the Executive Member for Corporate Resources be approved.**

C/11/60

Members Allowances

The Executive Member for External Affairs and the Chairman of General Purposes Committee each declared a personal interest in this item by reason of their specific allowances being discussed and left the meeting for the duration of the discussion on this particular aspect of the debate.

The Council considered the report of the Executive Member for Corporate Resources setting out recommendations of the Independent Remuneration Panel for the Members Allowances Scheme for 2011/12 and 2012/13 following its meetings held on 3 August, 20 October and 2 November 2011.

In relation to recommendation 1 an amendment was moved, seconded and upon being put to the vote, was declared carried.

The amendment provided for the addition of the words “save that in the case of the Executive Members without Portfolio, each will receive a Special Responsibility Allowance of £10,654.72 (which is 34% of the recommended SRA for the Leader) with effect from 19 May 2011”.

RESOLVED

- 1. that the Scheme of Members' Allowances for Central Bedfordshire for the financial years 2011/12 and 2012/13 be amended, in accordance with the recommendations of its Independent Remuneration Panel as set out in the report and also to provide that the Executive Members without Portfolio**

each will receive an SRA of £10,654.72 (which is 34% of the recommended SRA for the Leader) with effect from 19 May 2011;

2. that the concerns of the Independent Remuneration Panel regarding consultation and the publication of its recommendations be noted.

C/11/61 **Variation of the Scheme of Executive Functions Delegated to Officers**

The Council noted a variation to the scheme of Executive Functions delegated to officers authorised by the Leader, as follows:

Deputy Chief Executive/Director of Children's Services – Publication of Statutory Notices for alterations to schools maintained by the Council.

C/11/62 **Variation of the arrangements for the discharge of Executive Functions**

The Council noted a variation of arrangements for the discharge of Executive functions delegated by the Leader, as follows:

Executive Member for Children's Services – determination of proposals to alter the upper or lower age of pupils in schools.

C/11/63 **Change of Membership on a Committee**

The Council noted that since the last meeting, under Part B5 2.6.1 of the Council's Constitution, the Leader had made the following change to membership of a Committee.

Children's Services Overview and Scrutiny Committee – Councillor Bowater had replaced Councillor Shadbolt.

(Note: The meeting commenced at 6.30 p.m. and concluded at 9.20 p.m.)

Chairman

Dated

Appendix A

The proposed changes to the Constitution are shown in red below.

PETITIONS SCHEME**1. Submission and Content of Petitions**

- 1.1 Members of the public may present the Council, or the Executive, or a committee with petitions, upon giving at least 7 clear working days notice in writing of the petition to the Monitoring Officer, subject to the principles of the General Principles Governing All Public Participation set out at Part A4 Appendix A section 2 of the Constitution. If, following consideration of the petition as provided in paragraphs 5 to 7 below, the petition organiser is not satisfied with the response, he/she may request that the response be reviewed by the relevant overview and scrutiny committee in accordance with the procedure in paragraph 10.

A new section 7 would be inserted after existing section 6, and the document re-numbered accordingly.

7. Petitions on matters which may be affected by the setting of the Council's Budget
 - 7.1 Petitions on matters which may be affected by the setting of the Council's budget shall be considered first by the relevant Overview and Scrutiny Committee and then by the Customer and Central Services Overview and Scrutiny Committee which meets prior to the Executive's consideration of the proposed budget.
 - 7.2 The Customer and Central Services Overview and Scrutiny Committee shall make recommendations to the Executive on the matters set out in the petitions.
 - 7.3 The Executive shall have regard to the recommendations arising from the petitions when determining its budgetary recommendations to Council.
 - 7.4 If any petitions on budgetary matters are received outside of this timeframe, they may be referred to the appropriate body for consideration, but there is no assurance that they would be taken into account in the budget setting process.

