

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Priory House, Monks Walk, Shefford on Thursday, 18 June 2009.

### PRESENT

Cllr D McVicar (Chairman)  
Cllr A Duggan OBE (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs S Goodchild	Cllrs	Mrs M Mustoe
	R A Baker		Ms A M W Graham		T Nicols
	A R Bastable		T Green		P Rawcliffe
	L Birt		Mrs D B Gurney		A A J Rogers
	P A Blaine		Mrs C Hegley		A Shadbolt
	D Bowater		P Hollick		K Sharer
	A D Brown		J G Jamieson		P Snelling
	Mrs C F Chapman MBE		K Janes		Miss A Sparrow
	J A E Clarke		R W Johnstone		B J Spurr
	N B Costin		D Jones		R Stay
	I Dalgarno		M R Jones		J Street
	Mrs R J Drinkwater		J Kane		G Summerfield
	P A Duckett		D J Lawrence		A M Turner
	Dr R Egan		Mrs J G Lawrence		Mrs C Turner
	A Fahn		Mrs A M Lewis		Mrs P E Turner MBE
	Mrs J Freeman		H J Lockey		P F Vickers
	P Freeman		S F Male		P Williams
	D J Gale		K C Matthews		J N Young
	Mrs R B Gammons		Ms C Maudlin		
	M Gibson		J Murray		

### Apologies for Absence

Cllrs	Mrs A Barker	Cllrs	D J Hopkin	Cllrs	J A G Saunders
	R D Berry		Ms J Nunn		B Wells

### PRAYERS

Prayers were taken by the Reverend Richard Andrews, Rector of The Priory Church of St Peter, Dunstable.

C/09/1

### Outgoing Chairman's Announcements

The Chairman formally welcomed those Councillors who had recently been re-elected and extended a warm welcome to Councillors who had been elected

for the first time. He paid tribute to the 122 Councillors on the Shadow Central Bedfordshire Council and expressed commiserations to those former Councillors who had been unsuccessful in securing election to the new Council.

The Chairman went on to thank his Vice-Chairman, Councillor Duggan for the support he had given him during his two months of office. He also paid tribute to the support he had received from Ingrid Male, his personal assistant, Barbara Morris, Assistant Director Legal & Democratic Services and Kathrin John, Head of Democratic Services.

He concluded by stating that Central Bedfordshire Council was a leading driving force and he was sure that the new Chairman would continue to raise the profile of the new Council.

C/09/2

### **Election of Chairman 2009/10**

The Chairman invited nominations for the office of Chairman of the Council for the Municipal Year 2009/10. Only one nomination was duly proposed and seconded for this position in the name of Cllr B J Spurr.

#### ***RESOLVED:***

***That Cllr B J Spurr be appointed to the office of Chairman of the Council for the Municipal Year 2009/10.***

Cllr B J Spurr then signed and read out the Declaration of Acceptance of Office.

Thereafter the Chairman thanked Members for their support and expressed appreciation on behalf of the Council to the outgoing Chairman for the way in which he had conducted that office and in bringing Central Bedfordshire Council into being. He also paid tribute to the outgoing Vice-Chairman, Councillor Duggan for the support he had given to the former Chairman.

C/09/3

### **Election of Vice-Chairman 2009/10**

The Chairman invited nominations for the office of Vice-Chairman of the Council for the Municipal Year 2009/10. Only one nomination was received in the name of Cllr P Hollick.

#### ***RESOLVED:***

***That Cllr P Hollick be appointed to the office of Vice-Chairman of the Council for the Municipal Year 2009/10.***

Cllr P Hollick then signed and read out the Declaration of Acceptance of Office and thanked Members for their support.

C/09/4 **Election of Leader of the Council 2009/10 and 2010/11**

The Chairman invited nominations for the Election of Leader of the Council for the Municipal Years 2009/10 and 2010/11. The only nomination received for this position was in the name of Cllr Mrs P E Turner MBE.

