

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



please ask for Sandra Hobbs
direct line 0300 300 5257
date 4 April 2013

NOTICE OF MEETING

CENTRAL BEDFORDSHIRE COUNCIL ANNUAL MEETING

Date & Time

Thursday, 18 April 2013 6.30 p.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the CENTRAL BEDFORDSHIRE COUNCIL

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

AGENDA

Prayers

The Chairman's Chaplain, Reverend Dean Henley, Rector for Campton, Clophill & Yanes and Assistant Rural Dean for Ampthill & Shefford Deanery will take prayers.

1. **Apologies**

Apologies for absence to be received.

2. **Election of Chairman (only if the current Chairman and Vice-Chairman are absent)**

3. **Election of Chairman 2013/14**

To elect the Chairman of the Council for the Municipal Year 2013/14. The retiring Chairman will call for nominations for Chairman and each nomination must be seconded. Members may speak in support of the nominations.

(Note: In accordance with Council Procedure Rule No. 21.7, if more than one nomination is received, a vote by show of hands will be conducted).

The appointed Chairman to sign and read out the Declaration of Acceptance of Office.

4. **Election of Vice-Chairman 2013/14**

To elect the Vice-Chairman of the Council for the Municipal Year 2013/14. The Chairman will call for nominations for Vice-Chairman and each nomination must be seconded. Members may speak in support of the nominations.

(Note: In accordance with Council Procedure Rule No. 21.7, if more than one nomination is received, a vote by show of hands will be conducted).

The appointed Vice-Chairman to sign and read out the Declaration of Acceptance of Office.

5. **Minutes**

To approve the minutes of the Council meeting held on 21 February 2013.

(Attached pages 7 to 12)

6. **Members' Interests**

To receive from Members any declarations of interest.

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

The Chairman to announce any matters of communication.

8. **Leader of the Council's Announcements and Communications**

The Leader of the Council to announce any matters of communication.

9. **Questions, Statements and Deputations**

To receive any questions, statements and 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 (subject to the discretion of the Chairman).

10. **Recommendations from the Executive**

To consider recommendations from the meeting of the Executive held on 18 March 2013 and answer questions asked under Rule No. 13.1.

(a) Gypsy and Traveller Local Plan

Note: The final Gypsy and Traveller Local Plan will be published on the web site in advance of the meeting and can be viewed via the following link:

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=576&MId=4063&Ver=4>

A hard copy can be requested from Sandra Hobbs, Committee Services Officer.

(b) Commissioning New School Places for Implementation from September 2014

(c) Options for Resolving Current Delays in Academy Conversions caused by Disputed Liabilities for Pension Payments

(Attached at pages 13 to 20)

Note: The papers from the Executive meeting for items (a), (b) and (c) above can be viewed via the following link:

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=577&MId=4056&Ver=4>

11. **Recommendations from the General Purposes Committee**

To consider recommendations from the meeting of the General Purposes Committee held on 28 January 2013 and 14 March 2013 and answer questions under Rule No. 13.1.

- (a) Open Questions at Council – Special Provision for Leaders of Minority Groups (28 January 2013)
- (b) Houghton Regis Town Centre Management Committee: Amended Terms of Reference (14 March 2013)
- (c) Business at Council Meetings (14 March 2013)

(Attached at pages 21 to 34)

Note: The papers from the General Purposes Committee meeting for items (a), (b) and (c) can be viewed via the following link:

28 January 2013

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=617&MId=4069&Ver=4>

14 March 2013

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=617&MId=4346&Ver=4>

12. **Appointment of Members, Chairmen and Vice-Chairmen to Committees and Other Council Bodies 2013/14**

The report outlines the requirements for appointments to committees and other Council bodies, including political proportionality.

(Attached at pages 35 to 40)

13. **Composition of the Executive and Scheme of Delegation of Executive Functions**

The Leader of the Council to report any changes to the composition and responsibilities of the Executive for the coming year.

(To follow)

14. **Appointments to Bedfordshire Police and Crime Panel and Bedfordshire Fire and Rescue Service**

The report outlines the position in relation to appointments to the Bedfordshire Police and Crime Panel and the Bedfordshire Fire and Rescue Service 2013/14.

(Attached at pages 41 to 44)

15. **Leader of the Council's Annual Report**

To receive and consider an annual report from the Leader of the Council, outlining policy priorities for the forthcoming year.

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 21 February 2013.

PRESENT

Cllr Mrs A Barker (Chairman)
Cllr Ms C Maudlin (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs D B Green	Cllrs	B Saunders
	A R Bastable		Mrs D B Gurney		A Shadbolt
	R D Berry		C Hegley		I Shingler
	M C Blair		P Hollick		M A Smith
	A D Brown		D J Hopkin		Miss A Sparrow
	Mrs C F Chapman MBE		K Janes		B J Spurr
	Mrs S Clark		R W Johnstone		R C Stay
	Mrs G Clarke		D Jones		A M Turner
	I Dalgarno		M R Jones		Mrs P E Turner MBE
	A L Dodwell		D J Lawrence		M A G Versallion
	Mrs R J Drinkwater		Mrs J G Lawrence		N Warren
	P A Duckett		K C Matthews		B Wells
	Dr R Egan		D McVicar		R D Wenham
	Mrs R B Gammons		J Murray		P Williams
	C C Gomm		Mrs M Mustoe		T Woodward
	Mrs S A Goodchild		T Nicols		J N Young
	Ms A M W Graham		R B Pepworth		A Zerny

Apologies for Absence

Cllrs	L Birt	Cllrs	N B Costin	N J Sheppard
	D Bowater		J G Jamieson	

Officers:	Mr G Alderson	–	Director of Sustainable Communities
	Mr J Atkinson	–	Head of Legal and Democratic Services
	Mr R Carr	–	Chief Executive
	Ms D Clarke	–	Assistant Chief Executive (People & Organisation)
	Mrs E Grant	–	Deputy Chief Executive/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

C/12/49 **Prayers**

Prayers were taken by Reverend Dean Henley, Rector for Campton, Clophill and Haynes and Assistant Dean for Ampthill & Shefford Deanery.

