

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

**This meeting  
may be filmed.\***



**Central  
Bedfordshire**

**please ask for** Helen Bell  
**direct line** 0300 300 4040  
**date** 13 November 2014

## **NOTICE OF MEETING**

### **COUNCIL**

Date & Time

**Thursday, 27 November 2014 6.30 p.m.**

Venue at

**Priory House, Monks Walk, Shefford**

Richard Carr  
**Chief Executive**

To: The Chairman and Members of the COUNCIL

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

**\*Please note that phones and other equipment may be used to film, audio record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming.**

**The use of arising images or recordings is not under the Council's control.**

# AGENDA

## Prayers

The Reverend Dean Hendley Rector for Campton, Clophill & Haynes and Assistant Rural Dean for Ampthill and Shefford Deanery will take prayers.

1. **Apologies**

Apologies for absence to be received.

2. **Minutes**

To approve the minutes of the Council meeting held on 11 September 2014.

(attached pages 7 to 14)

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **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.

5. **Petitions**

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

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

The Chairman to announce any matters of communication.

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

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

8. **Executive Member Presentations**

To receive reports from up to three Executive Members on recent matters of interest and ask questions on matters contained within the reports.

Reports are anticipated from Councillors M Jones and Stay.

9. **Recommendations from the Executive**

To consider recommendations from the meeting of the Executive held on 14 October 2014 and answer questions asked under Rule No. 13.1. in respect of Fees and Charges 2015.

(attached page 15)

10. **Recommendation from the Licensing Committee**

To consider recommendations from a meeting of the Licensing Committee held on 12 November 2014 and ask questions under Rule No 13.1.

(i) The Licensing Act 2003.

(attached pages 17 to 38)

(ii) Adoption of updated model byelaws for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

(attached pages 39 to 56)

11. **Treasury Management Outturn Report**

To consider a report of Councillor Maurice Jones, Executive Member for Corporate Resources on Treasury Management Outturn.

(attached pages 57 to 80)

12. **Payment of Allowances for Police and Crime Panel Roles**

To consider a report of the Leader of the Council regarding payment of allowances for certain roles on the Police and Crime Panel.

(attached pages 81 to 90)

13. **Leave of Absence**

To consider a report of the Leader of the Council seeking approval of leave of absence.

(attached pages 91 to 94)

14. **Report of Bedfordshire Fire and Rescue Authority**

To receive and consider the report of the Bedfordshire Fire and Rescue Authority and answer questions asked under Rule No. 13.1

(attached pages 95 to 98)

15. **Motions (if any)**

To consider motions by Members of the Council under Rule No.17 in the order received.

16. **Written Questions**

To answer written questions from Members of the Council under Rule No. 13.2, if any.

17. **Open Questions**

To answer Open Questions asked by Members of the Council under Rule No. 13.7.

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**CENTRAL BEDFORDSHIRE COUNCIL**

At a meeting of the **COUNCIL** held in the Priory House, Monks Walk, Shefford on Thursday, 11 September 2014.

**PRESENT**

Cllr Ms C Maudlin (Chairman)  
Cllr D Bowater (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	C C Gomm	Cllrs	B Saunders
	A R Bastable		Mrs S A Goodchild		J A G Saunders
	L Birt		Ms A M W Graham		I Shingler
	M C Blair		C Hegley		M A Smith
	A D Brown		P Hollick		Miss A Sparrow
	Mrs C F Chapman MBE		J G Jamieson		B J Spurr
	Mrs S Clark		R W Johnstone		R C Stay
	Mrs G Clarke		M R Jones		A M Turner
	Mrs B Coleman		D J Lawrence		Mrs P E Turner MBE
	K M Collins		Mrs J G Lawrence		M A G Versallion
	N B Costin		K C Matthews		N Warren
	I Dalgarno		D McVicar		B Wells
	A L Dodwell		J Murray		R D Wenham
	Mrs R J Drinkwater		Mrs M Mustoe		J N Young
	P A Duckett		T Nicols		A Zerny

**Apologies for Absence**

Cllrs	Mrs A Barker	Cllrs	D J Hopkin	Cllrs	A Shadbolt
	R D Berry		K Janes		N J Sheppard
	Dr R Egan		D Jones		P Williams
	Mrs D B Gurney		R B Pepworth		T Woodward

Officers:	Miss H Bell	–	Committee Services Officer
	Mr R Carr	–	Chief Executive
	Mrs D Broadbent-Clarke	–	Director of Improvement and Corporate Services
	Mrs M Clay	–	Chief Legal and Democratic Services Officer
	Mr M Coiffait	–	Community Services Director
	Mrs E Grant	–	
	Mr J Longhurst	–	Director of Regeneration and Business
	Mrs J Ogle	–	Director of Social Care, Health and Housing
	Ms M Peaston	–	Committee Services Manager
	Mr R Gould	–	Head of Financial Control

C/14/28. **Prayers**

Prayers were taken by Michael Campbell, Senior Chaplain, Luton Town Centre Chaplaincy.

The Chairman explained that the meeting was being filmed by a member of the public in line with the newly published regulations.

C/14/29. **Minutes**

**RESOLVED**

**that the Minutes of the meeting held on the 12 June 2014 be confirmed and signed by the Chairman as a correct record.**

C/14/30. **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

C/14/31. **Questions, Statements and Deputations**

Two members of the public made a statement under the Public Participation Provisions set out at Annex 1 of Part A4 of the Constitution in relation to the proposals to withdraw the Gypsy and Traveller Plan.

The Executive Member for Sustainable Communities Strategic Planning and Economic Development thanked the speakers and responded to their points.

C/14/32. **Petitions**

**Restoration of Bus Shelter on Luton road, Dunstable outside Nos 165 and 167.**

Mr Gresham the lead petitioner, presented a petition, which contained approximately 150 signatures.

Mr Gresham requested that the bus shelter on Luton Road Dunstable, outside numbers 165 and 167, be restored as soon as possible. Since it was destroyed by a motor vehicle some two years ago, local residents, some elderly and infirm, had had no shelter from inclement weather whilst waiting for a bus into Dunstable town centre. He asked that Central Bedfordshire Council accept the urgent need for this replacement and find the resources for its provision.

Council received the petition.

C/14/33. **Chairman's Announcements and Communications**



The Chairman made the following announcements:

- Central Bedfordshire staff attended a Memory walk in aid of the Alheimers Society on Saturday 6 September 2014
- Members were invited to attend a 'Memory Walk' to be held on Sunday 14 September at Willen Lake, Milton Keynes
- The Chairman's would be hosting the "Forget me not" Awards evening on 4 November 2014
- The next Civic Reception would be held on 8 March 2014.

**C/14/34. Leader of the Council's Announcements and Communications**

The Leader reported upon:

- The successful GCSE results across Central Bedfordshire. There had been an improvement in all subjects set against a national decline in GCSE grades
- Economic activity in Central Bedfordshire. Center Parcs had created 1500 jobs, with 95% of employees living within 15 miles of their workplace
- The Millbrook Low Carbon Conference and the preliminary works for the M1/A5 Link Road.

The Leader advised that this was Edwina Grant's, Director of Children's Services last Council meeting as she would be leaving Central Bedfordshire Council. He paid tribute to her contribution to the Council.

Councillors Versallion, as the Executive Member for Children's Services and Councillors, Murray and Aldis as the Minority Group Leaders paid their own tributes to Edwina Grant, thanked her for her services as Director of Children's Services and expressed best wishes on behalf of the Council.

The Chairman also added her thanks to Edwina Grant on behalf of the Council.

**C/14/35. Executive Member Presentations**

Councillor Hegley, Executive Member for Social Care, Health and Housing reported on work within her portfolio including:

- investments in housing including sheltered accommodation
- work on the Empty Homes Initiative
- regeneration of garage sites
- an Adult Social Care Workshop which encompassed presentations on dementia and reports from The Alzheimer Society. Central Bedfordshire staff were being invited to become a "dementia friend".

Councillor Hegley responded to questions.

Councillor Young, Executive Member for Regeneration reported on work within his portfolio including:

- the employment skills service
- examples of employment and skills
- examples of courses delivered to support people into work
- meeting the skills needs of employers- supporting local recruitment and business growth
- funding achievements over the past 6 months for employment, skills and business.

Councillor Young responded to questions.

C/14/36.

### **Recommendations from the Executive**

#### **(i) Superfast Broadband Extension Programme**

The Council considered a recommendation from the meeting of the Executive held on 19 August 2014 which proposed that the Council funds an additional £350,000 capital, in addition to the £1.5 million already approved to further extend superfast broadband coverage as part of the Council's participation with the Broadband Delivery UK Superfast Extension Programme. This would be matched by £300,000 Broadband Delivery UK to allow approximately an additional 1,200 premises to be supported.

#### **RESOLVED**

**that an additional £350,000 capital funding to secure additional external funding, and to extend coverage of superfast broadband infrastructure, be approved.**

#### **(ii) Gypsy and Traveller Local Plan**

The Council considered a recommendation from the meeting of the Executive held on 19 August 2014 proposing the withdrawal of the Gypsy and Traveller Local Plan from the Examination process, in light of the matters raised by the Planning Inspector.

#### **RESOLVED**

**that the Gypsy and Traveller Local Plan be withdrawn from the Examination process.**

C/14/37.

### **Recommendations from the General Purposes Committee**

#### **(i) Constitution Update – Maintaining the Constitution**

The Council considered a recommendation from the meeting of the General Purposes Committee held on 17 July 2014 concerning maintenance of the Constitution.

**RESOLVED**

**that the Monitoring Officer be authorised to make urgent amendments to the Constitution to give effect to any decision of Council or changes in the law, minor amendments such as to correct errors or to ensure that the Constitution is up to date, by amending the Constitution at Part A5, paragraph 2.3 through the deletion of the words “after consultation with the General Purposes Committee”**

**(ii) Constitution Update in respect of Capital Programme Management and Asset related Delegations**

The Council considered a recommendation from the meeting of the General Purposes Committee seeking amendments to Parts I2 and H3 of the Constitution.

**RESOLVED**

**that Parts I2 and H3 of the Constitution be amended, as set out at Appendices A and B to the submitted report.**

C/14/38. **Treasury Management Outturn Report**

The Council received and considered a report from the Deputy Leader, Executive Member for Corporate Resources which provided a review of the Treasury Management activities for the year ended 31 March 2014.

An amended version of Appendix C was tabled at the meeting.

**RESOLVED**

**that the Treasury Management and the Prudential Indicators performance for the year ended 31 March 2014 be noted.**

C/14/39. **Motions (if any)**

No motions were received.

C/14/40. **Written Questions**

A written question had been submitted under Rule No 13.2 by Councillor Zerny as follows:

“What is the true financial cost to Central Bedfordshire Council to date, of preparing the Gypsy and Traveller Local Plan?”

The Executive Member for Regeneration responded to the question and summarised the costs of preparing the Gypsy and Traveller Local Plan.

C/14/41. **Webcasting**

The Council received and considered a report from the Deputy Leader, Executive Member for Corporate Resources proposing an approach for implementing webcasting in key Council meetings and new draft protocols on filming, recording and use of social media in meetings.