**RESOLVED:**

***That Cllr Mrs P E Turner MBE be elected Leader of the Council for the Municipal Years 2009/10 and 2010/11.***

C/09/5 **Minutes**

**RESOLVED:**

***That the Minutes of the meetings of the Councils of the predecessor Authorities be received and signed by the Chairman as follows:-***

- (i) Central Bedfordshire Shadow Council – 26 February 2009***
- (ii) Bedfordshire County Council – 26 March 2009***
- (iii) Mid Bedfordshire District Council – 26 March 2009***
- (iv) South Bedfordshire District Council – 31 March 2009.***

C/09/6 **Member's Interests**

Declarations were received from Members as follows:-

**(a) Personal Interests:-**

None.

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

None.

C/09/7 **Chairman's Announcements and Urgent Communications**

- (i)** The Chairman reported that he was going to vary the order of business on the Agenda. He proposed to take Item No. 14 (Composition of the Executive and Proposed Scheme of Delegation of Executive Functions) prior to Item No. 13 (Local Development Framework) as shown on the Agenda.

- (ii) The Chairman thanked Members for electing him to the position of Chairman of the Council. He stated that he would do his best to promote the Council whilst carrying out his civic duties during his period of office.
- (iii) The Chairman announced to the Council that his nominated charities for the Municipal Year 2009/10 were:-
  - Air Ambulance
  - RNIB
  - Help for Heroes.

C/09/8 **Public Participation**

No applications had been received under Section B5 of the full Council Procedure Rules to speak during the 15 minute question, statement and petition period, nor before any individual items included in the Agenda for this meeting in accordance with the Public Participation Procedure set out in A4 Citizens and the Council, Appendix A.

C/09/9 **Report of the Returning Officer**

The Council received and considered a report of the Returning Officer to Central Bedfordshire Council Election, June 2009 detailing the outcome of the Election to the new Central Bedfordshire Council.

In considering this item, the Leader of the Council paid tribute to all officers involved in the recent election. The elections, which extended over two days of intensive work, had featured in the national news with the Council being one of the few that continued with the count straight after the close of the election and into the early hours of the next morning.

The Council noted that the election results listing should show an "E" (elected) against both Cllr Gary Summerfield (Amphill Ward) and Cllr Ms Caroline Maudlin (Northill and Blunham ward).

**RESOLVED:**

***That the Central Bedfordshire Council Election Results be noted.***

C/09/10 **Appointment of Members, Chairmen and Vice-Chairmen to Committees and Other Council Bodies 2009/10**

The Council received and considered a report of the Assistant Director, Legal and Democratic Services outlining the requirements for Member appointments to Committees and other Council bodies, including political proportionality.

As a supplement to the report, an update paper had been circulated to all Members of the Council in respect of a proposed change to the size of the Children, Families and Learning Overview and Scrutiny Committee and adjustments to the political balance on certain Overview and Scrutiny Committees. The supplementary paper therefore proposed a variation to Recommendation 1 detailed in the covering report to reflect these changes. The supplementary paper also contained nominations from the Group Leaders.

The revised Recommendation 1 having been moved was duly seconded.

The Council then received the nominations from Group Leaders for the appointment of individual Members and substitutes to Committees and other bodies, as set out in the supplementary paper.

In considering this item, the Leader of the Council made a number of amendments and reported on nominations in respect of the vacancies detailed in the papers as follows:-

### **Proportional Bodies**

- Business Transformation Overview & Scrutiny Committee
  - delete Cllr D Bowater and replace with Cllr Hopkin.
- Children, Families and Learning Overview & Scrutiny Committee
  - delete Cllr Mrs M Mustoe as a Member and replace as a Substitute Member
  - Cllr K Janes be added as a Member
  - delete Cllr B Spurr and add Cllr J Street as a Member.
- Corporate Resources Overview & Scrutiny Committee
  - delete Cllr Mrs C F Chapman MBE and add Cllr R Johnstone as a Member
  - add Cllr D Hopkin as a Member.
- Sustainable Communities Overview & Scrutiny Committee
  - Cllr Mrs C F Chapman MBE be added as a Substitute.

The Chairman then advised that as there were certain bodies in respect of which there may be more nominations than there were seats available, namely Dunstable Town Centre Management Committee, Leighton-Linslade Town Centre Management Committee and Luton and South Bedfordshire Joint (Section 29) Committees, he would take the appointments to those Committees separately.

