

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **COUNCIL** held in the Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 30 January 2014.

PRESENT

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

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

Apologies for Absence

Cllrs N B Costin

Officers:	Miss H Bell	–	Committee Services Officer
	Mr R Carr	–	Chief Executive
	Ms D Clarke	–	Director of Improvement and Corporate Services
	Mrs M Clay	–	Chief Legal and Democratic Services Officer
	Mr M Coiffait	–	Community Services Director
	Mr R Fox	–	Head of Development Planning and Housing Strategy
	Mrs E Grant	–	Deputy Chief Executive/Director of Children's Services
	Ms M Peaston	–	Committee Services Manager
	Ms E Saunders	–	Assistant Director Commissioning
	Ms J Taylor	–	Principal Housing Development Officer

C/13/59 **Prayers**

Prayers were taken by the Reverend Janet Humphries, Assistant Priest for Northill with Caldecote and Old Warden.

The Chairman indicated that, due to public interest in Agenda item 9(d) Amended Draft Gypsy and Traveller Local Plan, she would be varying the order of business to take this item after consideration of item 6.

Questions, Statements and Deputations relating to any matter other than the Amended Draft Gypsy and Traveller Local Plan would be considered at Agenda item 4.

Questions, Statements and Deputations relating to the Amended Draft Gypsy and Traveller Local Plan would be considered at Agenda item 9(ii)(d) once the item had been moved and seconded.

C/13/60 **Minutes**

RESOLVED

That the minutes of the meeting held on 28 November 2013 be confirmed and signed by the Chairman as a correct record subject to the addition of Councillor Mrs B Coleman being recorded as present.

C/13/61 **Members' Interests**

Members were advised that those who served on the Development Management Committee should avoid prejudicing their ability to take part in the determination of any planning applications at a later date. Any planning applications would be determined based on relevant planning considerations, on their own merits.

Members who lived in or near wards where Gypsy and Traveller sites were proposed were also advised that they could participate in debate and voting and did not have to declare an interest.

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Mrs C F Chapman	12	Chairman of the Police and Crime Panel	Present

C/13/62 **Petitions**

No petitions were received.

C/13/63 **Chairman's Announcements and Communications**

The Chairman made the following announcements:

- The planning service at Central Bedfordshire Council had been mentioned in a national best practice guide for its approach to working with the development industry.
- 8 residents of Central Bedfordshire had been honoured by the Queen in the New Years Honours List.
- The Chairman's Civic Service would be held on 2 March 2014 at Northill, St Mary's Virgin Church.

The Chairman would be hosting an event at the Grove Theatre, Dunstable on 27 April 2014 called 'Wow! Here Come the Girls'.

Council then stood in silent tribute to the memory of former South Beds District Councillor and Bedfordshire County Councillor Jack Goodchild, late husband of Cllr Susan Goodchild.

C/13/64 **Questions, Statements and Deputations**

The Chairman advised that no member of the public had registered to speak on any matter other than the Draft Gypsy and Traveller Local Plan.

C/13/65 **Recommendations from the Executive - 9(ii)(d) Amended Draft Gypsy and Traveller Local Plan**

9(ii)(d) Amended Draft Gypsy and Traveller Local Plan

Following the introduction of Agenda Item 9(ii)d – Amended Draft Gypsy & Traveller Local Plan the motion being duly moved and seconded, the Chairman invited twelve members of the public who had registered to speak to address the Council.

Members of the public raised comments and concerns which in summary included the following:

- site 16 – there was concern about the increase in the number of pitches proposed to be delivered at this site. The site was within Green Belt and it was suggested that the Council would need to indicate the special circumstances for development in this area;

- residents at site 16 would have to cross the A6 dual carriageway to access services and facilities which could put the gypsies' and travellers at risk;
- residents of Faldo Road, Barton would be dominated by the scale and proximity of sites 16 and 116;
- site 26 – this site was located in an isolated part of Dunton without footpaths or street lighting. The site had poor access to facilities and amenities. The amended site assessment had scored only 15/50;
- if site 26 was expanded this might lead to unrest due to the possibility of having different groups of gypsies and travellers on the same site;
- local residents had recommended an alternative site to site 26 which would have improved screening, access to facilities and less environmental impact;
- site 116 – there was concern regarding the site assessment. The site was perceived as being located on agricultural land next to a busy 'A' road and not on brownfield land as the assessment suggested.
- concerns about the need to ensure proof of eligibility for accessing sites.