**RESOLVED**

1. **that the proposed approach for implementing webcasting as set out in the report be agreed;**
2. **that the provisions suggested to prepare Members and Officers for the implementation of webcasting be approved;**
3. **that the approach to the review the new system, to assess the extent to which the equipment, procedures and Officer support are meeting operational requirements be approved;**
4. **that the new draft protocol for webcasting, recording and using social media in council meetings be approved.**

C/14/42. **Independent Remuneration Panel: Membership**

The Council received and considered a report of the Deputy Leader, Executive Member for Corporate Resources seeking re- appointment of two existing members to the Independent Remuneration Panel.

**RESOLVED**

**that Dr R Tipping and Mr C Bell be offered further appointments to the Independent Remuneration Panel for the periods ending 31 March 2019 and 31 March 2018 respectively.**

C/14/43. **Open Questions**

The Chairman invited Minority Group Leaders to ask a question each prior to the consideration of questions that had been placed in the open questions receptacle.

1. Councillor Murray sought assurance about the Council’s strategies for assisting residents who were in place for residents who were in arrears with their Council Tax.

The Deputy Leader, Executive Member for Corporate Resources explained the help in place in special circumstances.

2. Councillor Aldis asked a question about then impact of public consultation on the budget setting process.

The Deputy Leader, Executive Member for Corporate Resources advised that resident's views helped determine priorities in the budget setting process.

3. Councillor Matthews invited the Executive Member for Regeneration to comment on the success of the Luton Bus Way now that it had nearly been operational for nearly a year.

The Executive Member for Regeneration commented on the popularity and success of the Bus Way and advised that it was a welcome asset to businesses looking to locate to the area.

4. Councillor Murray asked the Deputy Leader, Executive Member for Corporate Resources to comment on the time taken to organise training for Licensing Committee Members.

The Deputy Leader, Executive Member for Corporate Resources undertook to look into this.

5. Councillor Aldis asked a question about the number of schools in Central Bedfordshire that had converted to academy status and if he was aware of the time taken for the completion of the associated asset transfer

The Executive Member for Children's Services advised of the number of children in Central Bedfordshire attending Academies and undertook to look into the issue of asset transfer.

6. Councillor Aldis asked about absence rates in schools and the fines imposed on parents who take their children out of school for holidays.

The Executive Member for Children's Services summarised the action taken when children were absent from school in these circumstances.

7. Councillor Zerny asked about promoting renewable energy in schools against the background of a procurement process.

The Executive Member for Children's Services explained why he felt the promotion had been appropriate.

8. Councillor Murray asked a question about why Central Bedfordshire staff were not being encouraged to use a newly refurbished car park located at Brewers Hill Road, Dunstable.

The Deputy Leader, Executive Member for Corporate Resources indicated that he would look into this issue.

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

Chairman .....

Dated .....

**COUNCIL MEETING – 27 NOVEMBER 2014**

**Recommendation to Council from the Executive meeting  
held on 14 October 2014**

**E/14/67. Fees and Charges 2015**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed the revised fees and charges for 2015, identified those charges where the increases were significantly different from the 2% advisory increase as per the 2015/16 Budget Strategy and set out the revised Fees and Charges Policy.

The Deputy Leader and Executive Member for Corporate Resources advised that the fees and charges for the Registration Services were still waiting approval from Luton and Bedford Borough Councils. He then proposed the following amendment to recommendation 2, which was duly seconded:-

- that the fees and charges for 2015, as set out in the Executive report, be approved and that the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources be authorised to determine the schedule of charges for Registration Services following formal responses from Luton or Bedford Borough Councils.

In response to questions, the Deputy Leader and Executive Member for Corporate Resources welcomed the co-convened meeting of the Overview and Scrutiny Committees to consider the draft fees and charges scheduled. The co-convened meeting was a new way of working to improve efficiency across the Council by enabling the three Overview and Scrutiny Committees to meet as one Committee to discuss cross cutting issues. As this was the first meeting of this kind there were improvements to be made.

Reason for decision: To agree the fees and charges prices for 2015 as part of delivering a balanced budget for 2015/16 and identify resource requirements for the Medium Term and to agree the Fees & Charges Policy.

***RECOMMENDED to Council***

- 1. that the response to the consultation with Overview and Scrutiny, as set out in Appendix C to the Executive report, be noted;***
- 2. that the fees and charges for 2015, as set out in the Executive report, be approved and that the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources be authorised to determine the schedule of charges for Registration Services following formal responses from Luton or Bedford Borough Councils; and***
- 3. that the Fees and Charges Policy, as set out in the Executive report, be approved.***

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**COUNCIL MEETING – 27 November 2014**

**Recommendation to Council from the Licensing Committee meeting  
held on 12 November 2014**

**The Licensing Act 2003 - Policy review**

The Licensing Committee considered the report of Iain Berry, Acting Head of Public Protection, regarding the proposed amendment to the Licensing Policy.

The report set out the proposed changes to the policy, following full consultation, in line in line with Home Office guidance and will last, subject to revisions, for a period of 5 years.

Members noted the report, and attached policy, which is largely the same as the previous Licensing policy adopted by the Council, and moved and approved the recommendations of the report.

***RECOMMENDED to Council***

- 1. that the draft Licensing Policy, attached at Appendix A to the report, be adopted; and**
- 2. that the Director Community Services in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the policy prior to publication**

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Appendix A



**CENTRAL BEDFORDSHIRE COUNCIL**

**THE LICENSING ACT 2003**

**LICENSING POLICY**

DRAFT

Version 1 July 2014

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## 1.0 Executive Summary

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

## 2.0 Introduction

### 2.1 The Central Bedfordshire Area

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

The area is diverse with picturesque villages, hamlets and historic market towns whilst, as one of the most rapidly growing unitary councils in England, it is planning for substantial additional development. With a total population of some 260,000, the largest communities within Central Bedfordshire are Dunstable, Leighton Buzzard, Houghton Regis, Biggleswade, Flitwick, Sandy, Ampthill and Shefford.

By May 2014 Central Bedfordshire had issued over 900 premises licences under the Licensing Act 2003. The Licensing Authority had also issued over 2500 Personal licences. This number includes people that live within Central Bedfordshire area but that may work elsewhere.

### 2.2 Licensing Policy Statement

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

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

The Act requires that a Statement of Licensing Policy is published every five years on specified dates. The next review must be completed by 7<sup>th</sup> January 2015 to meet the requirements of the Act. Further consultations will take place before any amendments are made. In addition the Council will keep its policy under constant review, and make revisions as appropriate.

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

### **2.3 Purpose of Policy**

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

### **2.4 Licensing Objectives**

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

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

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

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

### **2.5 Licensable Activities**

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

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

Regulated entertainment includes:

- Performance of a play
- Exhibition of a film
- Indoor sporting events
- Boxing/wrestling entertainment

- Performance of live music
- Playing of recorded music
- Performance of dance

*(reference to facilities for making music and facilities for dancing have been removed)*

In certain circumstances some of the above activities have been deregulated, please contact the licensing team for more detailed information.

## 2.6 Authorisations for licensable activities

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

## 2.7 General principles

Notwithstanding the above, the Licensing Authority will ensure that:

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

## 2.8 Consultation

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

- The Police
- The Fire Service
- Current licence holders
- Bodies representing local holders of premises licences
- Community Safety Liaison Officer
- Community Development Officer
- Town & Parish Councils
- Trading Standards
- Licensing Solicitors
- Ward Councillors
- Other relevant services within Central Bedfordshire Council

This Policy will come into force on the 7<sup>th</sup> January 2015. The next review must be undertaken and the policy published by the 7<sup>th</sup> January 2020. The Policy may also be reviewed, updated and modified as and when the Licensing Authority considers appropriate to promote one or all of the licensing objectives.

The consultation took place between 1<sup>st</sup> August 2014 and 10<sup>th</sup> October 2014, and the views of the parties consulted have been given proper weighting.

The policy was approved at a meeting of the Full Council on (TBC) and was published via our website on (TBC)

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

Licensing Team, Central Bedfordshire Council, Watling House, High Street North, Dunstable, Beds, LU6 1LF

E-mail: [licensing.enquiries@centralbedfordshire.gov.uk](mailto:licensing.enquiries@centralbedfordshire.gov.uk)

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



### 3.0 Related Strategies and Initiatives

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

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

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

#### **4.0 Cumulative Impact**

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

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

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

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

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## 5.0 Licensing Process and Delegations

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

The Responsible Authorities for the Licensing Act 2003 are:

- Chief Officer of Police
  - Chief Fire Officer
  - Health & Safety. This must be sent to the relevant enforcing Authority for the Health and Safety at Work etc. Act 1974 which in most cases is the Local Authority. In all other cases it is the Health and Safety Executive. If in doubt please contact Central Bedfordshire Council Health and Safety Department for further guidance
  - Central Bedfordshire Council **Public Protection**
  - Central Bedfordshire Council Planning
  - Central Bedfordshire Council, Policy & Strategy, Children Families and Learning
  - Trading Standards
  - **Central Bedfordshire Council Public Health**
- 5.3 As contacts for Responsible Authorities under the Act are liable to change, their details are available on a separate document and can be obtained by contacting the licensing team, or on the Central Bedfordshire Council website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk)
- 5.4 Applicants must also advertise their application in the prescribed manner to ensure that all **other persons** are aware of the application and are able to make representations if they so wish.  
*(reference to interested parties removed)*
- 5.5 If no relevant representations are received the Licensing Authority must grant the licence and may only attach conditions that are consistent with the operating schedule and any mandatory conditions as prescribed in the Act. Applications where there are relevant representations that have not been withdrawn as a result of mediation, will be dealt with by a Committee of the Licensing Authority, as will any application for review of a licence (see Section 7.0).
- 5.6 When determining applications the Licensing Authority will have regard to the Guidance issued by the Home Office. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's

consideration will be balanced against the wider benefits to the community.

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

**5.8 Delegation of Functions**

<b>Matter to be dealt with</b>	<b>Licensing Committee</b>	<b>Officers</b>
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for Interim Authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police representation to a temporary event notice	All cases	
Application for a Minor Variation either with or without representations	All cases (subject to approval by the constitutional working group and members)	

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

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## 6.0 Applications

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

### 6.1 Premises Licence

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

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

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

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

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

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

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

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

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

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

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

There are also new Mandatory Conditions regarding drinks promotions and below cost sales for alcohol.

## **6.2 Club Premises Certificates**

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

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

## **6.3 Temporary Event Notices**

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

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

Only the police and the local authority exercising environmental health functions (Public Protection) may object to a Temporary Event Notice.

The Act states that a Temporary Event Notice must be given to the Licensing Authority, Police & Public Protection at least 10 working days before the day on which the event is due to begin, or in the case of a “late TEN”, between 9 and 5 days before the event (This does not include the day of receipt of the application by the Licensing Authority or the first day of the event). The Licensing Authority however recommends that at least 28 days notice be given, to allow the Licensing Authority, the Police and Public Protection to take full consideration of the notice. Please note that in the case of electronic TENs, the Licensing Authority is responsible for copying applications to the Police & Public Protection.