C/12/50 **Minutes**

RESOLVED

that the minutes of the meeting held on 24 January 2013 be confirmed and signed by the Chairman as a correct record.

C/12/51 **Members' Interests**

Councillor Dr Egan declared a personal interest in Agenda item 8 'Recommendations from the Executive' as she was a member of the management board of Dunstable Citizen Advice Bureau. She was present during the item.

C/12/52 **Chairman's Announcements and Communications**

Council stood in silent tribute to the memory of Louise Miller, a member of staff in the Human Resources Team who had died tragically in a road traffic accident.

The Chairman advised that she was hosting a fund raising event, 'Lets Face the Music' on 3 March 2013, the proceeds from which would go to the East Anglian Air Ambulance Service.

C/12/53 **Leader of the Council's Announcements and Communications**

In the absence of the Leader, the Deputy Leader and Executive Member for Corporate Resources made no announcements or communications.

C/12/54 **Questions, Statements or Deputations**

No members of the public had registered to speak.

C/12/55 **Recommendations from the Executive**

(a) Budget 2013/14 and Medium Term Financial Plan 2013 to 2017

The Council considered recommendations from the meeting of the Executive held on 5 February 2013 seeking approval of the proposed Medium Term Financial Plan and Revenue Budget for 2013/14. It also considered the Council Tax Resolution in conjunction with this item.

In his introduction, the Deputy Leader drew attention to the external factors which had influenced the proposed budget and the financial challenges faced by local authorities. He referred to the significant social and economic drivers of change within Central Bedfordshire across the medium term and beyond. He commented that the proposed budget had to be sustainable, affordable and support the Council's priorities. He was pleased that the proposed budget entailed no increase in the Council's element of the Council Tax.

The Deputy Leader referred to the proposed Capital Programme 2013/14 to 2016/17 which included funding for significant capital works associated with the Bedfordshire Energy and Recycling (BEaR) Project and the Woodside Link. The financial position of the Housing Revenue Account was positive and would enable the Council to achieve the ambitions proposed in the emerging Housing Asset Management Strategy.

In accordance with the Constitution, the Leaders of the Liberal Democrat and Independent Groups spoke to the item. The Leader of the Independent Group moved an additional recommendation, which was duly seconded:-

“(i) that cut CSE 08 on page 90 of the Executive Committee agenda of 5 February be deleted, included as a growth item and the amounts mentioned be doubled. That the amount budgeted for 2013-2014 be increased by the same percentage.”

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

RESOLVED

- 1. that the response to consultation with Overview and Scrutiny as set out in paragraph 38 and the response to consultation with the public stakeholders as set out in Appendix A to the Executive report, be noted;**
- 2. that the Revenue Budget for 2013/14 and the Medium Term Financial Plan for 2013/14 to 2016/17 be approved;**
- 3. that the adjustments to the draft Budget as described in paragraph 24 of the Executive report be noted;**
- 4. that the Council Tax Base as set out in Appendix G to the Executive report be noted;**
- 5. that the allocation of £0.8m to Parish Councils as set out in paragraph 24 in the Executive report be noted;**
- 6. that a Band D Council Tax of £1,308.33 for residents of Central Bedfordshire be approved;**
- 7. that the fees and charges set out in Appendix J to the Executive report be approved; and**

8. **that certain efficiency proposals identified in Appendix I to the Executive report would be subject to formal consultation and Equality Impact Assessment in the coming months and instructs the Corporate Management Team to propose alternative compensatory savings if it appears, following a review of the outcome of the consultation and Equality Impact Assessment, that any specific proposal cannot be delivered.**
9. **that the resolution set out in the separate report on the Council Tax be approved.**

(b) Capital Programme 2013/14 to 2016/17

The Council considered the recommendation from the meeting of the General Purposes Committee held on 21 February 2013 that proposed changes to the Council's Constitution to allow the Executive, subject to certain provisions, to add schemes from a reserve list to the Capital Programme.

RESOLVED

that the proposed changes to the Council's Constitution regarding the extension of the Executive's authority to add schemes to the Capital Programme, as set out in Appendix A to the report, be approved and adopted.

The Council then considered the recommendations from the meeting of the Executive held on 5 February 2013 in respect of the proposed Capital Programme for 2013/14 to 2016/17.

RESOLVED

1. **that the 2013/14 to 2016/17 Capital Programme (as per Appendix A to the Executive report) be approved;**
2. **that the Capital Programme Reserve List 2013/14 to 2016/17 (as per Appendix B to the Executive report) be approved; and**
3. **that the revised capital, treasury and borrowing Prudential Indicators contained within Appendix C to the Executive report be approved.**

(c) Budget Report for the Housing Revenue Account (Landlord Service) Business Plan

The Council considered the recommendations from the meeting of the Executive held on 5 February in respect of the financial position of the Housing Revenue Account (HRA) during the first year of the self financing regime.

RESOLVED

1. that the HRA's debt portfolio and interest payments due in 2012/13 be noted;
2. that the proposal for no principal debt repayments in the current financial year or during the period of the Medium Term Financial Plan, namely 2012/13 - 2016/17 be approved;
3. that the creation of a new reserve, to be called the Strategic Reserve, be approved;
4. to fund the HRA's 2012/13 Capital Programme from the negative HRA Capital Financing Requirement, thereby releasing additional funds for the Sheltered Housing Re-Provision Reserve and Strategic Reserve;
5. that the HRA Revenue Budget for 2013/14 and the Landlord Service Business Plan summary at Appendix A to the Executive report be approved;
6. that the 2013/14 to 2016/17 HRA Capital Programme at Appendix B to the Executive report be approved;
7. that the average rent increase of 4.67% for 2013/14 in line with the national rental increase as per the Government's Rent Convergence Policy be approved; and
8. that the proposed allocation of £0.2m to support financial advice, money management and debt problems for customers be approved.

C/12/56

Ward Presentation

The Council received a ward presentation from Councillor Zerny highlighting his concerns over the funding of small rural schools across Central Bedfordshire and the use of the Council's 'growth fund' to protect smaller schools. He requested that the Executive Member for Children's Services engage with Central Bedfordshire Schools Forum to consider relaxing the relevant funding criteria.