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Appendix B

5. Petitions presented at Full Council:

5.2.1 Petitions should be presented by either:-

5.2.1.1 The lead petitioner; or

5.2.1.2 An individual nominated by the lead petitioner; or

5.2.1.3 A member of the Council on behalf of the lead petitioner.

5.2.2 who shall be entitled to speak for no more than 3 minutes to summarise the contents of the petition. Deleted: 5

6. Petitions presented at or referred to the Executive or Committees

6.1 Where petitions are presented directly to the Executive or a committee, or referred to the Executive or a committee from the Council, they will be considered in the order that they are received on the basis of the following procedure:-

6.1.1 Petitions should be presented by either:-

6.1.1.1 The lead petitioner; or

6.1.1.2 An individual nominated by the lead petitioner; or

6.1.1.3 A member of the Council on behalf of the lead petitioner

who shall be entitled to speak for no more than 3 minutes to summarise the contents of the petition. Deleted: 5

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Item 10 Recommendations from Constitution Advisory Group

Replacement Appendix C

3.1 Advance Notice:-

- 3.1.1 Advance notice of questions, statements or deputations should be submitted in writing to the Monitoring Officer a minimum of 2 clear working days before the meeting to enable an answer to be given at the meeting. If no advance notice is given of a question, a written answer may be provided after the meeting.
- 3.1.2 Persons wishing to speak must arrive no later than 15 minutes before the start of the meeting and complete a form indicating their wish to speak; and
- 3.1.3 It is recommended that speakers are present at the start of the meeting, since the timing of individual agenda items cannot be predicted.

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Appendix D

PUBLIC PARTICIPATION PROCEDURE (Appx A to Part A4 of the Constitution) Asking questions, making statements, deputations and presenting petitions at meetings of the Council, the Executive or Committees

1. When Public Participation will Operate

1.1 Members of the public will be able to participate at meetings of:-

- The Full Council;
- The Executive;
- The Overview and Scrutiny committees
- Licensing Committee ¹

(¹: where a public hearing is being conducted by the Licensing Committee or its sub committees, public participation shall be considered in accordance with the separate procedure applying to such hearings)

- Development Management Committee²

(²: A separate public participation procedure operates where the Development Management Committee is determining planning or other applications, as set out in Annex 3 of this procedure.)

- General Purposes Committee
- Audit Committee
- Standards Committee

by asking questions or making statements at the beginning of the meeting and by presenting petitions or making a deputation.

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PROCEDURE FOR PUBLIC QUESTIONS, STATEMENTS AND DEPUTATIONS AT MEETINGS (Annex 1)

1. Public Questions, Statements and Deputations at the Beginning of the Meeting

- 1.1 At the beginning of each meeting of the Council (other than annual or extraordinary meetings, except at the discretion of the Chairman), the Executive and committees, a period of up to 15 minutes will be allowed for public questions or statements, deputations and responses.

- 1.2 The Chairman of the Council, executive or committee will have discretion to extend this period.
- 1.3 Questions, statements or deputations should be relevant to the functions of the body to which they are addressed and relate to matters over which the Authority has powers or duties, including where the Council shares delivery responsibilities, or which affect the area of the Authority.
- 1.4 Normally no more than three speakers will be allowed to speak at a meeting on any one subject, with each individual speaker being restricted to a total of **three** minutes.
- 1.5 In the case of deputations, or where there are groups of speakers for or against an issue, each group will only have a total of three minutes to speak and, therefore, they will be encouraged to appoint a spokesperson.
- 1.6 Questions, statements and deputations during the 15 minute period will also be subject to the principles set out at paragraphs 3 below and to the general principles governing public participation at paragraph 2 of Appendix A.

3. Principles Governing Public Questions, Statements and Deputations

- 3.1 Advance Notice:-
 - 3.1.1 Advance notice of questions, statements and deputations must be submitted in writing to the Monitoring Officer a minimum of 2 clear working days before the meeting;
 - 3.1.2 Where a speaker has given advance notice, it is recommended that he/she be present at the start of the meeting, since the timing of individual agenda items cannot be predicted.
- 3.2 The order of speaking will be in the order in which requests are received.
- 3.3 Questions should be directed to the chairman, who may request the appropriate member (or at a meeting of the Executive or a committee, the relevant officer), to reply.
- 3.4 Each question will be put and answered without discussion, although the Chairman may allow:-

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- 3.4.1 Further clarification or supplementary questions, including the Chairman asking questions of the member of the public; and
- 3.4.2 A Member to request that an issue raised be included on the agenda of a future meeting.
- 3.5 Any question which does not receive a response through lack of time or information will be given a written reply within 5 working days after the meeting on the condition that the questioner has provided his/her name and address.