## **6.4 Provisional Statements**

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

Please contact the Licensing Authority for further details.

## 6.5 Personal Licences

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

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

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

For further guidance and advice please contact the Licensing Authority.

## 6.6 Designated Premises Supervisor

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

Each premises licence which authorises the sale of alcohol requires a personal licence holder to be the Designated Premises Supervisor, (the only exception is for community premises which have successfully applied to remove the DPS requirement). This is to ensure that there is always one individual who can be readily identified in case of emergency. The Designated Premises Supervisor should have day to day responsibility for the running of the premises. Suitable arrangements should be in place to provide cover where the Designated Premises Supervisor is absent due to holidays, sickness or similar circumstances.

## 6.7 Reviews

The Act provides a review mechanism for premises whereby Responsible Authorities and other persons can apply for a review of a premises licence but must provide evidence to the Licensing Authority that one or more of the licensing objectives are not being met. However, no more than one review will normally be permitted within any 12 month period on similar grounds, except in exceptional and compelling circumstances or where it arises following a Closure Order. Any review of a licence will take place before the Licensing Sub Committee.

Requests for a review will be rejected if:

- the reason does not relate to one or more of the licensing objectives
- if the grounds are, in the opinion of the Licensing Authority, frivolous, vexatious or repetitive. Repetitive grounds are those which are



substantially the same, or identical to those considered at a previous hearing within the last 12 months.

## **7.0 Licensing Functions**

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

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

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

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

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

### **7.1 The Prevention of Crime and Disorder**

Applicants should consider how they propose to deal with:

- Under age drinking
- Drunkenness on premises

- Drugs
- Violent behaviour
- Anti Social Behaviour

Licensing application operating schedules should therefore consider measures for:

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

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

## **7.2 Public Safety**

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

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

### **7.3 The Prevention of Public Nuisance**

The Licensing Act 2003 recognises the need for flexibility with regard to licensing hours, to reduce the likelihood of disturbances due to large numbers of people leaving licensed premises simultaneously. Applicants should consider their opening hours in relation to the nature of their business, the other licensed premises in the local area and the likelihood for public nuisance to occur.

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

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

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

### **7.4 The Protection of Children from Harm**

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

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

(One of the mandatory conditions that came into force in October 2010 specifies that the premises licence or club premises certificate holder must operate an age verification policy in relation to alcohol sales. This requires individuals that appear to be under 18 (or such older age as may be specified in the policy) to produce identification which bears their photograph, date of birth and a holographic mark).

## 8.0 Enforcement

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

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

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

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

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## 9.0 Contact Details

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

Central Bedfordshire Council  
Licensing Team  
Watling House  
High Street North  
Dunstable  
Beds  
LU6 1LF

0300 300 8647

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

This policy will also be available on our website:

[www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk)

Information is also available from;

The Home Office  
2 Marsham Street  
London  
SW1P 4DF

Tel: 020 7035 4848

Website: <https://www.gov.uk/government/organisations/home-office>

e-mail: [alcoholstrategy@homeoffice.gsi.gov.uk](mailto:alcoholstrategy@homeoffice.gsi.gov.uk)

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

Tel: 0207 211 6200

e-mail: [enquiries@culture.gov.uk](mailto:enquiries@culture.gov.uk)

Website: [www.culture.gov.uk](http://www.culture.gov.uk)

Local Government Licensing Forum:

Website: [www.lglf.org](http://www.lglf.org)

The Portman Group:

Website: [www.portmangroup.co.uk](http://www.portmangroup.co.uk)

**Council Meeting – 27<sup>th</sup> November 2014**

**Recommendation to Council from the Licensing Committee meeting held on the 12<sup>th</sup> November 2014**

Adoption of updated model byelaws for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

The Licensing Committee considered the report of Marcel Coiffait, Director of Community Services, regarding the proposed update and adoption of the new harmonised Central Bedfordshire Council byelaw.

The report set out the proposed changes to the byelaw following consultation with the Council's legal department.

Members noted the report and attached proposed byelaw and approved the recommendations of the report.

**RECOMMENDED to Council:**

- 1) To use its adoptive powers in part VIII of the Local Government (Miscellaneous Provisions) Act 1982 to revoke the existing legacy byelaws and adopt harmonised updated byelaws.**
- 2) To authorise the affixing of the Council's Common Seal to the byelaws**
- 3) To authorise the appropriate officer to carry out the necessary procedure including applying to the Secretary of State for confirmation.**

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## **BYELAWS**

### For the Regulation of

### Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis

These Byelaws are made for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) and 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses. These Byelaws are made by the Central Bedfordshire Council in pursuance of sections 14(7) or 15(7) or both of the Act.

#### **1. Interpretation**

(1). In these byelaws, unless the context otherwise requires-

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;  
“client” means any person undergoing treatment;

“hygienic piercing instrument” means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and where necessary is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either-

- (a) the lobe or upper flat cartilage of the ear, or
- (b) either side of the nose in the mid-crease area above the nostril; or
- (c) piercing to other parts of the body.

“operator” means any person giving treatment, including a proprietor;

“premises” means any premises registered under sections 14(2) or 15(2) of the Act;

“proprietor” means any person registered under sections 14(1) or 15(1) of the Act;



“treatment” means any operation in effecting acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing or electrolysis;

“the treatment area” means any part of premises where treatment is given to clients.

(2) The Interpretation Act 1978 shall apply for the interpretation of these byelaws where the Act is not clear as it applies for the interpretation of an Act of Parliament.

2.-(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that-

- (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
- (b) any waste material, or other litter arising from treatment is handled and disposed of, as clinical waste where appropriate, in accordance with relevant legislation and guidance as advised by the local authority;
- (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;
- (e) any table, couch, seat or seat other item of furniture used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument, including a hygienic piercing instrument, or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected-
  - (i) immediately after use; and
  - (ii) at the end of each working day.
- (f) any table, couch, seat or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;
- (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, and “No Eating or Drinking” is prominently displayed in the treatment area.

(2)(a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin



- colouring, cosmetic piercing and electrolysis) of the Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;
- (b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear piercing or nose piercing using a hygienic piercing instrument.
- (3)(a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring cosmetic piercing) of the Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;
- (b) Sub-paragraph (a) shall not apply if the only treatment to be given is ear-piercing or nose-piercing using a hygienic piercing instrument.
- 3.-(1) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, including hygienic piercing instruments, jewellery, materials and equipment used in connection with treatment-
- (a) an operator shall ensure that-
- (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment-
    - (aa) is clean and in good repair and, so far as is appropriate, is sterile;
    - (bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.  - (ii) any needle, metal instrument, or other instrument, including a hygienic piercing instrument, or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
  - (iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
  - (iv) any dye used for tattooing or semi-permanent skin-colouring is sterile, bacteriologically clean and inert;
  - (v) any container used to hold dye for tattooing, semi-permanent skin-colouring, or piercing equipment is either disposed of at the end of each treatment or is cleaned and sterilized before reuse.
- (b) a proprietor shall provide-
- (i) adequate facilities and equipment for-
    - (aa) cleansing; and
    - (bb) sterilization, unless only pre-sterilized items are used.



- (ii) sufficient and safe gas points and sufficient and safe electrical socket outlets;
- (iii) an adequate and constant supply of clean, hot and cold water on the premises;
- (iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.

4.-(1) For the purpose of securing the cleanliness of operators, -

- (a) an operator shall ensure that he or she-
  - (i) keeps hands and nails clean and nails short;
  - (ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
  - (iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(2);
  - (iv) wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client;
  - (v) does not smoke or consume food or drink in the treatment area; and
- (b) a proprietor shall provide-
  - (i) suitable and sufficient hand washing facilities located in the treatment area for the sole use of operators, including an adequate and constant supply of clean, hot (and cold) water, soap or detergent; and
  - (ii) suitable and sufficient sanitary accommodation for operators,

unless different arrangements have been made with the Council and those arrangements have been confirmed to the proprietor in writing from an authorised officer

- (2) Where an operator gives acupuncture, a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if-
  - (a) the client is bleeding or has an open lesion on an exposed part of his or her body; or
  - (b) the client is known to be infected with a blood-borne virus; or
  - (c) the operator has an open lesion on his or her hand; or
  - (d) the operator is handling items that may be contaminated with blood or other body fluids.



5.-A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

6.-The following byelaws are revoked:

- (a) The byelaws relating to Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis that were made by Mid Bedfordshire District Council and South Bedfordshire District Council

**THE COMMON SEAL of CENTRAL** )  
**BEDFORDSHIRE COUNCIL** )  
 was hereunto affixed in the )  
 presence of: )

On .....

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on

And shall come into force on

[Printed name]  
 Member of the Senior Civil Service  
 Department of Health



**NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS**

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him or her under Part VIII of the Act. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard statutory scale for such offences (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard statutory scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation of the registration of the premises in which the offence was committed, if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under the relevant sub-sections of section 16 to prove that he or she took all reasonable precautions and exercised all due diligence to avoid commission for the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is a registered dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:



*The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 **only apply to acupuncture.***

*The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 **do not apply to acupuncture.***

*The references in paragraph 1.-(1) of the byelaws under the definition of “premises”, to provisions of section 14 (acupuncture), **only apply to acupuncture.***

*The references in paragraph 1.-(1) in the definition of “premises” to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) **do not apply to acupuncture.***

*The requirement of paragraph 2.-(2) that treatment is given in a treatment area used solely for giving treatment **applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirement in paragraph 2.-(3) that the floor of the treatment area provided with a smooth impervious surface **applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3.-(1) (a) (iv) and (v) **apply to tattooing and semi-permanent skin-colouring.***

*The requirement in paragraph 4.-(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client **does not apply to acupuncture otherwise than in the circumstances described in paragraph 4.-(2)***

*The provisions of paragraph 4.-(1) in relation to washing facilities **apply to cosmetic piercing using only a hygienic piercing instrument.***

*The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a dentist **applies only to acupuncture (see section 14(8) of the Act).***





## Draft model byelaws

### Cosmetic piercing

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of cosmetic piercing made by ..... in pursuance of Section 15(7) of the Act.

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting cosmetic piercing;

“The treatment area” means any part of the premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;

b. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;

c. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;

d. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

f. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

g. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, “No Eating or Drinking” is prominently displayed there.

**NOTES – not to form part of the model notice**

1. Passages marked [ ]\* to be modified by the Council according to the scope of Council's resolution.
2. The local authority should publish this notice in two consecutive weeks in a local newspaper circulating in their area.
3. The Council should specify the date or dates in paragraph 2. These can be the same for all sections listed in paragraph 1, or different, but
  - a. One month must pass between the day the resolution was passed and the first date of coming into force; and
  - b. First publication of the notice must not be later than 28 days before the coming into force of the provisions.

