

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CENTRAL BEDFORDSHIRE COUNCIL** held in the Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 18 April 2013.

### PRESENT

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

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

### Apologies for Absence

Cllrs	K Janes	Cllrs	A Shadbolt
	R W Johnstone		T Woodward

Officers:	Mr T Saunders	–	Assistant Director, Planning
	Mr T Keaveney	–	Assistant Director Housing Services
	Mr J Atkinson	–	Head of Legal and Democratic Services
	Mr R Carr	–	Chief Executive
	Ms D Clarke	–	Assistant Chief Executive (People & Organisation)
	Mrs E Grant	–	Deputy Chief Executive/Director of Children's Services
	Ms M Peaston	–	Committee Services Manager
	Ms C Harding	–	Corporate Policy Advisor (Equality & Diversity)
	Mrs S Hobbs	–	Committee Services Officer
	Mr C Warboys	–	Chief Finance Officer

## **PRAYERS**

Prayers were taken by the Chairman's Chaplain, Reverend Dean Henley, Rector for Campton, Clophill and Haynes and Assistant Rural Dean for Ampthill and Shefford Deanery.

C/13/1 **Election of Chairman (only if the current Chairman and Vice-Chairman are absent)**

As the Chairman of the Council was present, this item was withdrawn.

C/13/2 **Election of Chairman 2013/14**

The Chairman invited nominations for the office of Chairman of the Council for the municipal year 2013/14. Councillor Caroline Maudlin was duly proposed and seconded. There were no other nominations.

### **RESOLVED**

**that Councillor Maudlin be elected to the office of Chairman of the Council for the municipal year 2013/14.**

Councillor Maudlin then read out and signed the Declaration of Acceptance of Office.

The newly-elected Chairman thanked Councillor Mrs Barker, the out-going Chairman, for her work during 2012/13, especially in support of the East Anglian Air Ambulance Service which had been her nominated Chairman's Charity. Councillor Mrs Barker was presented with a certificate in recognition of her year in office. Councillor Mrs Barker then placed on record her thanks to the Chairman's Personal Assistant and also to the new Chairman, Councillor Maudlin, who had supported her as the Vice-Chairman of the Council in 2012/13.

C/13/3 **Election of Vice-Chairman 2013/14**

The Chairman invited nominations for the office of Vice-Chairman of the Council for the municipal year 2013/14. Councillor David Bowater was duly proposed and seconded. There were no other nominations.

### **RESOLVED**

**that Councillor Bowater be elected to the office of Vice-Chairman of the Council for the municipal year 2013/14.**

Councillor Bowater then read out and signed the Declaration of Acceptance of Office.

C/13/4 **Minutes**

**RESOLVED**

**that the minutes of the meeting held on 21 February 2013 be confirmed and signed by the Chairman as a correct record.**

C/13/5 **Members' Interests**

None were declared.

C/13/6 **Chairman's Announcements and Communications**

Council stood in silent tribute to the memory of Jim Tomlin, an employee in the Revenues and Benefits Team, who had died suddenly on 21 February.

C/13/7 **Leader of the Council's Announcements and Communications**

The Leader thanked the out-going Chairman, Councillor Mrs Barker, for her services in the role of Chairman in 2012/13. He also congratulated Councillors Maudlin and Bowater on their election to the roles of Chairman and Vice-Chairman respectively.

C/13/8 **Questions, Statements and Deputations**

The Chairman indicated that, due to the public interest in Agenda item 10 (a) Gypsy and Traveller Local Plan, she was willing to take questions and statements regarding this item only. The Chairman invited 18 speakers in turn to address the Council. Members of the public raised comments and concerns, which in summary included the following:-

- site 58 – this site would pose a health and safety risk for the gypsies and travellers living there and would dominate the villages of Gamlingay and Potton. There was concern that there would be only one field between the existing site and the new proposed site which could possibly lead to an unauthorised encampment between the two
- site 76 – there was concern that the vehicle access to the site was inadequate. In this context, reference was made to fast-moving traffic on Stotfold Road as confirmed by a traffic survey commissioned by the Fairfield Park Residents Association and to the Department for Transport's guidance on setting local speed limits
- site 78 – four pitches should be allocated at this site
- site 92 – this was an existing site within the Green Belt and directly adjacent to the A5. This site was well run and the proposed extension was welcomed