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

- the Council had a statutory obligation to assess the accommodation needs of Gypsies and Travellers alongside the settled population under the Housing Act 2004.
- if the Council did not have a Gypsy and Traveller Plan, Central Bedfordshire would be at risk of unauthorised encampments;
- the recommended changes to the plan were based on the adoption of a 2% compound growth rate, but the extent of the proposed allocation of sites would be sufficient to deliver against the first 5 years of the Plan, should the Local Plan Inspector then recommend that a 2.5% growth rate was appropriate;
- the significance of the Mile Tree Farm appeal within Central Bedfordshire and the action being taken in response, together with the risks associated with proceeding with an approach to gypsy and traveller site provision based on an annual growth rate of 2%, which was below the growth rate previously considered sound by the Planning Inspectorate elsewhere;
- the reasons why alternative sites along the A6 between Barton and Luton had not been included in the final proposals;
- issues such as access to sites adjacent to busy roads would be dealt with through the planning process;
- the proposed expansion of the Potton site would need to be managed carefully;
- planning conditions attached to the planning permission for sites would be enforced;
- the Executive Member would provide the speakers in respect of site 116 with a written response;
- windfall sites could impact on the total number of pitches that would be required. The number of pitches would be reviewed after 5 and 10 years of the Plan to ensure they took into account any windfall provision that came forward.

The Chairman thanked the public for putting forward their views and concerns.

The Council then proceeded to consider recommendations from a special meeting of Executive on 21 January 2014 seeking approval of the Amended Draft Gypsy and Traveller Local Plan for publication and submission to the Secretary of State.

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

“That the Gypsy and Traveller Local Plan be approved for the purposes of publication and submission to the Secretary of State

Subject to the proposed site 16, GT10, being deleted and replaced with the following statement:

“The Sustainable Communities Overview & Scrutiny Committee and the Executive of this Council had already determined that site 16 Faldo Road, Barton-le-Clay, should be allocated 15 pitches in our Draft Gypsy & Traveller Plan.

In the week before this decision could be ratified by Full Council the Secretary of State made a statement through the Local Government Minister that unmet need does not justify sites in the Green Belt.

Rather than further delay in bringing this Draft Plan to a satisfactory conclusion, we would like to proceed with the following statement of intent:

That this Council will nominate 15 specific deliverable pitches within 12 months of the final approval of our Draft Plan to replace the pitches originally allocated to site 16.”

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

Councillor Zerny moved an amendment to recommendation 1, which was duly seconded by Councillor Egan.

“That the Draft Pre-Submission Gypsy and Traveller Plan, be approved for the purposes of Publication and Submission to the Secretary of State, subject to the removal of site 26 from the Plan on the grounds that it is not fit for purpose.”

On a vote by show of hands the amendment was lost.

RESOLVED

- 1. that the Draft Gypsy and Traveller Local Plan be approved for the purposes of publication and submission to the Secretary of State.**

2. that the Chief Executive, 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 9.40pm to 9.45pm enabling those members of the public who did not wish to remain, to leave the meeting.

The Council then resumed the order of business as set out on the agenda.

C/13/66

Leader of the Council's Announcements and Communications

The Leader reported that the Council had been advised that the Secretary of State for Communities and Local Government had concluded that the planning application in respect of Land North of Houghton Regis should not be called in but should be determined locally.