*Regulation of Cosmetic Piercing and Skin-Colouring Businesses*

3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the treatment –
  - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in the treatment –
    - i. is clean and in good repair, and, so far as is appropriate, sterile;
    - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.
  - b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in the treatment is in a sterile condition and kept sterile until it is used;
  - c. A proprietor shall provide –
    - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilized items are used) and of cleansing, as required in pursuance of these byelaws;
    - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
    - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
    - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators –
  - a. A proprietor shall ensure that –
    - i. any operator keeps his hands and nails clean and his nails short;
    - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
    - iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
    - iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
    - v. any operator does not smoke or consume food or drink in the treatment area.
  - b. A proprietor shall provide;
    - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water and sanitising soap or detergent;
    - ii. suitable and sufficient sanitary accommodation for operators.

*Regulation of Cosmetic Piercing and Skin-Colouring Businesses*

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health

on \_\_\_\_\_ and shall come into operation on \_\_\_\_\_

Member of the Senior Civil Service  
Department of Health

**NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS**

- A. Proprietors must take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing a fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- C. Nothing in these byelaws extends to the practice of cosmetic piercing by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of cosmetic piercing is carried on by or under the supervision of such a person.

## Draft model byelaws

### Semi-permanent skin-colouring

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of semi-permanent skin-colouring, made by ..... in pursuance of section 15(7) of the Act.

1. Interpretation:
  - a. In these byelaws, unless the context otherwise requires –
    - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
    - “Client” means any person undergoing treatment;
    - “Operator” means any person giving treatment;
    - “Premises” means any premises registered under Part VIII of the Act;
    - “Proprietor” means any person registered under Part VIII of the Act;
    - “Treatment” means any operation in effecting semi-permanent skin-colouring;
    - “The treatment area” means any part of the premises where treatment is given to clients.
  - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –
  - a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
  - b. The treatment area is used solely for giving treatment;
  - c. The floor of the treatment area is provided with a smooth impervious surface;
  - d. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
  - e. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;
  - f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
  - g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;
  - h. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

*Regulation of Cosmetic Piercing and Skin-Colouring Businesses*

- i. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed there.
  3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the treatment –
    - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
      - i. is clean and in good repair, and so far as is appropriate, is sterile;
      - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.
    - b. An operator shall ensure that –
      - i. any needle, metal instrument, or other item or equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
      - ii. all dyes used for semi-permanent skin-colouring are sterile and inert;
      - iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatment, or are cleaned and sterilized before re-use;
    - c. A proprietor shall provide –
      - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
      - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
      - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
      - iv. adequate storage for items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators –
  - a. A proprietor shall ensure that –
    - i. any operator keeps his hands and nails clean and his nails short;
    - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
    - iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
    - iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;

*The following is a copy of the byelaws, and shall be taken to be the copy.*

- v. any operator does not smoke or consume food or drink in the treatment area.
- b. A proprietor shall provide -
  - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water, sanitising soap or detergent;
  - ii. suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health

on \_\_\_\_\_ and shall come into operation on \_\_\_\_\_

Member of the Senior Civil Service  
Department of Health

**NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS**

- A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under part viii of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing the fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws extends to the practice of semi-permanent skin-colouring by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of semi-permanent skin-colouring is carried on by or under the supervision of such a person.





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**Meeting:** Council  
**Date:** 27<sup>th</sup> November 2014  
**Subject:** Monitoring Treasury Management Outturn  
**Report of:** Cllr Maurice Jones, Deputy Leader and Executive Member for Corporate Resources  
**Summary:** This report provides a review of the performance of the Treasury Management strategy and Prudential Indicators for the six month period ending 30<sup>th</sup> September 2014.

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**Advising Officer:** Charles Warboys, Chief Finance Officer and Section 151 Officer  
**Contact Officer:** Charles Warboys, Chief Finance Officer and Section 151 Officer  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council  
**Key Decision** Yes  
**Reason for urgency/ exemption from call-in (if appropriate)** Not applicable

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

The actions support the Council priorities by:

- the effective management of the Council's financial resources and the associated risks.

##### **Financial:**

1. The Council's Treasury Management strategy and prudential indicators underpin the Medium Term Financial Plan (MTFP). Performance against the strategy and the prudential indicators is explained within the body of this report.

**Legal:**

2. The Council's treasury management activities are regulated by statute, professional codes and official guidance. The Local Government Act 2003 (the Act) provides the powers to borrow and invest as well as providing controls and limits. Under the Act, Communities and Local Government has issued Guidance on Local Government Investments (revised March 2010) to structure and regulate the Council's investment activities. The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 – Statutory Instrument (SI) 3146 (plus subsequent amendments), develops the controls and powers within the Act. The SI requires the Council to undertake any borrowing activity with regard to the Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code for Capital Finance in Local Authorities. The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services (the Code of Practice).
3. CIPFA revised the Code of Practice in November 2011 following developments in financial markets and the introduction of the Localism Act for English local authorities. The revised Code was adopted by Council on 29<sup>th</sup> November 2012.

**Risk Management:**

4. The approved strategy aims to manage the risks to the Council's finances from instability in financial markets.

**Staffing (including Trades Unions):**

5. Not applicable.

**Equalities/Human Rights:**

6. Not applicable.

**Public Health:**

7. Not applicable.

**Community Safety:**

8. Not applicable.

**Sustainability:**

9. Not applicable.

**Procurement:**

10. Not applicable.

**Overview and Scrutiny:**

11. The CIPFA Code of Practice for Treasury Management in the Public Services requires that Council receives two treasury and prudential indicator performance reports in respect of each financial year, addressing the first six months and the outturn position. This mid year report explains performance for the six months to September 2014. Annually the Corporate Resources Overview & Scrutiny Committee considers the proposed treasury management strategy and receives quarterly treasury management performance information as part of the ongoing budget monitoring process. This report recommends changes to the current Treasury Management strategy to maintain access to a diversified range of investment counterparties in the event of credit rating downgrades. The urgency of the changes precluded a report to the Corporate Resources Overview and Scrutiny Committee but the Chair has been kept fully informed of the proposals.

**RECOMMENDATION(S):**

**Council is asked to:**

- 1. Acknowledge the satisfactory performance on Treasury Management and Prudential Indicators for the 6-month period ending 30<sup>th</sup> September 2014 and the single breach of investment counterparty limits (as detailed in paragraph 37 below).**
- 2. Approve a revision to the minimum investment credit rating criteria for acceptable investment counterparties to BBB+ (or Moody's equivalent of Baa1), from A- (or Moody's equivalent of A3), in order to allow the Council flexibility to continue to invest with the major UK banks and building societies in the event of further downgrades in credit ratings (see paragraphs 30-33 below).**
- 3. Approve an increase in the non-specified cash limit for total investments rated below a credit rating of A- (or equivalent) from £15m to £30m (see paragraph 34 below).**
- 4. Approve a reduction in the investment counterparty limit for any single organisation (or group of organisations under the same ownership) from £15m to £7m (see paragraph 34 below).**
- 5. Approve the revisions to the Treasury Management Strategy set out at Appendix C to this report.**
- 6. Confirm the Prudential Indicators for 2014/15 as set out at Appendix D to this report.**

*Reason for Recommendation(s): The CIPFA Code of Practice for Treasury Management requires that all Members are informed of treasury management activities at least twice a year. The proposed amendments to the current Treasury Management Strategy respond to the likely impact of the UK implementing the final bail-in provisions of the EU Bank Recovery and Resolution Directive to commence in January 2015.*

## Executive Summary

12. The Council's treasury advisers, Arlingclose Ltd, do not expect the Bank of England to raise its Base Rate until Quarter 3 of 2015 and the short term return on cash investments will continue to remain at very low levels. Arlingclose Ltd have also advised that the introduction of new bank bail in provisions in the UK from January 2015 could, in the immediate future, lead to downgrades in the credit ratings of leading UK Banks and Building societies.. This report recommends changes in the current treasury strategy to allow the Council to access a diversified range of investment counterparties. Due to the limited time available to consider the strategy changes the proposals have not been considered by Corporate Resources Overview and Scrutiny Committee but the Chair of that Committee has been kept fully informed of the proposals.
13. The Council continues to prioritise the security and liquidity of its investments and has continued to internally borrow from its balances to fund capital expenditure in lieu of additional external borrowing.
14. Rates of borrowing from the Public Works Loan Board (PWLB) have remained broadly unchanged from 1<sup>st</sup> April – 30<sup>th</sup> September 2014.
15. The Chief Finance Officer can confirm that the Council has complied with its Prudential Indicators for the 6-month period ending 30<sup>th</sup> September 2014.

## Background

16. Treasury management is defined by the CIPFA Code of Practice for Treasury Management in the Public Services as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
17. The Council's Treasury Management Strategy has been underpinned by the adoption of the CIPFA Code of Practice on Treasury Management (2011 Edition), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.
18. The Code also recommends that all Members are informed of Treasury Management activities at least twice a year. This report therefore ensures this Authority has adopted best practice in accordance with CIPFA's recommendations. Local arrangements require the Corporate Resources Overview & Scrutiny Committee to receive, on a quarterly basis, treasury management performance reports and every year to scrutinise the proposed revised strategy.
19. Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management objectives.

20. This report provides members with a summary of the treasury management activity during the six months ending 30<sup>th</sup> September 2014. The Council has complied with its Prudential Indicators and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

### **Treasury Activities for the period 1<sup>st</sup> April 2014 to 30<sup>th</sup> September 2014**

#### **Borrowing**

21. The Council's underlying need to borrow as measured by the Capital Financing Requirement (CFR) was £418.2m. At 30<sup>th</sup> September 2014 £308.0m had been externally borrowed, with the remainder borrowed internally from the Council's own cash balances. The Council will continue to utilise cash balances to fund capital expenditure in lieu of borrowing externally, but it is currently anticipated that some external borrowing will be required by the end of December 2014. The amount of borrowing required will be dependent on the actual cash flows experienced but has been currently estimated at a level up to £10m.
22. The Council has £165m of borrowing relating to the Housing Revenue Account (HRA) which was arranged as part of HRA Self Financing, introduced by Central Government in the 2011/12 financial year.
23. Most of the Council's borrowing (96%) is from the Public Works Loan Board (PWLB), a borrowing facility provided to Local Authorities by Central Government. The rate at which local authorities can borrow from this facility is determined by the market rate of interest on UK Gilts. An economic summary for the period 1<sup>st</sup> April – 30<sup>th</sup> September 2014 is included in Appendix A.
24. Over the next two quarters the Council plans to maintain minimum cash levels for operational purposes and source its borrowing needs from other local authorities on a short term rolling basis in order to achieve significant revenue cost savings over the more traditional route of borrowing long term from the PWLB. This borrowing strategy assumes that interest rates will continue to remain low for longer than previously envisaged, in line with advice from the Council's treasury advisers, Arlingclose Ltd. However, the Council will continue to monitor long term rates with a view to fixing a portion of its borrowing if rates are favourable.
25. No new external borrowing has been undertaken to finance capital expenditure in the current financial year. Debt management activities for the period are outlined in Appendix B.

#### **Investments**

26. The Council only places funds with counterparties of high creditworthiness and restricts time periods for investments. Priority is given to security and liquidity over yield.