The Appointments to Committees as set out in Appendix B of the supplementary paper, subject to the amendments detailed above, were moved and seconded en bloc.

The Council then considered the bodies in respect of which there were more nominations than seats available.

In relation to the **Dunstable Town Centre Management Joint Committee**, the Leader of the Council proposed the following appointments:-

Cllr T Green  
Cllr Mrs C Hegley  
Cllr J Kane  
Cllr Miss A J Sparrow  
Cllr N Young

The appointments having been moved were duly seconded.

In respect of **Leighton-Linslade Town Centre Management Committee**, the Leader of the Council proposed the following appointments which were moved and duly seconded:-

Cllr R Berry  
Cllr D Bowater  
Cllr A J Shadbolt  
Cllr K Sharer  
Cllr R Johnstone

As an amendment to the Motion, it was moved and duly seconded:-

“Cllr P J Snelling be nominated to serve on the Leighton-Linslade Town Centre Management Committee.”

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

The Leader of the Council moved the following appointments to the Luton and South Bedfordshire Joint (Section 29) Committee, which were duly seconded:-

Cllr K C Matthews  
Cllr D McVicar  
Cllr T Nicols  
Cllr A J Shadbolt  
Cllr R Stay  
Cllr J N Young

As an amendment to the Motion, it was moved and duly seconded:-

“That Cllr P J Snelling be nominated to serve on the Luton and South Bedfordshire Joint (Section 29) Committee.”

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

The appointment of substitute Members to the **Luton and South Bedfordshire Joint (Section 101) Committee** was then considered. The Leader of the Council proposed the following appointments which were duly seconded:-

That Cllr Mrs P E Turner MBE be the named substitute for Cllr R C Stay, Cllr K Matthews be the named substitute for Cllr T Nicols and Cllr Mrs C Hegley be the named substitute for Cllr D McVicar.

The appointment of the Liberal Democrat Member to the **Houghton Regis Town Centre Management Committee** was then considered. Cllr D Jones was proposed and duly seconded.

The Council then considered the appointment of Chairman and Vice-Chairman of Committees as set out in the supplementary paper circulated to all Members separately.

The Leader of the Council moved the appointments as set out in Appendix C of the supplementary report with the exception of the Sustainable Communities Overview & Scrutiny Committee which was duly seconded.

The Leader of the Council proposed that Cllr J N Young be nominated as Chairman of the Sustainable Communities Overview & Scrutiny Committee which was duly seconded.

As an amendment to the Motion it was moved and duly seconded:-

“That Cllr P Snelling be appointed as Chairman of the Sustainable Communities Overview & Scrutiny Committee.”

Following debate, upon being put to the vote, the amendment was **lost**.

**RESOLVED:**

**1. That the Council confirms for the Municipal Year 2009/10:**

- (a) the structure, size and terms of reference of the committees, sub-committees and joint committees set out in sections D1, E2, F1 and J2 of the Council’s constitution subject to the membership of the Children, Families and Learning Overview and Scrutiny Committee being 10 councillors and substitutes, plus the 5 co-opted members; and its quorum being 4 councillors and 2 co-opted members;**

**(b) the revised allocation of seats as follows:-**

**(i) Business Transformation Overview and Scrutiny Committee**

<b>Total seats</b>	<b>No</b>	<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Independent</b>
<b>9 (5)</b>		<b>7 (4)</b>	<b>1 (1)</b>	<b>1</b>

**(ii) Corporate Resources Overview and Scrutiny Committee**

<b>Total seats</b>	<b>No</b>	<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Independent</b>
<b>9 (5)</b>		<b>8 (4)</b>	<b>1 (1)</b>	<b>0</b>

**(iii) Children, Families and Learning Overview and Scrutiny Committee**

<b>Total seats</b>	<b>No</b>	<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Independent</b>
<b>10 (5)</b>		<b>8 (4)</b>	<b>2 (1)</b>	<b>0</b>