C/13/67

Executive Member Presentations

Councillor Spurr, Executive Member for Sustainable Communities – Services reported on recent developments within his portfolio area including:

- an ISO9001 award for Building Control;
- contracts had been awarded to Stevenage Leisure for the management of both Saxon Pool and Sandy Leisure Centre;
- Houghton Regis swimming pool would now be reopened;
- the method of pot hole remediation was proving to be successful. It was anticipated that further funding would be allocated in the Council's budget for 2014/15 for road maintenance.

Councillor Spurr responded to questions.

Councillor Stay, Executive Member for External Affairs reported on work within his portfolio area including:

- a significant reduction in theft since the introduction of the Metal Theft Act;
- progress with Troubled Families Initiative;
- a new body 'Local Nature Partnership' which focused on the protection and enhancement of the countryside.

Councillor Stay responded to questions.

C/13/68

Recommendations from the Executive

(a) Disposal of Land at the Biggleswade A1 South roundabout

The Council considered a recommendation from the meeting of the Executive held on 10 December 2013, concerning the disposal of land for a trunk road service area at the Biggleswade A1 south roundabout.

RESOLVED

that the land at the Biggleswade A1 south roundabout be disposed of for use as a trunk road service area.

(b) Council Tax Support Scheme

The Council considered a recommendation from the meeting of the Executive held on 10 December 2013 concerning the Council's Local Council Tax Support Scheme.

RESOLVED

that the review of the Local Council Tax Support Scheme be confirmed and that the current scheme be extended for a further year (2014/15) with a full review during 2014/15 to inform the approach from April 2015.

(c) Minerals and Waste Local Plan Strategic Sites and Policies

The Council considered a recommendation from the meeting of the Executive held on 10 January 2013, proposing adoption of the Minerals and Waste Local Plan: Strategic Sites and Policies – Plan for Adoption.

RESOLVED

that the Minerals and Waste Local Plan: Strategic Sites and Policies incorporating the modifications proposed by the Inspector in his report, be adopted.

C/13/69

Recommendations from the General Purposes Committee

(i)(a) Code of Procurement Governance

The Council considered recommendations from a meeting of the General Purposes Committee held on 3 December 2013 seeking approval of proposed amendments to Part I3 of the Council's Constitution (the Code of Procurement Governance)

RESOLVED

that the proposed amendments to Part 13 of the Council's Constitution (the Code of Procurement Governance) as set out in Appendix B as submitted, be approved.

(i)(b) Protocol on Member/Officer Relations

The Council considered recommendations from a meeting of the General Purposes Committee held on 3 December 2013 seeking amendments to the Protocol for Member/Officer Relations as set out at Appendix A to the report. Concerns were expressed about paragraph 6.1.6 (b) Use of IT Systems and clarification sought on the wording of this Protocol.

RESOLVED

that the amendments to the Protocol for Member/Officer Relations, as set out at Appendix A to the submitted report, be approved and included in the Council's Constitution subject to the Executive Member for Corporate Resources providing clarification on the wording of paragraph 6.1.6 (b) Use of IT Systems.

(ii)(c) Proposed amendments to the Constitution – Planning Matters

The Council considered recommendations from a meeting of the General Purposes Committee held on 20 January 2014, seeking approval of proposed amendments to the Constitution at Parts E2, H3 and the Ethical Handbook as set out at Appendices A, B and C to the submitted report.

RESOLVED

that amendments to Parts E2, H3 and the Ethical Handbook section of the Constitution, as set out at Appendices A, B and C to the submitted report, be approved.

(ii)(d) Pay Policy Statement

The Council considered recommendations from a meeting of the General Purposes Committee held on 20 January 2014, seeking approval of the Pay Policy Statement 2014/15 as set out at Appendix A to the report and subsequent publication on the Council's website. It was noted that reference to the ratio of pay for the Chief Executive relative to other staff, as set out at Appendix A paragraph 5, had been set out in reverse order and would be amended prior to publication.

RESOLVED

that the Pay Policy Statement 2014/15 as set out at Appendix A to the report be approved and published on the Council's website subject to the amendment of the ratio of pay of the Chief Executive relative to other staff.