27. At 30<sup>th</sup> September 2014, the Council held £27.1m in investments. Forecast investment income is £0.4m for the current financial year, with short term money market rates very low and forecast to remain low over the medium term.
28. Criteria to determine suitable investment counterparties for the Council are approved annually by Council as part of the Treasury Management Strategy. Investment activities for the period are detailed in Appendix C.
29. The UK is implementing the final bail-in provisions of the EU Bank Recovery and Resolution Directive to commence in January 2015, a year ahead of most other countries. Following the 2008 financial crisis, governments injected hundreds of billions to bail-out the banks. Bail-outs of failing banks in Greece, Portugal and Iceland were primarily financed by taxpayers. As time has passed and the cost of government bail-outs has risen, the appeal of asking private-sector investors to suffer a greater proportion of losses has increased. A bail-in forces the bank's bondholders and depositors to bear some of the burden by having part of the debt they are owed written off.
30. As outlined above, there is a risk that following the introduction of the above Directive the credit ratings of a number of UK banks and building societies may be reduced to reflect the reduction in likely central government support. The Council has two broad options to respond to this risk:
  - amend the Treasury Management Strategy (TMS) to allow investment in lower rated banks and building societies, or
  - prepare to invest without using any of the major UK banks and building societies.
31. Adopting the option to amend the TMS would allow the Council to broadly maintain its existing investment approach of investing with the major UK banks and building societies.
32. The Council's cash investments are too small to attract interest from overseas banks. By maintaining a minimum investment credit rating criteria of A- (or equivalent), the Council's investment options could be limited to the Bank of England's UK Debt Management Office (DMO) which pays a minimal interest rate of 0.25% on cash deposits and AAA-rated Money Market Funds.
33. To ensure the Council has recourse to a reasonable number of investment counterparties and as advised by the Council's advisers, Arlingclose Ltd, a reduction in the minimum investment credit rating criteria from A- to BBB+ (or Moody's equivalent of A3 and Baa1 respectively) is recommended. A 'BBB' rating denotes investment grade of a good credit quality, where there is a low risk of default and the capacity for payment of financial commitments is considered adequate.

34. Reflecting the reduction in minimum criteria it is also recommended that the maximum investment with any one bank or building society (or any group of organisations under the same ownership) is reduced from £15m to £7m. To allow flexibility to access a number of BBB+ rated institutions, it is recommended that the overall non-specified cash limit for total investments rated below a credit rating of A- (or equivalent) be increased from £15m to £30m. The proposed amendments to investment limits are detailed in Appendix C.

### **Prudential Indicators**

35. The CIPFA Prudential Code for Capital Finance in Local Authorities requires performance against specified key indicators to be measured and reported. The purposes of these indicators are to demonstrate prudence, affordability and sustainability.
36. The Council has complied with its Prudential Indicators for the period 1<sup>st</sup> April 2013 to 30<sup>th</sup> September 2014. Explanations of the Prudential Indicators and performance against these is included in Appendix D. Key points include:
- The Council has remained within its authorised and operational borrowing limits.
  - Borrowing is less than the Capital Financing Requirement (CFR), demonstrating that all long term borrowing has been undertaken for capital purposes in line with the Prudential Code.
  - The Council is within its limits regarding the maturity profile of its fixed rate borrowing, ensuring that debt maturities are spread over many years in order to control the Council's exposure to refinancing risk.
  - The Council is within its limits regarding its exposure to variable interest rates and thus its exposure to interest rate fluctuations.
37. In the six months to 30<sup>th</sup> September there was a breach of investment counterparty limits on 7<sup>th</sup> and 8<sup>th</sup> May 2014, where actual deposits placed with the Lloyds Banking Group exceeded the limit of £15m by £0.5m and between 9<sup>th</sup> and 11<sup>th</sup> May 2014 by £2.5m. The reasons for the breach are detailed in Appendix D to this report and internal procedures have been reviewed and revised to minimise the risk of any similar breach.

### **Appendices:**

Appendix A – Economic Background 1<sup>st</sup> April – 30<sup>th</sup> September 2014

Appendix B – Debt Management Activities 1<sup>st</sup> April – 30<sup>th</sup> September 2014

Appendix C – Investment Activities 1<sup>st</sup> April – 30<sup>th</sup> September 2014

Appendix D – Prudential Indicators 1<sup>st</sup> April – 30<sup>th</sup> September 2014

### **Background Papers:** (open to public inspection)

CIPFA – The Prudential Code for Capital Finance in Local Authorities (2013 Edition)



CIPFA – Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (2011 Edition)

CIPFA – Treasury Management in the Public Services: Guidance Notes for Local Authorities including Police Authorities and Fire Authorities (2011 Edition)

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## Appendix A

### Economic Background 1<sup>st</sup> April 2014 to 30<sup>th</sup> September 2014

Growth in the UK continues, with unemployment falling and inflation remaining below the Monetary Policy Committee's (MPC) target of 2% p.a. However, growth is not felt to be robust, as real pay is still not increasing, productivity shows no sign of rising and the balance of payments remains high by historical standards. Outside of the UK, growth is still erratic in the US and the Eurozone is struggling to grow at all, with the malaise now having spread to the core economies. Doubts remain over the path of the Chinese economy and geopolitical risk within the Middle East and Ukraine has increased significantly over the last year.

Gilt yields (the rate of interest on UK government borrowing) fluctuated in response to events for the first half of the year. In the US, the Federal Reserve held steady its Quantitative Easing stimulus programme, but other events produced downward pressure over the spring and summer. The movement in rates at which local authorities can borrow from the Public Works Loan Board (PWLB) is set out in the table below.

Period	31 March 2014	30 September 2014
1 year	1.3%	1.4%
3 year	2.0%	2.1%
5 year	2.7%	2.6%
10 year	3.6%	3.3%

\* These borrowing rates are at the 'Certainty Rate' (0.20% below the PWLB standard rate).

The outlook for the 6-month period ending 31<sup>st</sup> March 2015 continues to remain muted as nothing is really driving interest rate expectations higher. The lack of inflationary pressure is expected to allow policymakers to hold off monetary tightening for longer than the market currently expects. In particular, longer dated yields are expected to be held down by strong demand.

The Council's treasury advisers, Arlingclose Ltd, do not expect the Bank of England to raise its Base Rate until autumn 2015 and the short term return on cash investments will continue to remain at very low levels.

The focus is now on the rate of increase in the Base Rate and its medium-term peak, with expectations that rates will rise slowly and to a lower level than in the past.

## Appendix B

### Debt Management Activities from 1<sup>st</sup> April 2014 to 30<sup>th</sup> September 2014

	Balance on 01/04/2014 £m	Debt Maturing £m	New Borrowing £m	Balance on 30/09/2014 £m
<b>Capital Financing Requirement (CFR)</b>	<b>418.2</b>			
Short Term Borrowing <sup>1</sup>	16.4	0.0	0.0	16.4
Long Term Borrowing	291.6	0.0	0.0	291.6
<b>TOTAL BORROWING</b>	<b>308.0</b>	<b>0.0</b>	<b>0.0</b>	<b>308.0</b>
Other Long Term Liabilities	16.8	0.0	0.0	16.8
<b>TOTAL EXTERNAL DEBT</b>	<b>324.8</b>	<b>0.0</b>	<b>0.0</b>	<b>324.8</b>

The Council qualifies for borrowing at the 'Certainty Rate' (0.20% below the PWLB standard rate) for a 12-month period from 1<sup>st</sup> November 2014.

At 30<sup>th</sup> September 2014, the Council had £324.8m of external borrowing to finance its previous years' capital programmes. With short term interest rates being much lower than long term rates, it continues to be more cost effective in the short term to use internal resources, rather than undertake further long term borrowing. By doing so, the Council is able to minimise net borrowing costs and reduce overall treasury risk. No new external borrowing has been raised so far this year as is shown in the table above.

No debt rescheduling has been undertaken during the financial year as present discount rates make the costs involved unattractive.

### **Budgeted Expenditure and Outturn**

There is a forecast underspend of £0.6m on the Council's £5.9m interest payable expenditure budget for the year. This reflects both interest rates remaining lower than originally estimated and greater than estimated capacity for internal borrowing.

<sup>1</sup> Loans with maturities less than 1 year.

## Appendix C

### Investment Activities from 1<sup>st</sup> April 2014 to 30<sup>th</sup> September 2014

The Council gives priority to security and liquidity and aims is to achieve a yield commensurate with these principles.

	<b>Balance on 01/04/2014 £m</b>	<b>Investments Made £m</b>	<b>Investments Repaid £m</b>	<b>Balance on 30/09/2014 £m</b>
Short Term Investments	20.1	300.8	298.7	22.2
Investments in Pooled Funds	4.9	0.0	0.0	4.9
<b>TOTAL INVESTMENTS</b>	<b>25.0</b>	<b>300.8</b>	<b>298.7</b>	<b>27.1</b>

\* These figures exclude school balances.

Security of capital has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2014/15. New investments were made with the following classes of institutions:

- A-rated banks and building societies;
- AAA-rated Money Market Funds.

Counterparty credit quality was assessed and monitored with reference to credit ratings (the Council's minimum long-term counterparty rating of A- or equivalent across rating agencies Fitch, Standard & Poors and Moody's), share prices, credit default swap prices, financial statements, information on potential government support and reports in the quality financial press.

The average cash balance the Council held was £39.5m over the 6-month period to 30<sup>th</sup> September 2014, and this will continue to fall over the next two quarters reflecting the seasonal pattern of the income to spend ratio. Currently, the Council has money market deposits placed on varying interest rates ranging between 0.4% and 0.8%.

The Council continues to adhere to its long-standing strategy of holding low cash balances to reduce investment counterparty risk and contain its borrowing costs by utilising cash balances in lieu of borrowing externally.

In March 2014, one of the international credit rating agencies, Moody's, downgraded the long term credit ratings of Royal Bank of Scotland (RBS) and NatWest to Baa1. As this new credit rating fell below the Council's minimum investment credit rating criterion for banks and other financial institutions of A-, the Council's response was to cease making deposits or investments with either RBS or NatWest.

The Council banks with NatWest and will continue to do so for the foreseeable future. Whilst cash balances will be maintained in the NatWest current account, these are kept at a level proportionate to the smooth operation of the Council's payment systems and that which is required for day-to-day liquidity.

### **Proposed amendment to the Treasury Management Strategy to allow investment in lower rated banks and building societies**

The UK is implementing the final bail-in provisions of the EU *Bank Recovery and Resolution Directive* to commence in January 2015, a year ahead of most other countries. Credit rating agencies have stated that they plan to review EU banks' ratings in line with each country's implementation of the directive. Many UK banks have standalone ratings in the 'BBB' category, with uplifts for potential government support taking them into the 'A' category. There is therefore a realistic risk that some major UK bank and building society credit ratings, such as Barclays, Lloyds, Santander UK and Nationwide, will fall below the Council's existing minimum investment credit rating criterion of A- this financial year if this uplift is removed.

A 'BBB' rating denotes investment grade of a good credit quality, where there is a low risk of default and the capacity for payment of financial commitments is considered adequate.