Councillor Gurney, in view of her position as another Potton ward member, commented on the presentation and indicated that she would discuss the position with Councillor Zerny and the Executive Member for Children's Services.

(Note: The meeting commenced at 6.30 p.m. and concluded at 7.45 p.m.)

Chairman

Dated

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COUNCIL MEETING – 18 APRIL 2013

**Recommendation to Council from the Executive meeting
held on 18 March 2013**

E/12/143 Gypsy and Traveller Local Plan

Prior to consideration of the report, and in accordance with the Council's Scheme of Public Participation, the Chairman invited 16 speakers to address the Executive. Members of the public raised comments and concerns, which in summary included the following:-

- concerns about aspects of the process by which the Sustainable Communities Overview and Scrutiny Committee had come to conclude that seven sites should be put forward for final consideration;
- the interpretation of the Government's Planning Policy for Traveller Sites and in particular Policy E: Traveller Sites in Green Belt;
- site 76 – concerns about the health risks this site would have for both children and adults. Concerns about the risk of flooding, exposure to farm machinery, air and noise pollution. There was also concern that local infrastructure including access to the site was not adequate and that Fairfield Park Lower School would not be able to accommodate additional children;
- site 78 - concern that the community had not been formally advised of the intention to select this site which was in area of great landscape value, about access to it, the onsite waste or recycling facilities and the noise levels from the M1;
- site 16 – there were concerns that this site was very close to site 116 at Pulloxhill with the residents and businesses of Faldo Road situated between the two. It was suggested that both gypsy and travellers sites would dominate the area. Concerns were expressed about access to the site especially as this was used by farm machinery and lorries. The land was clay and held moisture which could lead to health issues for the gypsy and travellers. The site would not have ready access to services and facilities. The speakers also indicated that businesses in Barton felt that the site would impact adversely on the nearby Industrial Estate;
- site 55 – this area was high grade agricultural land and was near Stratton Manor Moat. There was concern that there was no public footpath along this stretch of busy and dangerous road and that there was poor access to public transport, health services, community facilities and local schools. There was also concern about the lack of utilities available at the proposed site and the impact on wildlife;
- site 82 – concern that this site was next door to a mobile home park; and
- site 58 – this site was high grade agricultural land. The farmer of this land had produced valuable vegetables, cereal and root crops for many years and losing this site would have an impact on his livelihood. Concerns were raised about the access to an A class road, public transport, health services, schools, community facilities, utilities and waste and recycling facilities.

The Executive Member for Sustainable Communities – Strategic Planning and Economic Development thanked the speakers and addressed each site individually where concerns had been raised.

Whilst addressing the issues he read out paragraphs 14 and 15 from the Government's Planning Policy for Traveller Sites and explained that the Council could make an alteration to the defined Green Belt boundary to meet a specific, identified need for a traveller site, and that it should do so only through the plan-making process and not in response to a planning application. If land was removed from the Green Belt in this way, it would be specifically allocated in the development plan as a traveller site only. Alternatively land could be allocated in the Green Belt if there were very special circumstances.

The Executive received a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that set out the findings of the Gypsy, Traveller Accommodation Assessment 2013 and introduced the draft Gypsy and Traveller Local Plan including site specific policies. Appendix D to the report containing additional key issues raised in representations submitted after 25 February, was tabled at the meeting.

In response to questions from Members, the Executive Member for Sustainable Communities – Strategic Planning and Economic Development explained that:

- the Gypsy and Traveller and Travelling Showperson Accommodation Assessment update 2013 conducted by Opinion Research Services had found a need for 157 additional permanent pitches in Central Bedfordshire between 2013 and 2031 for Gypsy Travellers and 22 additional plots for Travelling Showpeople. The proposed sites would provide an additional 66 pitches with further sites being submitted through planning applications. These new applications would be determined by the Development Management Committee as and when received. It was anticipated that based on applications received over the last ten years, this would be adequate provision for the next ten, accepting that the decisions of the Development Management Committee could not be pre-empted;
- the Council had until March 2014 to develop its Gypsy and Traveller Local Plan in accordance with the National Planning Policy Framework. If the Plan was not in place, the Council would lose control of this issue and sites could be allocated by the Planning Inspectorate;
- Members had been given the opportunity to visit the proposed sites and the Executive Member advised that he had met with Gypsy and Travellers at various sites across Central Bedfordshire;
- the recommendations from the Executive would be forwarded to Council for approval on 18 April 2013, after which the proposed Gypsy and Traveller Local Plan would be published to allow for formal consultation between May – June 2013 during which interested parties would have the opportunity to submit representations. All representations would then be considered before submitting the document, along with all representations received, to the Secretary of State in October 2013. The Secretary of State would then appoint an independent Planning Inspector who would hold an examination in public to determine whether the document was 'sound' and legally compliant;

- members of the public who had made previous representations would need to re-present their representations during the consultation period to have them included in the submission to the Secretary of State, but a summary of those comments would be supplied to the Secretary of State;
- the proposed sites were a mixture of Council and privately owned land;
- there was no definition relating to the number of families (occupants) that would be considered to “dominate” the nearest settled community; and
- the Plan would be subject to a review in five years.

Reason for decision: To enable progress on the draft Gypsy and Traveller Local Plan prior to its formal submission to the Secretary of State in October 2013.

RESOLVED

- 1. that the total number of pitches and plots required to 2031 recommended by Opinion Research Services in the Gypsy and Traveller and Travelling Showperson Accommodation Assessment Update 2013, attached at Appendix A to the Executive report be approved.**

RECOMMENDED to Council

- 1. that the draft Pre-Submission Gypsy and Traveller Local Plan, attached at Appendix B to the Executive report, be approved for the purposes of Publication and Submission to the Secretary of State; and***
- 2. to authorise the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development, to make any minor amendments to the Gypsy and Traveller Local Plan:***
 - (i) prior to Publication;***
 - (ii) after Publication but before Submission; and***
 - (iii) during the Examination process.***

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COUNCIL MEETING – 18 APRIL 2013

**Recommendation to Council from the Executive meeting
held on 18 March 2013**

E/12/151 Commissioning New School Places for Implementation from September 2014

The Executive considered a report from the Executive Member for Children's Services that outlined five projects within the New School Places Programme 2013/14 – 2017/18 where local pressures of demographic growth required new school places to be provided from September 2014.

