

## **MINUTES OF THE COUNCIL**

### **AT THE MEETING OF THE COUNCIL OF THE BOROUGH OF LUTON HELD AT THE TOWN HALL, LUTON ON THURSDAY, 21<sup>st</sup> FEBRUARY, 2002 AT 6.00 P.M.**

#### **PRESENT**

#### **THE MAYOR - COUNCILLORS -**

Councillor Devenish.  
Ahmed, Akbar, Ali, Ashraf, Banerji, Boyle,  
Bullock, Cole, J. Davies, R Davies, R. J. Davis,  
Dolling, Dunington, Felmingham, Flint, Franks,  
Hambleton, Hand, Harris, Hoyle, Hussain,  
Jenkins, Knight, McCarthy, McCowen,  
McKenzie, Patten, Patterson, Roden, Shaw,  
Siederer, Simmons, Stewart, Taylor, Wates,  
White and Worthing.

#### **MINUTES**

- 20**                **Resolved:** That the Minutes of the meeting of the Council held on 29th January, 2002 be taken as read, approved as a correct record and signed by the Chair.

#### **APOLOGIES FOR ABSENCE**

- 21**                Apologies for absence from this meeting were received from Councillors Greenham, Johnston, Moran and Yasin.

#### **CIVIC AWARDS CEREMONY**

- 22**                The Mayor announced that his Civic Awards Ceremony which was to be held on Monday 25<sup>th</sup> February 2002 would now be held on Tuesday 19<sup>th</sup> March 2002 at 7.00 pm.

#### **SCALE OF FEES AND CHARGES**

- 23**                The Mayor further announced that the Council's Scale of Fees and Charges (set out on the yellow pages in the 'Green' budget book papers) had been determined as not forming part of the Council's Budget Framework and did not therefore require the approval of the Council.

#### **CORRECTION SHEET**

- 24**                The Mayor reported that a correction sheet had been circulated at the meeting correcting the following matters:
- (a) that the Council Summons Agenda page at Agenda item 5.1, Reference from the Executive should read 'Revenue Budget and Council Tax for 2002/03'
  - (b) that the Council Summons Agenda Page at Item 5.2, reference from the Executive, should read 'Capital Programme 2002/07'
  - (c) that In Paragraph 2.3 (g) (Valuation Bands) replace the letter (g) with the letter (f) in the heading to that item; in the first sentence of the paragraph beneath the valuation bands replace the letter (f) with the letter (e) so that the first line of that sentence reads: 'being the amounts given by multiplying the amount at 2.3 (e) above by the...'
  - (d) indicating that a replacement page 32 to enclosures circulated separately had been tabled which included details of a revised Fire Authority precept.

## LOCAL GOVERNMENT FINANCE ACT 1992

- 25 The Chief Executive reminded the Council that the list of items before the Council which were within the ambit of Section 106 of the Local Government Finance Act 1992 had been circulated to all Members and that any Member to whom the Section applied should disclose the fact and refrain from voting on any question relating to those items.

(Note: No disclosures by Members were made).

## QUESTIONS UNDER STANDING ORDER 7.1

- 26 The Mayor advised the Council that no written questions had been submitted under Standing Order 7.1.

## VARIATION IN ORDER OF BUSINESS

- 27 It was proposed by Councillor McKenzie, duly seconded and

**Resolved:** That the order of business of this meeting be amended to provide for the recommendations of the Monitoring Officer to be received and considered immediately after Agenda Item 4 (Questions Under Standing Order 7.1).

## REVENUE BUDGET AND COUNCIL TAX FOR 2001/2 AND CAPITAL PROGRAMME 2001/06

- 28 (a) It was proposed by Councillor McKenzie and seconded by Councillor Ashraf and:

**Resolved:** That the recommendation of the Executive that a budget saving proposal in relation to the Luton and Dunstable Partnership contained within recommendation 2.1 (a) on page 80 and set out in the Green Budget Book Papers at reference Y101, be approved.