The Council has two broad options to respond to this risk:

- amend the Treasury Management Strategy (TMS) to allow investment in lower rated banks and building societies, or
- prepare to invest without using any of the major UK banks and building societies.

If the Council chooses to respond by changing the TMS, the Council's treasury advisers, Arlingclose Ltd, recommend that an additional criteria of BBB+ should be included in the following Counterparty table of the existing TMS for 2014/15 – see overleaf.

The Council may invest its surplus funds with any of the counterparties in the table below: (Note strategy changes recommended to Council 27<sup>th</sup> November are indicated by shading below)

**Approved Investment Counterparties**

<b>Counterparty</b>	
Banks and other organisations and securities whose lowest published long-term credit rating from Fitch, Moody's and Standard & Poor's is:	AAA
	AA+
	AA
	AA-
	A+
	A
	A-
	BBB+
UK Central Government (irrespective of credit rating)	
UK Local Authorities (irrespective of credit rating)	
UK Registered Providers of Social Housing whose lowest published long-term credit rating is A- or higher	
UK Registered Providers of Social Housing whose lowest published long-term credit rating is BBB- or higher and those without credit ratings	
UK Building Societies without credit ratings	
Money market funds and other pooled funds	
Any other organisation, subject to an external credit assessment and specific advice from the treasury management adviser	

The CLG Guidance defines specified investments as those of “high credit quality”. Given that Arlingclose Ltd are not advising a lowering of the definition on high credit quality below A-, the Council would also need to increase the cash limit for ‘Total investments without credit ratings or rated below A-’ for non-specified investments to ensure that there is sufficient headroom. This can be achieved by increasing the current cash limit from £15m to £30m. This change is to allow reasonable investment capacity, if required, to access a number of UK institutions with credit ratings of BBB+.

**Non-Specified Investment Limits**

	<b>Cash limit</b>
Total long-term investments	£20m
Total investments without credit ratings or rated below A-	£30m
Total investments in foreign countries rated below AA+ by individual country	£10m

### Counterparty Investment Limits

To mitigate the potential increase in counterparty risk arising from the above amendments, it is proposed that the cash limit for any single organisation or any group of organisations under the same ownership will be reduced from £15m to £7m as outlined in the following table.

	<b>Cash limit</b>
Any single organisation, except the UK Central Government	£7m each
UK Central Government	unlimited
Any group of organisations under the same ownership	£7m per group
Any group of pooled funds under the same management	£10m per manger
Negotiable instruments held in a broker's nominee account	£10m per broker
Foreign countries	£10m per country
Registered Providers	£10m in total
Building Societies	£10m in total
Loans to small businesses	£10m in total
Money Market Funds	70% in total

### Budgeted Income and Outturn

There is a forecast under-recovery of £0.1m on the Council's £0.5m investment interest receivable approved income budget for the year in line with a focus on liquidity as cash balances have reduced to low levels.



## Appendix D

### Compliance with Prudential Indicators

The Council has complied with its Prudential Indicators from 1<sup>st</sup> April 2014 to 30<sup>th</sup> September 2014, set in February 2014 as part of the Council's Treasury Management Strategy Statement.

It should be noted that a counterparty limit was temporarily breached when investment deposits placed with the Lloyds Bank Group, i.e., Lloyds Bank and Bank of Scotland, exceeded the £15m approved group limit for a short period. The breach occurred when a new 32-day notice account was added to the suite of Lloyds Bank Group accounts used by the Council for deposit purposes. However, this new account was not properly incorporated into the spreadsheet used to check the various strategy limits. Consequently, on 7<sup>th</sup> and 8<sup>th</sup> May 2014, actual deposits with the Lloyds Bank Group exceeded the limit by £0.5m and by £2.5m between 9<sup>th</sup> May 2014 and 11<sup>th</sup> May 2014 (which included a weekend). The position was identified on 12<sup>th</sup> May 2014 in the course of treasury operations, corrected at the earliest opportunity and reported to the Deputy Leader and Executive Member for Corporate Resources, Chief Executive and Chief Finance Officer. Internal procedures were reviewed and revised to minimise the risk of similar breaches.

### Borrowing in Comparison to the Capital Financing Requirement

Estimates of the Council's cumulative maximum external borrowing requirement for 2014/15 to 2016/17 are shown in the table below.

	<b>31/03/2014 Actual £m</b>	<b>31/03/2015 Estimate £m</b>	<b>31/03/2016 Estimate £m</b>	<b>31/03/2017 Estimate £m</b>
Gross CFR	418.2	473.1	506.4	524.7
Less: Other long-term liabilities	(16.8)	(16.3)	(15.7)	(15.3)
<b>Borrowing CFR</b>	<b>401.4</b>	<b>456.8</b>	<b>490.7</b>	<b>509.4</b>
Less: Existing profile of borrowing	(308.0)	(291.6)	(282.2)	(275.6)
<b>Gross Borrowing Requirement/Internal Borrowing</b>	<b>93.4</b>	<b>165.2</b>	<b>208.5</b>	<b>233.8</b>

These forecast borrowing figures are based on the full capital programme being achieved.

**(a) Estimates of Capital Expenditure**

This indicator is set to ensure that the level of capital expenditure remains within sustainable limits. The Council's planned capital expenditure and financing, as approved by Council in February 2014, can be summarised as follows.

<b>Capital Expenditure and Financing</b>	<b>2013/14 Actual £m</b>	<b>2014/15 Estimate £m</b>	<b>2015/16 Estimate £m</b>	<b>2016/17 Estimate £m</b>
General Fund	74.5	89.6	112.0	73.0
HRA	7.6	17.2	12.1	12.2
<b>Total Expenditure</b>	<b>82.1</b>	<b>106.8</b>	<b>124.1</b>	<b>85.2</b>
Capital receipts	(2.9)	(8.2)	(11.9)	(9.5)
Government Grants	(44.6)	(35.7)	(59.5)	(37.5)
Major Repairs Reserve	(6.6)	-	-	-
Revenue contributions	(2.3)	(16.5)	(11.4)	(11.5)
Borrowing	(25.7)	(46.4)	(41.3)	(26.7)
<b>Total Financing</b>	<b>(82.1)</b>	<b>(106.8)</b>	<b>(124.1)</b>	<b>(85.2)</b>

**(b) Estimates of Capital Financing Requirement**

The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose.

<b>Capital Financing Requirement</b>	<b>31/03/2014 Actual £m</b>	<b>31/03/2015 Estimate £m</b>	<b>31/03/2016 Estimate £m</b>	<b>31/03/2017 Estimate £m</b>
General Fund	254.1	308.1	341.4	359.7
HRA	164.1	165.0	165.0	165.0
<b>Total CFR</b>	<b>418.2</b>	<b>473.1</b>	<b>506.4</b>	<b>524.7</b>

The CFR is forecast to rise by £106.5m over the next three years as capital expenditure financed by debt outweighs resources put aside for debt repayment.

**(c) Gross Debt and the Capital Financing Requirement**

This is a key indicator of prudence. In order to ensure that over the medium term debt will only be for a capital purpose, the Council should ensure that debt does not, except in the short term, exceed the total of Capital Financing Requirement (CFR) in the preceding year plus the estimates of any additional CFR for the current and next two financial years.

The Council has had no difficulty meeting this requirement nor are any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

	<b>31/03/2014 Actual £m</b>	<b>31/03/2015 Estimate £m</b>	<b>31/03/2016 Estimate £m</b>	<b>31/03/2017 Estimate £m</b>
<b>CFR</b>	<b>418.2</b>	<b>473.1</b>	<b>506.4</b>	<b>524.7</b>
Borrowing	308.0	338.1	370.0	390.0
PFI liabilities	16.8	16.3	15.7	15.3
<b>Gross Debt</b>	<b>324.8</b>	<b>354.4</b>	<b>385.7</b>	<b>405.3</b>
Difference	93.4	118.7	120.7	119.4
<b>Borrowed in excess of CFR? (Yes/No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**(d) Authorised Limit and Operational Boundary for External Debt**

The Local Government Act 2003 requires the Council to set an affordable borrowing limit, irrespective of their indebted status, referred to as the Authorised Limit. It is the maximum amount of debt that the Council can legally owe. This is a statutory limit which should not be breached.

The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit for unusual cash movements.

The Council confirms that there were no breaches to either the Authorised Limit or the Operational Boundary during the first six months of 2014/15, where the maximum extent of external borrowing was £324.8m.

	<b>Authorised Limit for 2014/15 £m</b>	<b>Operational Boundary for 2014/15 £m</b>	<b>Actual External Debt as at 30/09/2014 £m</b>
Borrowing	493.3	483.3	308.0
Other long-term liabilities	21.8	19.3	16.8
<b>Total</b>	<b>515.1</b>	<b>502.6</b>	<b>324.8</b>

**(e) Ratio of Financing Costs to Net Revenue Stream:**

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>2013/14 Actual %</b>	<b>2014/15 Estimate %</b>	<b>2015/16 Estimate %</b>	<b>2016/17 Estimate %</b>
General Fund	6.3	7.2	8.2	9.2
HRA	14.0	13.9	13.6	13.3

**(f) Incremental Impact of Capital Investment Decisions:**

This is an indicator of affordability that shows the incremental impact of new capital investment decisions included in the current approved capital programme on Council Tax and housing rent levels.

<b>Incremental Impact of Capital Investment Decisions</b>	<b>2014/15 Estimate £</b>	<b>2015/16 Estimate £</b>	<b>2016/17 Estimate £</b>
General Fund – increase in annual band D Council Tax	39.3	41.7	34.6
HRA – increase in average weekly rents	0.3	0.3	0.3

**(g) Adoption of the CIPFA Treasury Management Code**

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

<b>Adoption of the CIPFA Treasury Management Code</b>
The Council adopted the Chartered Institute of Public Finance and Accountancy's <i>Treasury Management in the Public Services: Code of Practice 2011 Edition</i> at its Full Council meeting on 29 <sup>th</sup> November 2012.

**(h) Housing Revenue Account (HRA) Debt**

The purpose of this limit is to report the level of debt imposed on the Council at the time of the implementation of self-financing by the Department for Communities and Local Government (CLG).

	<b>31/03/2014 Actual £m</b>	<b>31/03/2015 Estimate £m</b>	<b>31/03/2016 Estimate £m</b>	<b>31/03/2017 Estimate £m</b>
HRA Debt Cap (as prescribed by the DCLG)	165.0	165.0	165.0	165.0
HRA CFR	164.1	165.0	165.0	165.0
<b>Difference</b>	<b>0.9</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**(i) Interest Rate Exposures**

This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed, are outlined in the table below.

The Council confirms that there were no breaches to either of the upper limits during the first six months of 2014/15, where the proportion of fixed and variable interest rate exposures remained unchanged at 75% and 25% respectively.

	<b>2014/15</b> %	<b>2015/16</b> %	<b>2016/17</b> %
Upper limit on fixed rate exposure	100	100	100
<b>Actual exposure as at 30/09/2014</b>	<b>75</b>		
Upper limit for variable rate exposure	40	40	40
<b>Actual exposure as at 30/09/2014</b>	<b>25</b>		

**(j) Maturity Structure of Fixed Rate Borrowing**

This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing are outlined below.