Reason for decision: To ensure the Council continues to meet its statutory obligations to provide sufficient school places and also to meet the legal requirements placed on the Council by the Education and Inspections Act 2006 regarding proposals to expand maintained schools. Commitment to expenditure and final approval of each of these proposals would be determined by the Executive in August 2013, informed by the outcome of the consultation exercises, Education Funding Agency approvals where relevant, and business cases which were to be prepared by each School or Academy.

RECOMMENDED to Council

- 1. that the externally funded rolling Capital Programme for New School Places to 2014/15, as set out in Appendix A to the Executive report, be approved, noting the required amendments to the Council's approved Capital Programme which will be required beyond 2014/15.***

RESOLVED

- 1. that the commencement of informal consultation and the publication of statutory notices for the proposal to expand Church End Lower School, Marston from its current capacity of 270 places to provide a total of 450 places across two sites with an implementation date of September 2014 be approved. The School will also be invited to prepare a business case for approval by the Council's Executive in its final determination in August 2013;**
- 2. to invite the Academy of Redborne Upper School to prepare a business case for approval by the Council's Executive in August 2013 and to undertake consultation and approval processes required as an Academy by the Education Funding Agency to expand from its current capacity of 1450 places to provide 1650 places with an implementation date of September 2014;**

- 3. to invite the Academy of Stratton Upper School to prepare a business case for approval by the Council's Executive in August 2013 and to undertake consultation and approval processes required as an Academy by the Education Funding Agency to expand from its current capacity of 1250 places to provide 1650 places with an implementation date of September 2014;**
- 4. to invite the Academy of Alameda Middle School to prepare a business case for approval by the Council's Executive in August 2013 for commencement of the proposed expenditure as outlined in the New School Places Programme, attached at Appendix A to the Executive report, to expand from its current capacity of 600 places to provide 720 places with an implementation date of September 2014; and**
- 5. to invite the Academy of Vandyke Upper School to prepare a business case for approval by the Council's Executive in August 2013 for commencement of the proposed expenditure as outlined in the New School Places Programme attached at Appendix A to the Executive report.**

COUNCIL MEETING – 18 APRIL 2013

**Recommendation to Council from the Executive meeting
held on 18 March 2013**

E/12/163 Options for Resolving Current Delays in Academy Conversions caused by Disputed Liabilities for Pension Payments

The Executive considered a report from the Executive Member for Children's Services that considered the options for resolving current delays in Academy conversions caused by disputed liabilities for pension payments.

Reason for decision: To enable those schools to be able to sign their commercial transfer agreements and convert to academy status without further delay and so that there is an agreed approach with schools to dealing with future instances.

RESOLVED

- 1. to make a commitment to share the liability for pensions arrears arising in schools in the manner outlined in the report and to that end agrees to:**
 - a. cap the liability of schools at 3% of the individual school's budget (ISB);**
 - b. meet the liability for compound interest imposed by the Teachers Pension Agency in respect of any arrears (Option 1 in the report);**
 - c. allow schools to borrow the remaining sum owed in the form of a licensed deficit to the extent permitted by the school financial regulations, provided that any amount borrowed is repaid within 3 years.**

- 2. to authorise the Director of Children's Services, in consultation with the Section 151 Officer and the Executive member for Children's Services, to undertake the work required to implement this decision.**

RECOMMENDED to Council

- 1. that there is no provision in the Council's Revenue Budget for 2012/13 to cover the costs of making this commitment and accordingly agrees to set aside £600,000 out of the contingency budget to meet the Council's liability. This can be accommodated within the current forecast outturn position.***

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Recommendation to Council on 18 April 2013	From: General Purposes Committee on 28 January 2013	Item 11 (a)
	Open Questions at Council – Special Provision for Leaders of Minority Groups	
1.	Council is asked to approve the following recommendation:-	
	that the Chairman of the Council be requested to henceforth provide for the minority group leaders to ask one Open Question each before other Council members put Open Questions at meetings of Council.	
	Background	
2.	The Committee considered a report by the Head of Legal and Democratic Services which sought Members' views on amending the Constitution to give special provision to the minority group leaders so they could ask one Open Question each at the beginning of the Open Questions item at Council meetings.	
3.	The meeting noted that the Leader of the Independent Group had requested that this matter be considered due to the impact of the random nature of the current process by which questions were chosen to be answered. He referred to the failure by Council to consider one of his own Open Questions due to lack of time, although the issue he wished considered was, in his view, of greater importance in relation to the Council's business than his other questions which had been successfully raised.	
4.	The Committee was minded to agree that the minority group leaders should be allowed the opportunity each to ask a preliminary Open Question at Council meetings. However, a Member regarded the inclusion of this practice within the Council's Constitution as overly bureaucratic. He suggested that, instead, the matter be dealt with on a more informal basis through the authority of the Chairman of the Council. Although concern was expressed that such an arrangement could lead to inconsistency of application the Committee as a whole indicated its clear support for the Member's suggestion.	
Appendices	None	

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Recommendation to Council on 18 April 2013	From: General Purposes Committee on 14 March 2013	Item 11 (b)
	Houghton Regis Town Centre Management Committee: Amended Terms of Reference	
1.	Council is asked to approve the following recommendation:-	
	that the revised Terms of Reference for the Houghton Regis Town Centre Management Committee, as set out in Appendix A to this report, be approved and adopted and the Committee become the Houghton Regis Partnership Committee.	
	Background	
2.	The General Purposes Committee considered a report by the Deputy Chief Executive/Director of Children’s Services which advised Members that the Houghton Regis Town Centre Management Committee had recently undergone an exercise to review its Terms of Reference with the aim of it becoming a joint/partnership committee in line with those that already existed for Dunstable, Biggleswade and Leighton-Linslade.	
3.	It was noted that, at its full Council meeting on 28 January 2013, Houghton Regis Town Council had endorsed the revised Terms of Reference and resolved that Central Bedfordshire Council be advised that the Town Council would welcome the replacement of the Management Committee with a Houghton Regis Partnership Committee to consider and act on issues relating to Houghton Regis. To this end the General Purposes Committee’s support was sought regarding the adoption of the revised Terms of Reference and their incorporation into the Council’s Constitution.	
4.	Local ward Members spoke in support of the revised Terms of Reference and, in particular, commented positively on the Partnership Committee’s extended remit to include the town as a whole and not just its centre.	
Appendices	Appendix A	Tracked Changes Between the Existing and Proposed New Terms of Reference – Houghton Regis Partnership Committee (Part J2 of the Constitution).