**(Note: (a) Councillor Simmons declared a pecuniary interest in the above item and left the meeting during consideration of the proposal;**

**(b) Councillor McKenzie declared a non-pecuniary interest in the above item but remained and spoke on the proposal).**

- (b) Upon consideration of reports of the Executive on the Revenue Budget and Council Tax for 2002/3 and the Capital Programme 2002/07, it was then proposed by Councillor McKenzie and seconded by Councillor Ashraf:-

“(i) That, except insofar as it relates to the Budget Saving proposal in relation to the Luton and Dunstable Partnership contained within recommendation 2.1 (a) on page 80 and set out in the Green Budget Book at reference Y101, the following, as submitted in the report of the Head of Corporate Finance, the accompanying ‘Green’ budget papers, and the replacement page 32 to the enclosures to the Council Summons circulated separately at the meeting, be approved:-

- (a) The revenue estimates for 2002/2003 which contain:-

- Savings of £3,098,000
- Growth of £1,631,330
- A levy from the Bedfordshire and Luton Combined Fire Authority in the sum of £5,214,400.
- A contingency provision of £1,660,120

- Total Net Expenditure prior to movements from reserves of £192,004,600
  - A contribution to the general reserve of £8,450
  - Total Net Expenditure of £192,013,050
  - A Borough Council requirement from the Collection Fund of £44,563,700.
- (ii) That, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, made under Section 33(5) of the Local Government Finance Act 1992, the Council's calculated amount of 52,846 as its Council Tax Base for the year 2002/2003, as decided by the Executive at its meeting held on 17th December, 2001 be noted.
- (iii) That in accordance with Sections 32 to 37 of the Local Government Finance Act 1992, the following amounts be now calculated by the Council for the year 2002/2003:-
- (a) £311,504,165 - being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.
  - (b) £119,491,115 - being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.
  - (c) £192,013,050 - being the amount by which the aggregate at (iii) (a) above exceeds the aggregate at (iii) (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
  - (d) £147,449,350 - being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant, increased by the sum which the Council estimates will be transferred to its general fund from its collection fund in accordance with Section 97(3) of the Local Government Finance Act 1988.
  - (e) £843.2748 - being the amount (iii) (c) above less the amount at (iii) (d) above, divided by the amount at (ii) above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.
  - (f) **Valuation Bands**

A (Entitled to a Disabled Relief)-	£ 468.49
A	- £ 562.18
B	- £ 655.88
C	- £ 749.58
D	- £ 843.27
E	- £1,030.67
F	- £1,218.06
G	- £1,405.46
H	- £1,686.55

being the amounts given by multiplying the amount at (iii) (e) above by the number, which, in the proportion set out in Section 5(1) of the Act, would be applicable to dwellings listed in the particular valuation band divided by the number which in that proportion would be applicable to dwellings listed in valuation D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(iv) That, on receipt of the formal notification of the precept requirement of the Bedfordshire Police Authority and in accordance with Section 40 of the Local Government Finance Act 1992, the Executive Leader be requested to recommend to the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, the amounts of Council Tax for the year 2002/2003 for each of the categories of dwellings.

(v) The medium term financial strategy as set out below:

- (a) To maintain a balanced budget position and to set a medium term financial plan
- (b) Spending plans will be closely aligned with the Council's aims and objectives
- (c) The Council will maintain a prudent level of reserves.
- (d) Budgets will be continually reviewed and modified to ensure that resources are targeted on key objectives.

(vi) The Budget Risk Management Strategy as set out below:

- Cash limit all budgets, once approved.
- Note that the Council will be locked into achieving all the budget reduction proposals that are approved.
- The Council will hold Heads of Service and Cost Centre Managers both accountable and responsible for keeping spend within their cash limits, while delivering the services set out in their Service Plans.
- If a potential budget problem arises, Cost Centre Managers and Heads of Service must :
  - (a) Notify their Finance Manager immediately.
  - (b) Produce a viable plan to make alternative savings to manage within the budget.
  - (c) Take that plan through a formal reporting process to the Departmental Management Team and/or the Corporate Directors Management Team as necessary.
- Clear instructions will be issued to all relevant officers stating that approved budget reductions have to be delivered, and that the Council must manage within its budget.
- The Head of Corporate Finance will produce detailed instructions on managing within cash limits
- The Budget Challenge Group will continue to monitor the implementation of the budget reductions, to assess further proposals, and to ensure that resources continue to be redistributed in accordance with Council priorities.
- The Council will have to live within its budget. There will be no potential for new initiatives or extra spend unless the whole costs, including administration, are funded by sources other than the Council.