- site 16 – there was concern that residents at this proposed site would need to cross the A6 dual carriageway to access services and facilities. Heavy traffic used Faldo Road as it was the only access to Barton Industrial Estate, Faldo Farm and Water Mill Shopping Village. The proposed site was within the Green Belt and the Council would need to indicate the special circumstances for development in this area. The site was currently being used for crops and was good agricultural land. There had been occasions when the field had flooded which could possibly put the gypsies' and travellers' health at risk. Residents in the area had commissioned their own noise and ecological surveys. The site was very close to site 116 at Pulloxhill, suggesting that both sites would dominate the area
- sites 55 and 82 – it was highlighted that English Heritage had objected to this proposed site. There was concern that the movement of fairground equipment generated a high volume of noise from the site, which could be problematic as it was next to a mobile home park.
- concerns about aspects of the process by which the Sustainable Communities Overview and Scrutiny Committee had concluded that seven sites should be put forward for final consideration
- concerns that residents adjacent to the proposed sites had not been consulted

The Executive Member for Sustainable Communities – Strategic Planning and Economic Development thanked the speakers and responded to the concerns about the sites in the order they had been raised, and including the following points:

- councils were required by the Housing Act 2004 to assess the accommodation needs of Gypsies and Travellers alongside the settled population. The Council was also required by the Act to develop a strategy that addressed any unmet need identified
- Members had received all relevant documentation, had been provided with an opportunity to visit all the proposed sites and considered representations at the Sustainable Communities Overview and Scrutiny Committee before recommending the proposed sites to the Executive
- residents had been given the opportunity to speak at the Sustainable Communities Overview and Scrutiny Committee and the Executive meetings as well as at this Council meeting
- the proposed Gypsy and Traveller Local Plan, if approved by Council, would be published to allow for formal consultation between May – June 2013 during which interested parties would have the opportunity to submit representations. All representations would then be considered before submitting the document, along with all representations received during the consultation period, to the Secretary of State in October 2013. The Secretary of State would then appoint an independent Planning Inspector who would hold an examination in public to determine whether the document was 'sound' and legally compliant

- the Executive Member for Sustainable Communities – Services had been working with officers to reduce the speed limits in residential areas throughout Central Bedfordshire and there would be opportunity to consider reducing the speed limits on relevant roads, where appropriate, at certain proposed sites
- there was an existing Gypsy and Traveller site in Dunstable off the A5 which was a very busy road, especially on occasions when the M1 had been closed, and there had not been any problems for the gypsies and travellers living at this site
- site 82 – there would be an archaeological investigation on this site before submission of the Plan
- it was acknowledged that noise and visual intrusion at the finally approved sites would need to be mitigated
- consultation had been carried out with neighbouring authorities and tenant farmers
- the Homes and Communities Agency had allocated £60m for Traveller Pitch Funding as part of the Affordable Homes Programme to support local authorities. Unfortunately, Central Bedfordshire Council had not received this funding, but the Government had confirmed that further funding may become available as a result of slippage over the course of the programme
- if the Council did not have a Gypsy and Traveller Local Plan, addressing unauthorised gypsy and traveller encampments would be compromised
- the Council was able to make an alteration to the defined Green Belt boundary to meet a specific, identified need for a traveller site, but it should do so only through the plan-making process and not in response to a planning application. If land was removed from the Green Belt in this way, it would be specifically allocated in the development plan as a traveller site only
- the Planning Inspector appointed to consider Bedford Borough Council's Plan had recently instructed the Borough Council to allocate additional pitches, as insufficient pitches had been allocated in the Plan
- the Council had a duty of care for all residents in Central Bedfordshire
- clarity was being sought on the impact the Gypsy and Traveller Local Plan would have on the Neighbourhood Plan process.

The Chairman thanked the public for putting forward their views and concerns. She indicated that under the next item on the agenda, the Council would debate the recommendations from the Executive on the Gypsy and Traveller Local Plan.

C/13/9

## **Recommendations from the Executive**

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

The Council considered a recommendation from the meeting of the Executive held on 18 March 2013 seeking approval of the draft Gypsy and Traveller Local Plan for publication and submission to the Secretary of State.

Councillor Mrs D Gurney moved an amendment to recommendation 1, which was duly seconded by Councillor A Zerny:-

“that the draft Pre-Submission Gypsy and Traveller Local Plan, be approved for the purposes of Publication and Submission to the Secretary of State, subject to the removal of site 58 from the Plan on the grounds that it is not fit for purpose.”

On a vote by show of hands, this amendment was lost.

Councillor I Shingler moved an amendment to recommendation 1, which was duly seconded by Councillor J Murray:-

“that the draft Pre-Submission Gypsy and Traveller Local Plan, be approved for the purposes of Publication and Submission to the Secretary of State, subject to the removal of site 16 from the Plan on the grounds that it is not fit for purpose.”