C/13/70 **Calendar of Meetings**

The Council considered a report of the Deputy Leader and Executive Member for Corporate Resources seeking approval of Committee meetings for the municipal year 2014 – 2015.

RESOLVED

that the draft Calendar of Council and Committee meetings for the period May 2014 to June 2015 as set out at Appendix A to the submitted report be approved.

C/13/71 **Police and Crime Panel Members' Allowance**

The Council received and considered a report of the Deputy Leader and Executive Member for Corporate Resources setting out the advice of the Independent Remuneration Panel to Bedford Borough Council on allowances for Bedfordshire Police and Crime Panel members.

RESOLVED

that the advice of the Independent Remuneration Panel to Bedford Borough Council on allowances for Bedfordshire Police and Crime Panel Members as set out at Appendix A to the submitted report, be noted.

C/13/72 **Motions (if any)**

No motions were received.

C/13/73 **Written Questions**

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

“Can the Executive Member with responsibility for Safer Communities please explain the process by which the Police Authority installs Vehicle Recognition cameras on Council owned property without any consultation or notification to local parish and town councils or CBC ward members?”

What safeguards do the members of the community have that the information gathered by these cameras is only used for properly authorised activities?

The Executive Member for Sustainable Communities – Services advised that site identification for the installation of Automatic Number Plate Recognition (ANPR) was carried out through Crime Pattern Analysis and research to identify key areas within Bedfordshire where ANPR would support the Police to prevent and detect crime, and safeguard the public. Once sites were identified as being potential ANPR camera locations, the Police liaised with the Highways

Agency and local authority to discuss plans to install the cameras including, whether it was feasible and whether this would be agreed by all partner agencies concerned. Once an agreement was concluded, then a Public Impact Assessment (PIA) was carried out and completed by the Police to ensure that the installations were proportionate, legal and necessary.

He added that the use of ANPR was heavily governed through legislation, Association of Chief Police Officer (ACPO) guidance and Independent Police Complaints Commission recommendations, all of which were audited by Her Majesty's Inspectorate of Constabulary.

The use of ANPR data was also regulated by the Information Commissioners, and the handling of data handled in forces through their Chief Information Officers, local guidance and policies, and national guidance. Only certain authorised personnel could access the data itself and carry out searches, all of which were logged and audited. All requests to search through ANPR data for investigations could only be completed with the appropriate authority by an officer of the appropriate rank. These were dictated through ACPO guidelines and were recognised as a national standard for Police Forces. There were recognised "Golden Rules" published by ACPO around the use and management of ANPR, and each force must demonstrate and evidence compliance with these for HMIC.

C/13/74

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 Aldis asked a question about the Council Tax mitigation grant.

The Leader outlined the pressures faced in setting the budget.

2. Councillor Murray asked a question about the number of E C Harris staff working in the Assets team at Central Bedfordshire Council and the level of their decision making powers

The Executive Member for Corporate Resources indicated that he would provide a written response.

3. Councillor Murray asked a question about a statement made by the Secretary of State concerning the use of camera cars.

The Executive Member for Sustainable Communities- Services advised that camera cars were proving to be a successful means of traffic enforcement in Central Bedfordshire.

4. Councillor Murray asked a question regarding the prospects for the three Middle Schools in Dunstable, which were under threat of closure, as to possible alternative uses, either as another school or an alternative activity.

The Executive Member for Children's Services advised that currently a consultation process was proposed regarding these schools. The future use of the buildings was uncertain at present and it was inappropriate to prejudge the outcome of the consultation proposed.

5. Councillor Aldis asked the Executive Member for Minerals and Waste about the potential for fracking in Central Bedfordshire.

The Executive Member for Minerals and Waste advised that there were no plans for fracking in Central Bedfordshire.

(Note: The meeting commenced at 6.30 p.m. and concluded at 10.44 p.m.)

Chairman

Dated