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Appendix A – tracked changes between the existing and proposed new
Terms of Reference – Houghton Regis Partnership Committee

<p>Houghton Regis <u>Partnership</u> Committee</p>	<p>1. Purpose</p> <p>1.1 To serve as a partnership committee that sets the broad direction for all those involved in initiatives impacting on the town (e.g. the town Centre's customers, employees, residents, visitors, traders, property owners, service providers and developers), and to co-ordinate their activities so as to realise our aspirations for the town and the town centre.</p> <p>1.2 To inform and advise the relevant Committees of the local authorities on all aspects of their responsibilities for the Town Centre and its environs.</p> <p>2. Objectives</p> <p>2.1 Work towards improving the economic, social, environmental and cultural vitality of Houghton Regis.</p> <p>2.2 Encourage appropriate town centre and town development, for approval by the Town Council and Central Bedfordshire Council (CBC).</p> <p>2.3 Recognise and deliver the context of the Local Development Framework and related planning processes including:</p> <ul style="list-style-type: none"> • informing and advising the relevant committees of the local authorities on all aspects of their responsibilities for the town centre and its environs; • consulting, co-ordinating and communicating the infrastructure needs of Houghton Regis to the relevant local authorities; and • working in partnership with relevant bodies to achieve the delivery of new infrastructure. <p>2.4 Co-ordinate the activities of the various town centre service providers and those responsible for meeting the needs of the Town Centre including:</p> <ul style="list-style-type: none"> • identifying appropriate funding opportunities for the furtherance of town initiatives; and • undertaking and co-ordinating marketing and promotional work for the town centre. <p>2.5 Establish task and finish groups to progress/deliver specific proposals in town development strategies</p>	<p>Deleted: Town Council Management</p> <p>Formatted: Font: Bold</p> <p>Deleted: Town Centre Management</p> <p>Deleted: To</p> <p>Deleted: of the Town Centre initiative taking into account the needs of the</p> <p>Deleted: T</p> <p>Deleted:</p> <p>Deleted: C</p> <p>Deleted: .</p> <p>Formatted: Font: Bold</p> <p>Formatted: Bullets and Numbering</p> <p>Formatted: Bullets and Numbering</p> <p>Deleted: 3.</p> <p>Deleted: To c</p> <p>Deleted: T</p> <p>Deleted: C</p> <p>Deleted: .</p> <p>Formatted: Bullets and Numbering</p> <p>Formatted: English (U.S.)</p> <p>Formatted: Indent: Left: 0.15 cm, Hanging: 0.95 cm</p>
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	<p>where applicable.</p> <p><u>2.6 Encourage the regeneration of deprived areas of Houghton Regis through effective neighbourhood improvement strategies.</u></p> <p>3. Membership</p> <p><u>3.1 The core membership to comprise:</u></p> <ul style="list-style-type: none"> • 4 Central Bedfordshire Council appointed Councillors; <u>and</u> • 4 Houghton Regis Town Council appointed Councillors <p><u>3.2 Representatives of the local community, local interest groups etc will be invited to attend its meetings as non-voting members where applicable.</u></p> <p><u>3.3 CBC Councillors should be from wards within Houghton Regis.</u></p> <p><u>3.4 All Councillors should have the interests of the town as a priority, not their own wards.</u></p> <p>4. Chairman</p> <p><u>4.1 The Chairman (CBC Councillor) and Vice-Chairman (HRTC Councillor) shall be elected from and by the partnership committee's core membership.</u></p> <p><u>4.2 The elected Chairman and Vice-Chairman will hold the post for a period of one year, after which they can stand for re-election</u></p> <p>5. Secretariat</p> <p><u>5.1 Houghton Regis Town Council administers the Partnership committee, which is governed by the Town Council's Standing Orders. <u>A copy of the Standing Orders can be viewed at Houghton Regis Town Council (HRTC) offices at Council Offices, Peel Street, Houghton Regis, Beds. LU5 5EY Tel: 01582 708540. They are also available online at http://www.houghtonregis.org.uk/infopage.asp?infoid=1182</u></u></p> <p>6. Decision-making arrangements</p> <p><u>6.1 The partnership committee will make decisions at its meetings. Decisions will be made by consensus whenever possible. However, if no consensus can be reached, a majority vote, based on one vote per core member, will carry the decision, with the Chair having the casting vote if the vote is equal.</u></p>
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	<p>6.2 <u>The partnership committee will delegate operational decision-making to smaller working groups as necessary and appropriate.</u></p> <p>7. Frequency of meetings</p> <p>7.1 <u>The partnership committee will meet a minimum of four times a year.</u></p> <p>8. Quorum</p> <p><u>In order for the partnership committee to operate, a quorum of 50% of the membership of the committee must be present.</u></p>
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6.1 . Houghton Regis Town Council administers the committee which is governed by the Town Council's Standing Orders.¶

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6.2 . Only Members of the committee can vote.¶

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6.3 . A Councillor appointed by Central Bedfordshire Council will take on the role of Chairman and a Councillor appointed by the Town Council will take on the role of Vice-Chairman.¶