On a vote by show of hands, this amendment was lost.

In response to questions from Members the Executive Member for Sustainable Communities – Strategic Planning and Economic Development commented that many of the questions had been answered during the previous agenda item ‘Questions, Statements and Deputations’. He reiterated that if the Council did not have a Gypsy and Traveller Local Plan, Central Bedfordshire would be at risk of unauthorised gypsy and traveller encampments. The Council had a statutory obligation to address the accommodation needs of Gypsies and Travellers alongside the settled population. The Planning Inspector would investigate the soundness of each proposed site and indicate whether the Gypsy and Traveller Local Plan was ‘sound’. The Statutory Consultation would take place in May – June 2013, during which interested parties would have the opportunity to submit representations.

In accordance with paragraph 21.5 of Part B5 of the Council’s Constitution ‘Full Council Procedure Rules’, a recorded vote was requested.

Those in favour of the recommendation from the Executive were: Councillors Bastable, Berry, Blair, Bowater, Brown, Mrs Chapman MBE, Mrs S Clark, Costin, Dalgarno, Dodwell, Mrs Drinkwater, Duckett, Mrs Gammons, Gomm, Mrs Green, Mrs Hegley, Hollick, Hopkin, Jamieson, M Jones, Matthews, Maudlin, McVicar, Mrs Mustoe, Nicols, Sheppard, Miss Sparrow, Spurr, Stay, A Turner, Mrs P Turner MBE, Versallion, Warren, Wells, Wenham, Williams and Young.

Those against the recommendation from the Executive were: Councillors Birt, Dr Egan, Ms Graham, Mrs Gurney, D Lawrence, Mrs Lawrence, Murray, Pepworth, Shingler, Smith and Zerny.

Councillors Aldis, Mrs G Clarke, Mrs Goodchild, D Jones and B Saunders abstained from voting.

The vote was carried and the recommendation was approved, as set out below.

**RESOLVED**

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

At the conclusion of this item, the Chairman adjourned the meeting from 9.10 p.m. to 9.15 p.m. enabling those members of the public who did not wish to remain, to leave the meeting.

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

The Council considered a recommendation from the meeting of the Executive held on 18 March 2013 that the externally funded rolling Capital Programme for New School Places 2014/15 be approved.

**RESOLVED**

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

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

The Council considered a recommendation from the meeting of the Executive held on 18 March 2013 to set aside £600,000 from contingency to meet the Council's liability for pension payments.

**RESOLVED**

**that there is no provision in the Council's Revenue Budget for 2012/13 to cover the costs of making this commitment and accordingly agrees to set aside £600,000 from contingency to meet the Council's liability.**

C/13/10

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

### **(a) Open Questions at Council – Special Provision for Leaders of Minority Groups**

The Council considered a recommendation from the General Purposes Committee meeting held on 28 January 2013 that the Chairman of the Council be requested to provide an opportunity for Minority Group Leaders to ask one Open Question each before other Council Members put their Open Questions at meetings of Council.

#### **RESOLVED**

**that the Chairman of the Council be requested to henceforth provide for the Minority Group Leaders to ask one Open Question each before other Council Members put Open Questions at meetings of Council.**

### **(b) Houghton Regis Town Centre Management Committee: Amended Terms of Reference**

The Council considered a recommendation from the General Purposes Committee meeting held on 14 March 2013 that set out revised terms of reference for the Houghton Regis Town Centre Management Committee and for the Committee to become the Houghton Regis Partnership Committee.

#### **RESOLVED**

**that the revised Terms of Reference for the Houghton Regis Town Centre Management Committee, as set out in Appendix A in the Council Agenda, be approved and adopted and the Committee become the Houghton Regis Partnership Committee.**

### **(c) Business at Council Meetings**

The Council considered a recommendation from the General Purposes Committee meeting held on 14 March 2013 to amend the Constitution to include the provision for up to two motions on notice at the budget setting meeting of the Council and up to two motions on notice at the annual meeting of the Council.

#### **RESOLVED**

- 1. that the Constitution be amended, as set out in Appendix A in the Council Agenda, to include provision for up to two motions on notice at the budget setting meeting of the Council and up to two motions on notice at the annual meeting of the Council subject in both cases to the matter being significant or time critical and to the Chairman's agreement, after consultation with the Monitoring Officer, being secured at least 7 clear working**



**days in advance of the meeting to include the motions in the business of the meeting; and**

- 2. that paragraph 15.1 of Part B5 of the Constitution be amended, as set out in Appendix B in the Council Agenda, to remove the provision for ward presentations at the budget setting meeting of the Council.**

C/13/11

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

The Council considered a report from the Leader of the Council outlining the requirements for Member appointments to committees and other Council bodies, including taking account of political proportionality.