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After members of the public have been able to speak, the Chairman may invite the relevant member (or, at a meeting of the Executive or a committee, the relevant officer) to comment and/or clarify matters.		
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The item will then be considered by members of the Council, Executive or committee.		
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Questions, statements and deputations on individual agenda items will also be subject to the principles set out at paragraph 3 below and to the general principles and exceptions governing public participation at paragraph 2 of Appendix A.		
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but if notice has been given, it will be easier to give a more detailed reply		
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3.1.2	However persons wishing to speak must arrive no later than 15 minutes before the start of the meeting and complete a form indicating their wish to speak; and	

B2 THE BUDGET AND POLICY FRAMEWORK

1. Policy Framework: Definition

1.1 The policy framework means the following plans, policies and strategies and such others as may be added by the Council. (Note: all other plans and policies shall be the responsibility of the Executive.)

- 1.1.1 Crime and Disorder Reduction Strategy
- 1.1.2 Local Transport Plan
- 1.1.3 Plans with Development Plan Document status which together comprise the Local Development Framework and the Waste and Minerals Development Framework
- 1.1.4 Sustainable Community Strategy
- 1.1.5 Statement of Licensing Policy under Section 5 of the Licensing Act 2003
- 1.1.6 Statement of Licensing Authority Policy under Section 349 of the Gambling Act 2005
- 1.1.7 Corporate Strategic Plan/Medium Term Plan
- 1.1.8 Older People's Strategy
- 1.1.9 Housing Strategy
- 1.1.10 Climate Change Strategy
- 1.1.11 Equality and Diversity Strategy
- 1.1.12 Joint Economic Development Strategy for Bedfordshire

1.2 The title of the plans, policies and strategies described above may, from time to time, be varied. Notwithstanding any change in title, these plans, policies and strategies will be deemed to be still part of the policy framework until expressly removed by the Council.

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Recommended/Discretionary Plans¶
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1.1.3.7 . Local Area Agreement¶
1.1.3.8 . Regional Spatial Strategies including the MKSM sub-regional strategy (including Luton and South Bedfordshire growth area strategy documents, unless formally delegated by the Council to a joint committee)¶

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Appendix F

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B5 FULL COUNCIL PROCEDURE RULES

1. Council Meetings

1.1 There are four types of Council meeting:

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1.1.1 the Annual meeting

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1.1.2 the budget-setting meeting

1.1.3 ordinary meetings

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1.1.4 extraordinary meetings.

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1.2 These meetings will take place in accordance with the following procedure rules.

2. Annual Meeting of the Council

2.1 Timing

2.1.2 In a year when there is an ordinary election of councillors, the Annual meeting will take place within 21 days of the retirement of outgoing councillors. In any other year the Annual meeting of the Council will take place in March, April or May.

2.2 Business

2.2.1 The order of business at the Annual meeting will be:-

2.2.2.1 To elect a person to preside if the chairman and vice-chairman are absent.

2.2.2.2 To elect the Chairman of the Council.

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2.2.2.3 To elect the Vice-Chairman of the Council.