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Updated: May 2012

Part J2 / Page 7

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<p>Recommendation to Council on 18 April 2013</p>	<p>From: General Purposes Committee on 14 March 2013</p>	<p>Item 11 (c)</p>
	<p>Business at Council Meetings</p>	
<p>1.</p>	<p>Council is asked to approve the following recommendations:-</p>	
	<p>1 that the Constitution be amended to include provision for up to two motions on notice at the budget setting meeting of the Council and up to two motions on notice at the annual meeting of the Council subject in both cases to the matter being significant or time critical and to the Chairman's agreement, after consultation with the Monitoring Officer, being secured at least 7 clear working days in advance of the meeting to include the motions in the business of the meeting as set out in Appendix A;</p> <p>2 that paragraph 15.1 of Part B5 of the Constitution be amended to remove the provision for ward presentations at the budget setting meeting of the Council as set out in Appendix B.</p>	
	<p>Background</p>	
<p>2.</p>	<p>The General Purposes Committee considered a report by the Monitoring Officer which advised of the concern expressed by a Member that due to the budget setting Council meeting being followed by the annual Council meeting, at neither of which could the minority groups raise issues through notices on motion and written questions, there was no opportunity over a lengthy period for minority groups to raise issues at Council meetings. A request had therefore been made by the Member that the position be reviewed.</p>	
<p>3.</p>	<p>The Monitoring Officer reminded the meeting of the existing provisions within the Constitution which allowed Members to raise issues at ordinary meetings of Council; these being through written questions, notices of motion and ward presentations. He also reminded the Committee that the annual meeting of the Council could not include written questions, notices of motion or ward presentations on its agenda whilst the budget setting meeting could not include written questions or notices of motion, although ward presentations were permitted.</p>	

4.	The Committee noted that attempts had been made in the past to include an ordinary meeting of the Council following the budget setting meeting, without increasing the overall number of Council meetings throughout the year, but this had proved to be impractical. The revised timetable would not be conducive to the cycle of Executive meetings which, in turn, needed to mesh with overview and scrutiny committee meeting dates.	
5.	Members noted that while ward presentations could provide information to a meeting of the Council no debate was permitted nor was there opportunity to ask questions and no motions could arise for the Council to vote on. Written questions provided a means of drawing a matter to the Council's attention but a reply could be secured from the relevant Executive Member outside of the Council meeting. The Committee was advised that, of the mechanisms available, it was motions on notice that allowed full debate at a meeting and a resolution to undertake specific action.	
6.	It was suggested that the Constitution could be amended to allow a limited number of notices on motion to be considered at the budget setting meeting and the annual Council meeting subject to their meeting certain provisions such as the agreement of the Chairman in consultation with the Monitoring Officer and the issues raised being time critical and significant in nature.	
7.	Members also considered introducing consistency between the budget setting meeting and the annual meeting by removing the provision for ward presentations at the former.	
8.	It was subsequently resolved that the Monitoring Officer be authorised to draft wording to amend the Constitution, reflecting the Committee's views as detailed above, for recommendation to Council.	
Appendices		
	Appendix A	Additional Paragraph to Notices of Motion under the Full Council Procedure Rules (Part B5 of the Constitution).
	Appendix B	Tracked Changes to Paragraph 15.1 under the Full Council Procedure Rules (Part B5 of the Constitution).

Appendix A

Additional paragraph to be added to the Constitution at Part B5 section 17 Notices of Motion at 17.1.2, as follows:

17. NOTICES OF MOTION

17.1 Notice

17.1.1 Except for motions which can be moved without notice under Rule 18, written notice of every motion, signed by the member of the Council, must be delivered to the Monitoring Officer not later than 7 clear working days before the date of the meeting. These will be entered into a book open to public inspection.

17.1.2 Up to 2 motions on notice may be included in the business of the annual and budget-setting meetings of the Council, subject to submission of notice to the Monitoring Officer 10 clear working days before the date of the meeting, for the Chairman in consultation with the Monitoring Officer to determine whether the matter is of sufficient urgency and significance to justify inclusion on the agenda for that meeting.

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Appendix B

**Additional text added to paragraph 15.1 under the Full Council
Procedure Rules 'Ward Presentations'**

15. WARD PRESENTATIONS

- 15.1 Members for each ward shall be entitled to make a ward presentation specific to their ward to any meeting of the Council (except the Annual meeting, the Budget setting meeting or an Extraordinary meeting), provided that seven clear working days notice in writing is received by the Monitoring Officer. Such presentations shall be solely for the information of the Council.
- 15.2 The chairman shall have the discretion to waive the notice requirements under 15.1 above, where he/she is satisfied that a ward presentation, by reason of special circumstances, should be considered as a matter of urgency.

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Meeting: Council
Date: 18 April 2013
Subject: Appointment of Members, Chairmen and Vice-Chairmen to Committees and Other Council Bodies 2013/14
Report of: Cllr James Jamieson, Leader of the Council
Summary: The report outlines the requirements for member appointments to committees and other Council bodies, including political proportionality. Nominations from group leaders will be circulated separately.

Advising Officer: John Atkinson, Monitoring Officer
Contact Officer: Mel Peaston, Committee Services Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The appointment of members to committees, etc. in accordance with legal and constitutional requirements is essential to the good governance of the Council.

Financial:

None.

Legal:

The appointment of elected Members must comply with the proportionality requirements in sections 15 and 16 of the Local Government and Housing Act 1989.

The appointment of co-opted members to the Children's Services Overview and Scrutiny Committee must comply with paragraphs 7 and 9, Schedule 1 of the Local Government Act 2000 and The Parent Governor Representatives (England) Regulations 2001 (S.I. 2001/478).

Risk Management:

None.

Staffing (including Trades Unions):

None.

Equalities/Human Rights:

None.

Public health and wellbeing:

None.

Community Safety:

None.

Sustainability:

None.

Procurement:

None.

Overview and Scrutiny:

This matter has not been considered by overview and scrutiny.