As a supplement to the report, Members received the nominations for membership of Committees and for Chairmanships and Vice-Chairmanships of Committees for 2013/14 from the Group Leaders. These were proposed en bloc and were duly seconded, subject to:

- Individual consideration being given to the chairmanship of the Children's Services Overview and Scrutiny Committee as there were two nominations for this position. Councillors Mrs Barker and Pepworth were nominated. Both nominations were put to the vote and Councillor Mrs Barker was elected to be the Chairman of the Children's Services Overview and Scrutiny Committee for 2013/14; and
- Councillor N Costin was elected Vice-Chairman of Children's Services Overview and Scrutiny Committee for 2013/14.

### **RESOLVED**

- 1. that the Council confirms for the municipal year 2013/14:**
  - (a) the structure, size and terms of reference of the committees, sub-committees and joint committees set out in sections D1, E2 and J2 of the Council's constitution; and**
  - (b) the allocation of seats and substitutes to these and other bodies, as listed in Appendix A in the revised report, in accordance with the political balance rules where they apply.**
- 2. that the appointment of individual Members and substitutes to committees and other bodies be approved in accordance with nominations to be submitted by the political groups, as set out in Appendix B to the revised report and attached as Appendix A to these minutes;**

3. that the appointment of the Members to the Central Bedfordshire Health and Wellbeing Board, including at least one member of the Council nominated by the Leader, be approved, as set out in Appendix C to the revised report and attached at Appendix B to these minutes;
4. that the appointment of the Chairman and Vice-Chairman of committees for the municipal year 2013/14 be approved in accordance with nominations as set out in Appendix D to the revised report, subject to the Chairman of Children's Services Overview and Scrutiny Committee being Councillor Mrs Barker, and set out at Appendix C to these minutes;
5. to note that the following persons have been appointed to the Children's Services Overview and Scrutiny Committee as co-opted members with voting rights on education matters for the period June 2011 to the Annual Meeting in May 2015:
  - (a) Mrs Frances Image, Roman Catholic Diocesan representative
  - (b) Mr Jon Reynolds, Church of England Diocesan representative
  - (c) Stephen Court, School Parent Governor representative
  - (d) Heather Copley, School Parent Governor representative
  - (e) Douglas Landman, School Parent Governor representative.

C/13/12

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

The Council received a report from the Leader of the Council setting out the composition of the Executive for 2013/14, including the names of the Councillors appointed to the Executive. The report also confirmed that no amendments were proposed to the Scheme of Delegation of Executive Functions beyond those previously approved by the Leader of the Council.

The Leader advised the Council that Councillors Mrs Hegley and A Turner would together lead on Public Health issues.

### **RESOLVED**

- (a) the composition of the Executive and allocation of portfolios, as set out at Appendix A to the report, be noted;
- (b) the scheme of delegation of Executive functions, set out at Part C3 of the Constitution, be noted;
- (c) that Councillor M Versallion continue to be the Lead Member for Children's Services.

C/13/13

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

The Council considered a report from the Monitoring Officer on appointments to the Police and Crime Panel and the Bedfordshire Fire and Rescue Authority.

**RESOLVED**

1. to note that appointments were made for the first time to the police and Crime Panel at the annual meeting of Council on 14 June 2012;
2. that the membership of the Police and Crime Panel was currently:
  - Councillor Mrs F Chapman, MBE
  - Councillor Ms A Graham
  - Councillor P Hollick
  - Councillor B Spurr
3. that the appointments would be made to the Police and Crime Panel next at the Council's Annual Meeting in 2015, and every four years thereafter;
4. to note that at the Council's meeting on 19 May 2011 five Members were appointed to serve on the Bedfordshire Fire and Rescue Authority for a period of four years until May 2015 as set out below:
  - Councillor Mrs R Drinkwater
  - Councillor D McVicar
  - Councillor J Saunders
  - Councillor A Shadbolt
  - Councillor P Williams.

C/13/14

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

The Leader presented his annual report looking back over the previous year and the outlining policy priorities for the forthcoming year.

(Note: The meeting commenced at 6.30 p.m. and concluded at 9.45 p.m.)

Chairman .....

Dated .....