- (vii) That no increase is made in the rent for the Gypsy Caravan Site, and there is an increase of £0.50 in the rent of the Council's Mobile Home Site, with effect from 1<sup>st</sup> April 2002.
- (viii) That the draft Capital Programme 2002/2007 as set out in the report of the Head of Capital and Asset Management and accompanying appendices attached to the report of the Executive, be approved."
- (c) An amendment was proposed by Councillor Franks and seconded by Councillor Patterson but upon being put to the meeting was lost:-
  - "(i) That in the sixth bullet point of recommendation 2.1, the words and figures 'contribution to the General Reserve of £8,450' be deleted, and substituted therefor with the words and figures 'contribution from the General Reserve of £2,800,000'.
  - (ii) That in the seventh bullet point of recommendation 2.1 the figure '£192,013,050' be deleted and substituted therefor with the figure £189,204,600'.
  - (iii) That in the eighth bullet point of recommendation 2, the figure '£44,563,700' be deleted and substituted therefor with the figure '£41,755,250'.
  - (iv) That in the first line of recommendation 2.3 (a), the figure £311,504,165, be deleted and substituted therefor with the figure £311,495,715
  - (v) That in the first line of recommendation 2.3 (b) the figure £119,491,115, be deleted and substituted therefor with the figure £122,291,115
  - (vi) That in the first line of recommendation 2.3 (c) the figure £192,013,050, be deleted and substituted therefor with the figure £189,204,600
  - (vii) That in the first line of recommendation 2.3 (e) figure £843.2748, be deleted and substituted therefor with the figure £790.1308
  - (viii) That in the first line of recommendation 2.3 (f) the amounts in pounds for each valuation band be deleted, and substituted therefor with the following:
 

A (Entitled to a Disabled Relief)	-	£ 438.96
A	-	£ 526.75
B	-	£ 614.55
C	-	£ 702.34
D	-	£ 790.13
E	-	£ 965.72
F	-	£1,141.30
G	-	£1,316.89
H	-	£1,580.26
  - (ix) In recommendation (v) (a) delete the words 'To maintain a balanced budget position', and substitute the words 'To achieve a balanced budget position in the financial year 2003/4 and thereafter'
- (d) A further amendment was proposed by Councillor Dunington and seconded by Councillor Flint but upon being put to the meeting was lost:-

- (i) That in the fifth bullet point of recommendation 2.1 (a) the figure '£192,004,600', be deleted and substituted therefor with the figure '£189,903,140';
- (ii) That in the seventh bullet point of recommendation 2.1 (a), the figure '£192,013,050' be deleted and substituted therefor with the figure '£189,911,590;
- (iii) That in the eighth bullet point of recommendation 2.1 (a), the figure '£44,563,700' be deleted and substituted therefor with the figure '£42,462,240;
- (iv) That the following additional bullet point be added to recommendation 2.1 (a) as follows:  
  
'with the addition of further efficiency savings of £2,101,460, based on a target of 1% of the net estimates of each department as shown on the Summary of Revenue Estimates.'
- (v) That in the first line of recommendation 2.3 (a) the figure £311,504,165, be deleted and substitute therefore with the figure £309,402,705
- (vi) That in the first line of recommendation 2.3 (c) the figure £192,013,050, be deleted and substituted therefor with the figure £189,911,590
- (vii) That in the first line of recommendation 2.3 (e) the figure £843.2748, be deleted and substituted therefore with the figure £803.5091
- (viii) That in recommendation 2.3 (f) delete the amounts in pounds for each valuation band, and substitute the following:  
  

'A (Entitled to a Disabled Relief)	-	£ 446.39
A	-	£ 535.67
B	-	£ 624.95
C	-	£ 714.23
D	-	£ 803.51
E	-	£ 982.07
F	-	£1,160.62
G	-	£1,339.18
H	-	£1,607.02'

- (e) A further amendment was proposed by Councillor Dunington and seconded by Councillor Flint but upon being put to the meeting was lost:-

- “(i) That in the fifth bullet point of recommendation 2.1 (a) the figure £192,004,600, be deleted and substituted therefor with the figure £189,204,600’;
- (ii) That in the seventh bullet point of recommendation 2.1 (a) the figure ‘£192,013,050’ be deleted and substituted therefor with the figure ‘£189,213,050’;
- (iii) That in the eighth bullet point of recommendation 2.1 (a) the figure ‘£44,563,700’ be deleted and substituted therefor with the figure ‘£41,763,700’;
- (iv) That the following additional bullet point be added to recommendation 2.1 (a) as follows:

‘with the addition of further savings in employee costs of £2,800,000.’