RECOMMENDATIONS:

1. that the Council confirms for the municipal year 2013/14:
 - (a) the structure, size and terms of reference of the committees, sub-committees and joint committees set out in sections D1, E2 and J2 of the Council's constitution; and
 - (b) the allocation of seats and substitutes to these and other bodies, as listed in Appendix A (to follow) to this report, in accordance with the political balance rules where they apply.
2. that the appointment of individual Members and substitutes to committees and other bodies be approved in accordance with nominations to be submitted by the political groups (Appendix B to follow);
3. that the appointment of at least 1 member of the Council to the Central Bedfordshire Health and Wellbeing Board, nominated by the Leader, be approved (Appendix C to follow);
4. that the appointment of Chairmen and Vice-Chairmen of committees for the municipal year 2013/14 be approved in accordance with nominations to be submitted by the political group leaders (Appendix D to follow);
5. to note that that the following persons have been appointed to the Children's Services Overview and Scrutiny Committee as co-opted members with voting rights on education matters for the period June 2011 to the AGM in May 2015:
 - (a) Mrs Frances Image, Roman Catholic Diocesan representative
 - (b) Mr Jon Reynolds, Church of England Diocesan representative
 - (c) Stephen Court, School Parent Governor representative
 - (d) Heather Copley, School Parent Governor representative
 - (e) Douglas Landman, School Parent Governor representative.

Political Balance

1. The Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules in Sections 15 and 16 of the Local Government and Housing Act 1989. These require the Council to determine the allocation of seats on its 'ordinary' committees and sub-committees, and on certain other prescribed bodies, in proportion to the representation of different political groups on the Council.
2. The principles in the Act, in relation to bodies that are required to be proportional, are:
 - (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of seats is allocated to the majority group (see note);
 - (c) that, subject to (a) and (b), the **total number of seats** on all 'ordinary' committees is proportional to the overall balance of political groups on the Council;
 - (d) that, subject to (a), (b) and (c), the allocation of seats on **individual bodies** also reflects the overall balance of political groups on the Council.

Note: Seats reserved for education co-opted members (see paragraphs 18-20 below) are to be taken into account for the purpose of determining how many seats constitute a majority.

3. In the context of the Act, the term 'ordinary' committees includes only committees that have delegated powers to discharge the Council's statutory functions, and does not include informal bodies that are not committees.
4. A 'political group' is constituted when two or more Members sign a written notice, delivered to the Proper Officer, declaring their wish to be treated as a political group and giving the name of the group and of the group's leader.
5. Where there are Members who do not belong to any political group, a proportionate number of the available seats will not be allocated to any political group; and the Council is required to appoint to those seats from among the Members who do not belong to any political group, according to its discretion. Thus a single Independent Member cannot constitute a political group but should be taken into account for the purposes of the overall allocation of available seats.

Appointment of Councillors to Committees, etc.

6. It is necessary to appoint Members to serve on the various committees, joint committees and other Member forums listed in **Appendix A** for the municipal year ending 1 May 2014. Also shown are the legal and/or constitutional requirements relating to each committee, etc., including the agreed constitutional requirements for some joint bodies.
7. **Appendix A** furthermore shows the calculations for each of the ‘ordinary’ committees, joint committees and other Council bodies where the political balance rules apply, as listed under section ‘A. Proportional Bodies’.
8. These calculations are based on the overall balance of political groups on the Council which is as follows:

	Conservative	Liberal Democrat	Independent	Labour	Total
No. and % of councillors	48 81.36%	5 8.47%	5 8.47%	1 1.69%	59 100%
Allocation of all proportional seats	69.97	7.29	7.29	1.46	86

9. Applying a simple proportional basis to each proportional body individually (without reference to overall balance) would produce an allocation of seats on each body as set out below.

Number of Seats	Conservative	Liberal Democrat	Independent	Labour
20	16.27	1.69	1.69	0.33
19	15.48	1.60	1.60	0.32
18	14.64	1.52	1.52	0.30
17	13.83	1.43	1.43	0.28
16	13.01	1.35	1.35	0.28
15	12.20	1.27	1.27	0.25
14	11.39	1.18	1.18	0.23
13	10.57	1.10	1.10	0.21
12	9.76	1.01	1.01	0.20
11	8.94	0.93	0.93	0.18
10	8.13	0.84	0.84	0.16
9	7.32	0.76	0.76	0.15
8	6.50	0.67	0.67	0.13
7	5.69	0.59	0.59	0.11
6	4.88	0.50	0.50	0.10
5	4.06	0.42	0.42	0.07
4	3.25	0.33	0.33	0.05

10. **Appendix A** shows how individual committee memberships could be constituted on this basis. Group Leaders have arranged to meet to discuss this further and an amended Appendix A may be submitted prior to the annual meeting. It will be for the Council to determine how best to achieve the correct overall balance.

11. The number of substitutes is shown in brackets, where they may be appointed. Under the constitution, these will be half the number of seats that each political group holds on the particular committee, being a minimum of one and rounded up in the case of odd numbers. Each independent Member not belonging to a political group within the Council is entitled to nominate a substitute to attend in his/her place.
12. Non-proportionate bodies are listed in section B of Appendix A.
13. The Appointments Panel, from which individual Appointments Sub-Committees will be selected, will need to be appointed at a special meeting of the General Purposes Committee following the Council meeting. Each Sub-Committee will appoint its own Chairman for the meeting.
14. The Employee Partnership Committee will also need to be appointed at the special meeting of the General Purposes Committee.
15. The Health and Wellbeing Board, a statutory Committee of the Council from April 2013, must, under S194 of the Health and Social Care Act 2012, include at least one member of the Council nominated by the Leader and appointed by the Council, certain Council officers with particular statutory responsibilities, a representative of the Local HealthWatch organisation and a representative of each relevant clinical commissioning group. The Council may also appoint such other persons as it thinks appropriate. The recommended nominations by the Leader are set out in Appendix C (to follow).
16. There is a separate report on the agenda regarding the appointment of the Executive by the Leader, which is also non-proportional.

Appointment of Chairmen and Vice-Chairmen

17. The Council is also requested to appoint Chairmen and Vice-Chairmen of the Council's 'ordinary' committees, nominations for which are submitted in **Appendix D (to follow)**. In the event of more than one nomination being received for the chairmanship or vice-chairmanship of a committee, each nomination in respect of that office will need to be put to the vote. The Chairman of the Health and Wellbeing Board shall be appointed by the Board at its first meeting, on 9 May.

Appointment of Co-opted Members (re Education Matters)

18. The Local Government Act and regulations made under it require certain representatives to be co-opted onto any overview and scrutiny committee whose functions relate wholly or partly to any education functions which are the responsibility of the authority's Executive. That committee is the Children's Services Overview and Scrutiny Committee. The co-opted members have a vote on education matters only.