<b>Maturity Structure of Fixed Rate Borrowing</b>	<b>Upper Limit</b> %	<b>Lower Limit</b> %	<b>Actual Fixed Rate Borrowing as at 30/9/2014</b> £m	<b>Fixed Rate Borrowing as at 30/9/2014</b> %	<b>Compliance with Set Limits?</b>
Under 12 months	20	0	13.5*	5.8	Yes
12 months - 24 months	20	0	0	0.0	Yes
24 months - 5 years	60	0	0	0.0	Yes
5 years - 10 years	100	0	29.8	12.9	Yes
10 years - 20 years	100	0	124.9	54.2	Yes
20 years - 30 years	100	0	0	0	Yes
30 years - 40 years	100	0	40.3	17.5	Yes
40 years - 50 years	100	0	22.1	9.6	Yes
50 years and above	100	0	0	0.0	Yes

\* LOBO option dates (on which the lender can require payment) are treated as potential repayment dates

**(k) Principal sums invested for periods longer than 364 days**

The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end are outlined in the table below.

The Council confirms that there was no breach to the £20m limit during the first six months of 2014/15, given that no investments for period longer than 364 days were entered into.

<b>Upper limit for total principal sums invested over 364 days</b>	<b>30/09/2014 Actual £m</b>	<b>2014/15 £m</b>	<b>2015/16 £m</b>	<b>2016/17 £m</b>
	0	20	20	20

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**Meeting:** Council  
**Date:** 27 November 2014  
**Subject:** Payment of Allowances for Police and Crime Panel (PCP) Roles  
**Report of:** Cllr Jamieson, Leader of the Council  
**Summary:** The report proposes that allowances be paid from the Home Office grant for certain roles on the Police and Crime Panel.

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**Advising Officer:** Deb Broadbent-Clarke, Director of Improvement and Corporate Services  
**Contact Officer:** Mel Peaston, Committee Services Manager  
**Executive Member:** Cllr Jamieson, Leader of the Council  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

The proposed action does not relate to any specific CBC Council priority.

##### **Financial:**

1. Any allowances to PCP members would be paid from the Home Office PCP grant which is administered by Bedford Borough Council. There would therefore be no financial implications for this Council.

##### **Legal:**

2. The Police Reform and Social Responsibility Act 2011 makes provision for allowances to be paid to PCP members.

##### **Risk Management:**

3. There are no risk management implications.

##### **Staffing (including Trades Unions):**

4. Not applicable

**Equalities/Human Rights:**

5. The PCP operates in an environment where decisions are made in a way which minimises unfairness, and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors and lay members serving on the PCP are aware of this duty before they take a decision.

**Public Health**

6. There are no public health implications.

**Community Safety:**

7. The PCP's role includes influencing the Police and Crime Commissioner to promote community safety across the whole of Bedfordshire.

**Sustainability:**

8. Not applicable

**Procurement:**

9. Not applicable

**RECOMMENDATIONS:**

**Following recommendations made by Bedford Borough Council's Independent Review Panel (IRP), that this Council agrees the recommendations of the IRP as follows:-**

1. that an annual allowance of £5,050 be paid to the Chairman of the Bedfordshire Police and Crime Panel;
2. that an annual allowance of £500 be paid to the Vice-Chairman of the Bedfordshire Police and Crime Panel;
3. that each of the Panel's Lay Members be paid an annual allowance of £750;
4. that if a Lay Member is elected as Chairman or Vice-Chairman of the Bedfordshire Police and Crime Panel, they be paid both the Chairman or Vice-Chairman's allowance as applicable, and also the Lay Member's allowance;
5. that the proposed allowances set out in recommendations 1-3 above be payable with effect from 1 April 2014.

**Proposals for allowances**

10. Proposals for paying allowances for certain roles on the PCP are set out in Appendix A, a report considered and agreed by Bedford Borough Council on 15 October 2014.

11. Bedford Borough Council is the host authority to the Bedfordshire Police and Crime Panel and therefore the authority which administers the Home Office Grant for the PCP.

**Agreement by constituent authorities**

12. Bedford Borough Council agreed the recommendations at its meeting on 15 October 2014, and Luton Borough Council also agreed them at its meeting on 4 November 2014.

**Conclusion and Next Steps**

13. If Central Bedfordshire Council agrees the recommendations, action will be taken by Bedford Borough Council to pay the allowances from the Home Office grant, backdated to 1 April 2014.

**Appendices:**

Appendix A – Report to Bedford Borough Council “Payment of Allowances to members of Bedfordshire PCP: Report of Bedford Borough Council’s Independent remuneration Panel”

Appendix B – Minute of Bedford Borough Council’s meeting on 15 October on the payment of allowances to PCP members.

**Background Papers:** (open to public inspection) none

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APPENDIX A

**PAYMENT OF ALLOWANCES TO MEMBERS OF THE BEDFORDSHIRE  
POLICE AND CRIME PANEL**

**REPORT OF BEDFORD BOROUGH COUNCIL'S INDEPENDENT  
REMUNERATION PANEL**

**1. Introduction**

- 1.1 Earlier this year the Independent Remuneration Panel (IRP) considered a request from the Bedfordshire Police and Crime Panel (PCP) that it consider whether the position of the Chair of the PCP should attract a special Responsibility Allowance and whether an Allowance should be available to any other PCP members.
- 1.2 At the time, the IRP concluded that no allowance should be paid from the Home Office funding available to meet Panel costs.
- 1.3 The IRP has now given further consideration to this matter and this report sets out the Panel's recommendations.

**2. Recommendations**

- 2.1 **That an allowance of £5050 pa be paid to the Chair of the Bedfordshire Police and Crime Panel.**
- 2.2 **That an allowance of £500 pa be paid to the Vice Chair of the Bedfordshire Police and Crime Panel.**
- 2.3 **That each of the Panel's Lay Members be paid an allowance of £750 pa.**
- 2.4 **That in the event that a Lay Member is elected as Chair or Vice Chair of the Bedfordshire Police and Crime Panel, they be paid both the Chair or Vice Chair's allowance (as appropriate) and the Lay Members' Allowance.**
- 2.5 **That the allowances set out in recommendations 2.1 to 2.3 above be payable with effect from 1 April 2014.**

**3. Details**

- 3.1 Following its earlier report, the IRP has recently given further consideration to the question of the payment of allowances to members of the Bedfordshire PCP.
- 3.2 In considering this request, the IRP has had regard to the following:

- the role and responsibilities of the Police and Crime Panel
- the number of occasions on which the Police and Crime Panel have:-

met both formally and informally  
met collectively for training/workshop purposes  
attended external training events/conferences  
met as part of a Task Group undertaking a discrete item  
policy review work

- that the Chair of the Panel and the Chief Executive of the Host Authority (Bedford Borough Council) also now hold scheduled monthly meetings with the Police and Crime Commissioner and his Chief Executive).
- the results of a survey undertaken to establish whether and what allowances are currently being paid to Chairs/Members of Police and Crime Panels elsewhere in the country – this identified wide ranging practices across England and Wales including that there are a number of panels in respect of which allowances are payable.
- the current level of Basic Allowances paid by the Panel's three Constituent Authorities, together with the levels of Special Responsibility Allowances they currently pay to their Scrutiny Committee Chairs and to their Co-opted Members.

3.3 IRP Members also had the opportunity to interview the Chair and Vice Chair of the Panel (Councillor Fiona Chapman, Central Bedfordshire Council and Councillor Colleen Atkins, Bedford Borough Council respectively) and one of the Panel's Lay Members, Mr Paul Cain. This enabled the Panel to find out in greater detail about

- What their respective roles on the PCP entail and the level of time commitment required
- How the actual workload involved compares to their initial expectations and to other similar roles they may undertake.
- What are the most challenging aspects of their roles.

This has enabled the IRP to gain a much clearer appreciation and understanding of the Panel's role, and the work and time commitment it requires on an ongoing basis. In particular, the IRP now appreciates that whilst there is a collaboration agenda between the Bedfordshire, Cambridgeshire and Hertfordshire forces, this does not extend to the operation of the PCPs for those force areas, which are wholly distinct.

- 3.4 It is clear to the Panel that the role of Chair of the PCP extends significantly beyond the responsibility for chairing Panel meetings and that there is significant ongoing contact with Host Authority officers in relation to Panel business and with the Police and Crime Commissioner's office on behalf of the Panel. This constitutes a significant time commitment on the part of the Chair. All three constituent authorities (ie Bedford Borough Council, Central Bedfordshire Council and Luton Borough Council) provide a Special Responsibility Allowance for the Chairs of their Overview & Scrutiny Committees and the Panel has concluded that the role of Chair of the PCP should merit the payment of an allowance at a level which is commensurate with the allowance paid by the Host Authority to the Chairs of their OS committees (currently £5050 pa)
- 3.5 The operation of the Panel is underpinned by a variety of protocols. These include a number of requirements for consultation with both the Chair and Vice Chair of the Panel on specific issues. The IRP was advised that it is standard practice to consult both the Chair and Vice Chair of the Panel between meetings on any issues which arise, thus extending the role of the Vice Chair beyond the customary role of chairing meetings in the Chair's absence into involvement with the wider management of Panel business. This also increases the time commitment for the Vice Chair. The IRP considers that this wider role should be acknowledged with the payment of a modest allowance of £500 p.a.
- 3.6 The Panel's membership includes two lay members appointed following an open recruitment process and whose legal status is that of co-opted member of the host authority (Bedford Borough Council). At the time of their recruitment, and based on guidance that was then available, it was not anticipated that the PCP would be as active as has turned out to be the case. Consequently, the amount of time which the Panel's lay members are now finding that they need to devote to Panel business is significantly greater than was considered to be required at the time of their appointment. The Councillor members of the Panel, are all entitled to receive from their own Authorities a Basic Allowance which is intended to recognise calls on their time such as preparation time for meetings, attendance at briefings and participation in training and development sessions. Other co-opted members of all three of the Panel's constituent authorities receive a modest allowance which recognises the calls on their time which carrying out those roles entails. Given the activity level of the PCP since its establishment, the IRP considers that the principle of paying an allowance should be extended to the Panel's lay members and that they should receive an allowance of £750pa. The Panel further considers that in the event that a lay member of the Panel is elected Chair or Vice Chair, this allowance should continue to be payable in addition to the Chair's/Vice Chair's Allowance.

- 3.7 The Home Office provides grant funding to support the operation of the Panel. This is paid to Bedford Borough Council as the host authority. The IRP has been advised that the payment of these allowances (the total of which in a full year is £7050) can be met from that grant and they will not, therefore, fall as an additional cost to the PCP's constituent authorities. The IRP recommends that these allowances should be paid with effect from 1 April 2014.



Appendix B

**Relevant minute of Bedford Borough's Council meeting on 15 October 2014**

**47. REPORT OF THE INDEPENDENT REMUNERATION PANEL**

(a) Payment of Allowances to Members of the Bedfordshire Police and Crime Panel

Councillor S Hunt moved and Councillor Gerard seconded that the report be received and that the recommendations be adopted.