2.2.2.4 To elect the Leader of the Council in the year following the election of all councillors.

2.2.2.5 To approve the minutes of the last meeting.

2.2.2.6 To receive any declarations of interest from members.

2.2.2.7 Chairman's announcements and communications.

2.2.2.8 Leader's announcements and communications.

- 2.2.2.9 At the discretion of the chairman, to permit public participation in accordance with the Public Participation Procedure as set out in Part A4 of the constitution.
- 2.2.2.10 To receive and consider recommendations of the Executive and committees and answer questions asked under Rule No 12.1. (Note: This item of business will not be dealt with at the Annual meeting held immediately following the election of the new Council.)
- 2.2.2.11 Subject to paragraph 2.5.1, to appoint overview and scrutiny committees (as set out in Part D (Overview and Scrutiny)), a Standards Committee (as set out in Part F (Ethical Governance)) and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the full Council nor are executive functions (as set out in Part E (Regulatory and other committees) of the constitution).
- 2.2.2.12 To agree the scheme of delegation or such part of it as the constitution provides it is for the Council to agree (as set out in Part E2 and H3 of the constitution).
- 2.2.2.13 To receive at the meeting immediately following an election of all councillors, a report from the Leader of the Council regarding the composition of the Executive for the coming year, the names of councillors he/she has chosen to be members of the Executive and the responsibilities to be held by those councillors together with a written record of the proposed Scheme of Delegation of Executive Functions. In any other year, to receive a report from the Leader on any changes to those appointments or delegations.
- 2.2.2.14 To make appointments to outside bodies in the year following an election of all councillors.
- 2.2.2.15 Other business, if any, specified in the summons.
- 2.2.2.16 To receive and consider an Annual report from its overview and scrutiny committees. (This item of business will not be dealt with at the annual meeting held immediately following an election of all councillors.)

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2.2.2.17 To receive and consider an annual report from the Leader, outlining policy priorities for the forthcoming year. (This item of business will not be dealt with at the Annual meeting held immediately following an election of all councillors, but instead may be dealt with at the first ordinary meeting after the Annual meeting).

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2.3 Election of the Leader

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2.3.1 The Leader is elected at:

2.3.1.1 The Annual meeting of the Council following an election of all councillors; or

2.3.1.2 The next meeting following the resignation, dismissal or vacation of office by the Leader.

2.3.2 The election of the Leader shall be conducted by the chairman on the basis of nominations being made and seconded and put to the vote. If there are more than two people nominated for the position of leader and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

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2.4 Dismissal of the Leader

2.4.1 Dismissal of the Leader can only be made on the basis of a motion signed by 10 members of the Council and included on the agenda for a Council meeting in accordance with the normal rules for notices of motion. The motion shall indicate the reasons for the proposed dismissal except in cases where the political control of the Council has changed. If approved, the dismissal will take immediate effect.

2.5 Appointment of Councillors on Committees

2.5.1 At the Annual meeting, the Council will:-

2.5.1.1 Confirm which committees to establish for the municipal year and their size and respective terms of reference;

2.5.1.2 Decide the allocation of seats (and substitutes where permitted) to political groups in accordance with the political balance rules;

2.5.1.3 Receive nominations from group leaders of members to serve on committees (and substitutes where permitted) and appoint to those committees;

- 2.5.1.4 Receive nominations of group leaders for the chairmen and vice-chairmen of committees and to appoint to those committees; and
- 2.5.1.5 Appoint co-opted members, as appropriate, to committees.

2.6 Variation of Membership

- 2.6.1 The Council may at any time (whether or not at the Annual meeting) amend the decisions made above.
- 2.6.2 The appropriate group leader or deputy group leader will notify the Monitoring Officer by formal notice, of any changes in membership of any committee, other forum or outside body allocated to their group, for report to the next meeting of the Council for information. Such notice shall be provided to the Monitoring Officer or his/her nominee prior to the commencement of the forum in question to enable it to have effect for that meeting.

2.7 Substitute Members

- 2.7.1 As well as allocating seats on committees, the Council will allocate seats for substitute members shown in 2.7.2 and 2.7.3 below.
- 2.7.2 For each committee or sub-committee, the Council will appoint half of the number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee (being a minimum of one and rounded up by one in the case of odd numbers).
- 2.7.3 Each Independent elected member not belonging to a political group within the Council is entitled to nominate a substitute to attend one of these forums in his/her place.
- 2.7.4 A member who is unable to attend a meeting may arrange for one of the named substitutes appointed by the Council to attend in his/her place. Where such an arrangement has not been made, any of the named substitutes will be entitled to act as substitute for an absent member of their group.
- 2.7.5 Substitute members may attend the meeting in the capacity only:-
 - 2.7.5.1 To take the place of the ordinary member for whom they are the designated substitute;
 - 2.7.5.2 After the Monitoring Officer, or his/her nominee, has been notified before the meeting of the intended substitution;

2.7.5.3 After declaring his/her status as a substitute member at the start of the meeting.

2.7.6 The member substituted shall cease to be a member of the forum concerned throughout the meeting, including any adjournment, and the substitute attending the meeting shall be a full member of that forum for the same period.