**(c) subject to (a) and (b) above, the allocation of seats and substitutes to these and other bodies, as listed in Appendix A to the supplementary report, in accordance with the political balance rules where they apply.**

- 2. That the appointment of individual Members and substitutes to committees and other bodies as set out in Appendix B of the supplementary report as amended be approved.**
- 3. That the appointment of Chairmen and Vice-Chairmen of committees for the municipal year 2009/10 as set out in Appendix B of the supplementary report as amended be approved.**
- 4. That the following persons be appointed to the Children, Families and Learning Overview and Scrutiny Committee as co-opted members with voting rights on education matters for the period to 31 March 2013:**
  - (a) Mr Ben Sear, parent governor representative;**
  - (b) Mrs Frances Image, Roman Catholic Diocesan representative; and**



(c) Mr Jon Reynolds, Church of England Diocesan representative.

5. That the Monitoring Officer be authorised to appoint for the same period the two additional parent governor representatives who have been duly nominated and elected by parent governors, following completion of the statutory election process.

***[Note: A comprehensive list of appointments is attached at Appendix A to these Minutes.]***

C/09/11

### **Scheme of Council Delegations to Officers**

The Council received and considered the report of the Assistant Director, Legal and Democratic Services advising of recent minor amendments agreed by the Constitution Advisory Group to the Scheme of Delegation to Officers and other miscellaneous changes to the Constitution.

#### **RESOLVED:**

***That the minor amendments to the Scheme of Delegation to Officers and miscellaneous changes to the Constitution, as set out in Appendices A and B of the submitted report, be noted and confirmed.***

C/09/12

### **Composition of the Executive and Proposed Scheme of Delegation of Executive Functions**

The Council received a report from the Leader of the Council regarding the composition of the Executive for the coming year, the names of the Councillors appointed to the Executive together with the proposed Scheme of Delegation of Executive Functions (Executive Procedure Rule No. 1.2) (Part C4 of the Constitution refers). The Leader welcomed Cllr Richard Stay as her Deputy Leader.

The Council noted a Schedule setting out the composition of the Executive for 2009/10, the names and wards of the Councillors appointed to the Executive and the Portfolios to be held by those Councillors.

The Council also noted that authority had only been delegated to one individual Executive Member at this time, namely, the Portfolio Holder for Safer and Stronger Communities, in relation to Traffic Regulations Orders, as set out in Appendix 2 to the submitted report.

The Council further noted a number of additional functions under the Scheme of Functions Delegated to Officers contained in Part H3 of the Constitution, during the period April – June 2009, as set out in the supplementary information relating to Agenda Item No. 12. These amendments had been authorised by the Monitoring Officer, after consultation with the Constitution Advisory Group and Leader (in respect of Executive Functions) in accordance

with Minute No. SC/08/21 (9). It was noted that no functions had been delegated beyond those set out in the Constitution or those additional functions circulated in the supplementary information.

**RESOLVED:**

***That the report of the Leader of the Council in relation to the composition of the Executive and the proposed Scheme of Delegation of Executive Functions be noted.***

C/09/13

**Local Development Framework (Rural Area): Core Strategy and Development Management Policies Development Plan Document Examination**

The Council received a report from the Portfolio Holder for Sustainable Development proposing that delegated authority be given to the Director of Sustainable Communities in consultation with the Portfolio Holder for Sustainable Development to make minor changes to the Core Strategy and Development Management Policies Development Plan Document.

**RESOLVED:**

***That the Director of Sustainable Communities in consultation with the Portfolio Holder for Sustainable Development be authorised to make minor amendments to the Core Strategy and Development Management Policies Development Plan Document during examination.***

C/09/14

**Appointments to the Joint Selection Committee (for Bedfordshire Police Authority) and the Bedfordshire and Luton Combined Fire Authority 2009/10**

The Council received a report from the Assistant Director, Legal and Democratic Services, outlining the requirements for Member appointments to the Joint Selection Committee (for Bedfordshire Police Authority) and the Bedfordshire and Luton Combined Fire Authority for 2009/10 together with a separate report circulated to all Members of the Council in relation to the nomination of the Group Leaders in respect of seats upon these Joint Committees.