On the motion being put to the meeting, the Speaker declared it to be carried.

RESOLVED:

That the report be received and that:

- (i) an allowance of £5050 pa be paid to the Chair of the Bedfordshire Police and Crime Panel.
- (ii) an allowance of £500 pa be paid to the Vice Chair of the Bedfordshire Police and Crime Panel.
- (iii) each of the Panel's Lay Members be paid an allowance of £750 pa.
- (iv) in the event that a Lay Member is elected as Chair or Vice Chair of the Bedfordshire Police and Crime Panel, they be paid both the Chair or Vice Chair's allowance (as appropriate) and the Lay Members' Allowance.
- (v) the allowances set out in recommendations (i) to (iii) above be payable with effect from 1 April 2014.

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**Meeting:** Council  
**Date:** 27 November 2014  
**Subject:** Leave of Absence  
**Report of:** Cllr Jamieson, Leader of the Council  
**Summary:** The report seeks Council's approval of absence for two Councillors.

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**Executive Member:** Cllr James Jamieson, Leader of the Council  
**Contact Officer:** Mel Peaston, Committee Services Manager  
**Public/Exempt:** Public  
**Wards Affected:** Biggleswade South and Parkside  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

The proposed action does not fall under a particular Council priority.

##### **Financial:**

1. There are no financial implications.

##### **Legal:**

2. If a member of the Council fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they cease to be a member of the authority unless the failure was due to some reason approved before the expiry of that period. This report seeks approval of those reasons.

##### **Risk Management:**

3. Not applicable

##### **Staffing (including Trades Unions):**

4. Not applicable

##### **Equalities/Human Rights:**

5. Central Bedfordshire Council has a statutory duty to promote equality of opportunity in relation to nine protected characteristics including disability. The proposal to approve leave of absence will provide both councillors with an opportunity to return to their duties as and when their personal circumstances improve.

##### **Public Health**

6. Not applicable

**Community Safety:**

7. Not applicable.

**Sustainability:**

8. Not applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATIONS:**

**Council is asked to:**

1. **approve the reason for Cllr Tim Woodward's absence from any meetings since 24 June 2014 as set out in paragraph 14 below, with the approval being for a period until the 4<sup>th</sup> day after the next local election;**
2. **approve the reason for Cllr Dr Rita Egan's absence from any meetings since 24 June 2014 as set out in paragraph 15 below, with the approval being for a period until the 4<sup>th</sup> day after the next local election.**

**Requirement to attend meetings**

10. Council Members are required to attend meetings, and if they do not meet the attendance requirement their membership of the Council ceases unless the Council has approved, prior to the expiry of six months from their last attendance, the reason for the non-attendance.
11. The Council's approval should state the reason to which the approval relates and the period for which it will run.

**Period to which the approval relates**

12. It is appropriate, in view of the elections to be held in May 2015, that the approval should relate to the timeframe applicable to membership of the Council of the other council members.
13. Persons not re-elected at the end of their term of office cease to be councillors on the fourth day after the ordinary day of election. It is therefore suggested that it would be appropriate for the approval of the reason for absence in respect of both parties to extend until that day.

**Reasons for absence**

14. Cllr Tim Woodward has suffered very poor health over the last year and is currently undergoing chemotherapy, the effects of which prevent him from taking part in Councillor duties.

15. Cllr Dr Egan has also suffered very poor health over the last year and has undergone surgery leading to the need for convalescence.

**Period within six months of the next local elections**

16. As the period from 27 November 2014, the date of the Council meetings, is within six months of the next local election, there is no requirement to hold a by-election if a Council member ceases to be a member.
17. Both Cllr Woodward and Cllr Dr Egan may be able to carry out some or all of their duties as Councillors as time goes on, subject to improvements in their health. If approval is not granted, and they are unable to attend any meetings before 24 December 2014 their membership would cease.
18. It is preferable for a Councillor to remain a member of the Council, and possibly able to perform duties as their health allows, than to allow vacancies on the Council to be created which would not be filled until the next local election.

**Conclusion and Next Steps**

19. Approval of the recommendations set out above would enable both Cllr Woodward and Cllr Dr Egan to remain members of the Council for the same period as other members, whether they do or do not attend any meetings.

**Appendices:**

None

**Background Papers:** (open to public inspection)

None

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## BEDFORDSHIRE FIRE AND RESCUE AUTHORITY

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### REPORT OF BEDFORDSHIRE FIRE AND RESCUE AUTHORITY FROM ITS MEETING ON 24 OCTOBER 2014 TO CENTRAL BEDFORDSHIRE COUNCIL

Bedfordshire Fire and Rescue Authority (FRA) held a meeting on 24 October 2014 at Dunstable Community Fire Station. The major issues discussed at the meeting are summarised below:

#### 1. COMMUNICATIONS

##### **Industrial Action**

There may be notification of further strike dates following confirmation from the Fire Services Minister that no additional changes would be made to the current proposals which would be laid before Parliament shortly.

##### **Transformation Fund**

The Authority had been successful in all three of its bids to the Transformation Fund. The first bid, which was a single Authority bid, was £308,000 to progress the review of the Retained Duty System. Two partnership bids had also been successful: £220,000 towards the set up costs for an insurance pool involving a number of Fire and Rescue Services and £1.45 million to contribute towards the STEP IT project with Cambridgeshire and Devon and Somerset Fire and Rescue Services.

##### **Chair's Communications**

The Lord Lieutenant had written to the Chief Fire Officer following her visit to Dunstable Community Fire Station on 15 October 2014. This had included a presentation on the Service's youth engagement and development work.

Members were advised that the following individuals had been awarded certificates of commendation at the annual awards evening on 21 October 2014:

- Crew Commander Mark Woodworth (Kempston) was honoured for "outstanding professionalism" in rescuing a member of the public from the River Great Ouse on 27 December 2013;
- Crew Commander Matthew Blanchard and Firefighter Duncan Muirhead (Bedford) were honoured for their "extremely brave and selfless act" in rescuing a member of the public from the River Great Ouse on 8 January 2014;

- Firefighter Greg Magill (Biggleswade) was honoured for displaying outstanding professionalism when assisting the victim of a serious assault in 29 May 2014; and
- Mr George Mercantonio, a member of the public, was honoured for his efforts in helping to rescue three young children and their mother when their house in Arlesey was on fire on 10 November 2013.

**2. CORPORATE SERVICES POLICY AND CHALLENGE GROUP 9 SEPTEMBER 2014**

Members received the Minutes of the meeting of the Corporate Services Policy and Challenge Group held on 9 September 2014.

The meeting had been conducted as a 'paperless' meeting and the Policy and Challenge Group would be holding one more 'paperless' meeting before deciding if any recommendations should be made to adopt the practice more widely across the Authority's meetings.

**3. SERVICE DELIVERY POLICY AND CHALLENGE GROUP 11 SEPTEMBER 2014**

Members received the Minutes of the meeting of the Service Delivery Policy and Challenge Group held on 11 September 2014.

The exceptional customer satisfaction survey results were recognised, as was the importance of promoting the high level of public satisfaction with the Service more widely through the three constituent unitary authorities.

**4. HUMAN RESOURCES POLICY AND CHALLENGE GROUP 18 SEPTEMBER 2014**

Members received the Minutes of the meeting of the Human Resources Policy and Challenge Group held on 18 September 2014.

**5. AUDIT AND STANDARDS COMMITTEE 25 SEPTEMBER 2014**

Members received the Minutes of the meeting of the Audit and Standards Committee held on 25 September 2014.

It had been suggested at the meeting that methods to increase public involvement and engagement with the Authority should be captured during the annual review of the Authority's effectiveness.

**6. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2014/15 AS AT 31 AUGUST 2014**

Members received the latest budget monitoring position as at 31 August 2014. The forecast non-salary overspend under the Head of Strategic Support had increased to £120,000 as the result of the Firelink radio communications grant being lower than anticipated. There was also an £160,000 underspend under the Head of Finance



and Treasurer relating to the injury pensions and prices contingency not being called on to the estimated extent. Both the IT and injury pensions budgets would be realigned during the 2015/16 budget process.

The costs of the industrial action were being captured separately and to date, strike related net expenditure was approximately £120,000.

**7. PREVENTION OF FUTURE DEATHS REPORT (FORMERLY RULE 43)**

Members were advised of the changes to the Coroner's Reporting of Prevention of Future Deaths Reports, formerly Rule 43 reports. The Coroner now had a duty, rather than a discretionary power, to issue the reports to report the circumstances of a death to a person or organisation whom it was believed had the power to take appropriate action to prevent future deaths of a similar nature occurring.

**8. OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

Members received a report on the introduction of the Openness of Local Government Bodies Regulations 2014 and the implications for the Fire and Rescue Authority. The Regulations enabled members of the public to film, audio-record, photograph and use social media at public meetings of local authorities, as well as to report on meetings using these methods. The Regulations also required decision making Officers to produce a written record of specified decisions on request. This would not apply to confidential or exempt decisions where the public interest test for publication had not been met.

Consideration would need to be given on how the Authority could protect children, vulnerable adults and other members of the public who actively objected to being filmed during a meeting.

**9. NATIONAL JOINT COUNCIL FOR BRIGADE MANAGERS PAY SETTLEMENT 2014**

The National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services' collective pay settlement for 2014 was approved. This related to Gold Book employees only. Members also agreed to commission a full review to align the Principal Officer Salary Policy in January 2015.

(Note: The Chief Fire Officer and the Deputy Chief Fire Officer were not present for the discussion of the above item).

**10. INTERNAL DISPUTE RESOLUTION PROCEDURE**

Arising from a late item of urgent business relating to the internal dispute resolution procedure as set out in Firefighters Pension Circular (FPC) 1/2009, the Fire and Rescue Authority adopted a two-stage process whereby disputes were considered at Stage One by the Chief Fire Officer or his nominated senior manager and at Stage Two by elected Members of the Fire and Rescue Authority. The Executive was delegated responsibility for undertaking stage two of the internal dispute resolution procedure and the minimum number of Members present was set at three Members.

The Chair had agreed to the submission of the report as a late item of urgent business given the likelihood of a dispute requiring the process to be implemented prior to the next meeting of the Fire and Rescue Authority.

**11. INFORMATION BULLETIN**

Members noted that there was a risk of fire when solar panels using photovoltaic technology were installed incorrectly. These types of fires were very dangerous for firefighters as the electricity supply could not be isolated.

In relation to animal rescues, Members were advised that resources mobilised to these events were to protect the safety of the firefighters enacting the rescue, as well as the animal being rescued. The protection of life, human or animal, was an important part of the Fire and Rescue Service's role. The Service had a dedicated Animal Rescue Team as the risk of being killed or seriously injured by a large animal, such as a horse or cow, during a rescue operation was significant.

The rescue of an animal by the Service prevented others from attempting to rescue the animals themselves which may place more people at risk.

**COUNCILLOR McVICAR  
MEMBER OF BEDFORDSHIRE FIRE AND RESCUE AUTHORITY**