19. The statutory co-optees are:

- (a) between two and five parent governor representatives who must be appointed following an election among parent governors of schools maintained by the local education authority and may serve for up to four years; the Central Bedfordshire constitution requires three such parent governors; and
- (b) two church representatives, to be nominated respectively by the Church of England Diocesan Board and the Roman Catholic Diocesan Bishop for the area.

20. At its meeting on 14 April 2011, Council determined that the period of appointment should be for a 4-year term in line with the 4-year term of the Council, starting at the beginning of the term of the newly-elected Council in 2011 and ending at the Council's AGM in 2015.

Appendices:

Appendix A – Member Appointments Required by Annual Council (to follow)

Appendix B – Nominations for Membership of Committees, etc. 2012/13 (to follow)

Appendix C – Nominations from the Leader for Councillors to be members of the Health and Wellbeing Board in 2013/14 (to follow)

Appendix D – Nominations for Chairmanship and Vice-Chairmanship of Committees 2012/13 (to follow)

Background Papers: None

Meeting: Council

Date: 18 April 2013

Subject: Appointments to the Police and Crime Panel and the Bedfordshire Fire and Rescue Authority 2013

Report of: Monitoring Officer

Summary: The report outlines the requirements for member appointments to these two bodies. Nominations from Group Leaders will be circulated separately.

Contact Officer: Mel Peaston, Committee Services Manager

Public/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This report supports the Council's priority "Creating safer communities".

Financial:

None

Legal:

Under the Police and Social Responsibility Act 2011 the Bedfordshire Police and Crime Panel came into being in April 2012, the component authorities being Bedford Borough Council, Luton Borough Council and Central Bedfordshire Council. Appointments were made, in line with the proportionality requirements and the balanced appointment objective, for the period until April 2015. From that point appointments shall be made on a 4-yearly basis.

The Bedfordshire and Luton Combined Fire Authority has been renamed the Bedfordshire Fire and Rescue Authority. Appointments to this body are governed by the Bedfordshire Fire Services (Combination Scheme) Order 1996 (SI 1996/2918) as amended by SI 2009/119.

Risk Management:

None

Staffing (including Trades Unions):

None

Equalities/Human Rights:

The membership of the Police and Crime Panel is required, as far as is reasonably practical, to meet the “balanced requirement objective”. This means that the persons appointed should meet the following criteria:

- represent all parts of the Police Force’s area
- represent the political make-up of the constituent authorities individually and collectively
- have the skills, knowledge, and experience necessary for the Police and Crime Panel to discharge its functions effectively.

Public Health:

The appointments to the Police and Crime Panel and the Bedfordshire Fire and Rescue Authority contribute to increased confidence, impacting on wellbeing.

Community Safety:

The appointments assist the Police and Crime Commissioner and the Bedfordshire Fire and Rescue Authority to support and increase community safety.

Sustainability:

None

Procurement:

None

Overview and Scrutiny:

These appointments have not been considered by overview and scrutiny.

RECOMMENDATIONS:

1. **that the Council:**
 - (a) **notes that appointments were made for the first time to the Police and Crime Panel at the annual meeting of Council on 14 June 2012;**
 - (b) **notes that the membership of the PCP is currently:**
 - **Councillor Mrs Chapman, MBE**
 - **Councillor Ms Graham**
 - **Councillor Hollick**
 - **Councillor Spurr**
 - (c) **notes that appointments will be made to the Police and Crime Panel next at the Council’s annual meeting in 2015, and every four years thereafter;**
2. **that the Council appoints five members to serve on the Bedfordshire Fire and Rescue Authority as set out in Appendix A, reflecting the political balance within Central Bedfordshire Council.**

Reason for Decision

1. To ensure that appointments are made as necessary to the Bedfordshire Police and Crime Panel and the Bedfordshire Fire and Rescue Authority.

Bedfordshire Police and Crime Panel

2. Bedfordshire Police and Crime Panel (PCP) includes representation from those local authorities in the Bedfordshire area, reflecting the area of the police force. The councils are Bedford Borough, Luton Borough and Central Bedfordshire. Central Bedfordshire Council's membership under the current proportionality of the constituent authorities is:
 - 3 Conservative Council members
 - 1 Independent Council member.
3. Appointments were made to the Police and Crime Panel at the Council's annual meeting on 14 June 2012. Later that year, a Council member (one of the PCP members) resigned and a by-election was held. The changes at that point led to changes in Central Bedfordshire Council's representation on the PCP. The current membership is set out at paragraph 1(b) above, and will remain in place until the annual meeting in 2015.

Bedfordshire Fire and Rescue Authority

4. Bedfordshire Fire and Rescue Authority provides fire and rescue services across the areas of Central Bedfordshire, Bedford Borough and Luton Borough and comprises up to 25 members, of whom 12 are to be members of the relevant councils.
5. The 1996 Order establishing the authority (as amended to reflect local government reorganisation in April 2009) requires that appointments should be made by each of the councils in proportion to its electorate, as follows:

Bedford Borough Council	3 seats
Central Bedfordshire Council	5 seats
Luton Borough Council	4 seats
6. Appointments are, as far as practical, to reflect the political balance within each appointing council. Central Bedfordshire previously appointed 5 members (4 Conservative and 1 Liberal Democrat). These were: Councillors Mrs Drinkwater, McVicar, J Saunders, Shadbolt and Williams.

7. Appointment of five members to the Bedfordshire Fire and Rescue Authority is now required, reflecting the political balance within Central Bedfordshire Council following the November 2012 by-election which is:

8.

	Conservative	Liberal Democrat	Independent	Labour	Total
No and % of cllrs	48 (81.36%)	5 (8.47%)	5 (8.47%)	1 (1.69%)	59 (99.99%)
Allocation of seats	4	(1 seat either Inde or LD)	(1 seat either LD or Inde)	0	4+1 = 5

Appendices:

Appendix A – Nominations to places on the Bedfordshire Fire and Rescue Authority (to be circulated separately).

Background Papers: none