**RESOLVED:**

**1. That the Council:-**

- (a) appoints Cllrs Mrs C F Chapman MBE, Mrs A Graham, P Hollick, B Spurr and Mrs C Turner to serve upon the Joint Selection Committee which will be responsible for appointing Members of Bedfordshire Police Authority;**

- (b) *nominates Cllrs Mrs C F Chapman MBE, Mrs A Graham, P Hollick and Mrs C Turner whom the Joint Selection Committee may wish to consider for appointments to the Bedfordshire Police Authority, reflecting the requirement so far as practicable for political balance across all three constituent Council as a whole (Central Bedfordshire, Bedford Borough and Luton Borough).*
2. *That the Council appoints Cllrs A Brown, T Green, J A G Saunders, J Street and P Snelling to serve upon the Bedfordshire and Luton Combined Fire Authority, reflecting political balance within Central Bedfordshire Council.*

C/09/15

### **Appointments to Outside Bodies**

The Council received a report from the Assistant Director, Legal and Democratic Services outlining the expectation for fresh appointments to be made to up to 88 outside bodies. As the next ordinary meeting of Full Council was not until 24 September 2009, the report suggested delegating the functions of approving a final schedule of bodies and making the actual appointments to the Assistant Director, Legal and Democratic Services, in consultation with Group Leaders. A supplementary paper had also been circulated to all Councillors proposing an amendment to recommendation 3 following a meeting of Group Leaders

#### **RESOLVED:**

1. *That the Schedule of Outside Bodies to which Council appointments may be made, as attached to the submitted report, be noted pending further consultations with Group Leaders.*
2. *That the Assistant Director, Legal and Democratic Services be authorised, in consultation with Group Leaders, to approve the final Schedule of Outside Bodies, to make necessary appointments and to inform the Members and Organisations concerned.*
3. *That existing temporary appointments be extended until 31 August 2009 or until fresh appointments are made, whichever is the earlier, where either:-*
  - (a) *the representatives appointed in March 2009 continue to be Central Bedfordshire Council Members; or*
  - (b) *in other cases, an extension has been agreed with the Group Leaders on a case by case basis.*

C/09/16

## **Members' Allowances Scheme 2009/10**

The Council received a report from the Director of Corporate Services to consider the payment of a Special Responsibility Allowance (SRA) to the four former non-Portfolio Members of the Executive and an enhanced SRA for the Deputy Leader of the Council, who had served as Vice-Chairman of the Executive without Portfolio, for the second transitional period, that being the period from 1 April 2009 until the fourth day after the ordinary election on 4 June 2009. A supplementary paper had also been circulated to all Members of the Council in respect of the conclusions of the Independent Remuneration Panel.

During consideration of this matter, Members' attention was drawn to the need to address a mistake applicable in the second phase of the transitional period. The Council noted that when the Independent Remuneration Panel considered their recommendations for the Scheme of Members' Allowances for year commencing 1 April 2009, it was not known that the Government would go on to stipulate the same Executive Membership throughout the second phase of the transitional process.

The Leader of the Council explained that during the period April to June 2009 the Executive continued to discharge an enhanced range of functions because the intended range of Overview & Scrutiny Committees had not been fully developed. All Executive Members had worked together during this intense period of activity and for these reasons the payment of SRAs to the four former non-Portfolio Members of the Executive and an enhanced SRA for the Deputy Leader of the Council, who served as Vice-Chairman of the Executive without Portfolio, was supported.

### **RESOLVED:**

- 1. That a Special Responsibility Allowance be paid, during the second transitional period, that being the period from 1 April 2009 until the fourth day after the ordinary election held on 4 June 2009, to those Members of the Executive without Portfolio in line with the original percentages of the Leader's allowance set out on page 17/2 of the submitted report.***
- 2. That an enhanced Special Responsibility Allowance be paid to the Deputy Leader of the Council, who was also Vice-Chairman of the Executive, but without Portfolio, for the second transitional period in line with the Special Responsibility Allowances set out on page 17/2 of the submitted report.***

(Note: The meeting commenced at 6.30 p.m. and concluded at 7.40 p.m.)