3. THE BUDGET SETTING MEETING

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3.1 Timing

3.1.1 The budget setting meeting will take place in accordance with the Calendar of Meetings agreed annually by Council.

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3.1.2 However, the Chairman and Monitoring Officer may determine, having regard to special circumstances, that the budget setting meeting shall be held at such other place or time as they consider appropriate.

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3.2 Business

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3.2.1 The order of business at every budget setting meeting of the Council shall be:

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3.2.1.1 To elect a person to preside if the Chairman and Vice-Chairman are absent

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3.2.1.2 To approve the minutes of the last ordinary meeting of the Council.

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3.2.1.3 To receive any declarations of interest from members of the Council.

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3.2.1.4 Announcements from the Chairman of the Council

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3.2.1.5 Announcements from the Leader of the Council

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3.2.1.6 Reports of the Statutory Officers, if any

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3.2.1.7 To receive and consider recommendations contained within reports of the Executive including

- The Members' Allowances Scheme
 - The Treasury Management Strategy
 - The Capital Programme Strategy
 - The Medium Term Financial Plan
- and additionally the formal Council Tax resolution.

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3.2.1.8 Any other business specified in the summons.

3.2.2 It shall be the duty of the Monitoring Officer, after consultation with the Chairman, to refuse to accept any motion which in his/her reasonable opinion out of order or otherwise inappropriate and it shall be the duty of the Monitoring Officer, at the direction of the Chairman, to exclude all quotations, extracts or other matters which would not form a necessary part of the resolution should the motion be adopted.

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4. ORDINARY MEETINGS

APPENDIX G

C2 KEY DECISIONS AND THE FORWARD PLAN

1. Key Decisions

1.1 A Key Decision means an executive decision which is likely:-

1.1.1 To result in the Council incurring expenditure which is, or the making of savings, which are significant as defined in 1.2 below, having regard to the Council's budget for the service or function to which the decision relates; or

1.1.2 To be significant in terms of its effect on communities living or working in an area comprising one or more wards in the area of the Council.

1.2 For the purposes of 1.1.1 above, savings or expenditure are significant if they exceed £200,000 per annum (revenue) or £500,000 whole life cost (capital).

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1.3 Savings and expenditure in 1.2 above, do not include:-

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1.3.1 The day to day activity of the Council's treasury management functions, which are covered by the Treasury Management Policy Statement approved separately by the Council.

1.3.2 Expenditure which is identified in the approved Revenue Budget or Service Plan for the service concerned;

1.3.3 Implementation of a capital project identified in the approved Capital Programme and in respect of which the detailed business case (or equivalent) has been approved;

1.3.4 Implementation of an explicit policy within the approved Budget and Policy Framework or fulfilment of the policy intention of a key decision previously approved by the Executive;

1.3.5 The invitation of tenders or awarding of contracts where necessary to provide for the continuation of an established policy or service standard.

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1.4 For the purpose of 1.1.2 above, a decision will be regarded as "significant" if the outcome of the decision will have an impact, for better or worse, on the amenity of the community or quality of service provided by the Authority to a substantial number of people living or working in the wards affected.

- 1.5 A decision maker may only take a Key Decision in accordance with the requirements of the Access to Information Procedure Rules set out in Part G2 of the constitution.

2. Forward Plan

- 2.1 Each month the Monitoring Officer will publish a plan (known as “the Forward Plan”). The Forward Plan will be published at least 14 days before the start of the period covered.
- 2.2 The Forward Plan will contain details of all matters likely to be the subject of Key Decisions during the twelve month period commencing on the first day of the month following its publication.
- 2.3 Further details regarding the contents of and arrangements for publishing the Forward Plan are set out in the Access to Information Procedure Rules in Part G2 of the constitution.

E3 COMMITTEE PROCEDURE RULES

16. Rights of Non-Members

16.1 Subject to paragraph 16.2, every member of the Council shall have the right to attend meetings of a committee. Such members shall be entitled to speak once on any item and may, with the consent of the person presiding, contribute further but shall not vote.

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16.2 This rule does not apply to committees and sub-committees such as the Licensing Sub-Committee which exercise quasi-judicial functions where different arrangements are prescribed.

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