- (v) That in the first line of recommendation 2.3 (a) the figure ‘£311,504,165,’ be deleted and substituted therefor the figure ‘£308,704,165’
- (vi) That in the first line of recommendation 2.3 (c) the figure ‘£192,013,050,’ be deleted and substituted therefor the figure ‘£189,213,050’
- (vii) That in the first line of recommendation 2.3 (e), the figure ‘£843.2748,’ be deleted and substituted therefor with the figure ‘£790.2907’
- (viii) That in recommendation 2.3 (f) the amounts in pounds for each valuation be deleted and substituted with the following:

‘A (Entitled to a Disabled Relief)	-	£ 439.05
A	-	£ 526.86
B	-	£ 614.67
C	-	£ 702.48
D	-	£ 790.29
E	-	£ 965.91
F	-	£1,141.53
G	-	£1,317.15
H	-	£1,580.58’

- (f) It was then:

**Resolved:** That, except insofar as it relates to the Budget Saving proposal in relation to the Luton and Dunstable Partnership contained within recommendation 2.1 (a) on page 80 and set out in the Green Budget Book Papers at reference Y101, the following, as submitted in the report of the Head of Corporate Finance, the accompanying budget papers, and the supplementary report, be approved:-

- (i) The revenue estimates for 2002/2003 which contain:-
  - Savings of £3,098,000
  - Growth of £1,631,330
  - A levy from the Bedfordshire and Luton Combined Fire Authority in the sum of £5,214,400.
  - A contingency provision of £1,660,120
  - Total Net Expenditure prior to movements from reserves of £192,004,600
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- (ii) That, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, made under Section 33(5) of the Local Government Finance Act 1992, the Council's calculated amount of 52,846 as its Council Tax Base for the year 2002/2003, as decided by the Executive at its meeting held on 17th December, 2001 be noted.

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being the amounts given by multiplying the amount at (iii) (e) above by the number, which, in the proportion set out in Section 5(1) of the Act, would be applicable to dwellings listed in the particular valuation band divided by the number which in that proportion would be applicable to dwellings listed in valuation D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (iv) That, on receipt of the formal notification of the precept requirement of the Bedfordshire Police Authority and in accordance with Section 40 of the Local Government Finance Act 1992, the Executive Leader be requested to recommend to the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, the amounts of Council Tax for the year 2002/2003 for each of the categories of dwellings.



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- (a) To maintain a balanced budget position and to set a medium term financial plan
  - (b) Spending plans will be closely aligned with the Council's aims and objectives
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  - If a potential budget problem arises, Cost Centre Managers and Heads of Service must :
    - (a) Notify their Finance Manager immediately.
    - (b) Produce a viable plan to make alternative savings to manage within the budget.
    - (c) Take that plan through a formal reporting process to the Departmental Management Team and/or the Corporate Directors Management Team as necessary.
  - Clear instructions will be issued to all relevant officers stating that approved budget reductions have to be delivered, and that the Council must manage within its budget.
  - The Head of Corporate Finance will produce detailed instructions on managing within cash limits
  - The Budget Challenge Group will continue to monitor the implementation of the budget reductions, to assess further proposals, and to ensure that resources continue to be redistributed in accordance with Council priorities.
  - The Council will have to live within its budget. There will be no potential for new initiatives or extra spend unless the whole costs, including administration, are funded by sources other than the Council.
- (vii) That no increase is made in the rent for the Gypsy Caravan Site, and there is an increase of £0.50 in the rent of the Council's Mobile Home Site, with effect from 1<sup>st</sup> April 2002.
- (viii) That the draft Capital Programme 2002/2007 as set out in the report of the Head of Capital and Asset Management and accompanying appendices attached to the report of the Executive, be approved.

#### **STANDARDS COMMITTEE – ARRANGEMENTS FOR THE APPOINTMENT OF INDEPENDENT MEMBERS**

- 28** The Monitoring Officer requested the Council to authorise the Standards Committee to put in train arrangements for the appointment of Independent Members to serve on the Standards Committee, including the placing of a public advertisement inviting people to serve as Independent Members.

**Resolved:** That the Standards Committee be authorised to take all necessary steps to invite persons to serve as Independent Members of the Council's Standards Committee established under Section 53 of the Local Government Act 2002.

## **HEAD OF COMMUNICATIONS**

**29** The Head of Paid Service requested the Council to approve the creation of a post of Head of Communications.

**Resolved:** (i) That the creation of a new Head of Service post entitled 'Head of Communications' reporting directly to the Chief Executive be approved and that Part 19 of the Constitution be amended accordingly.

(ii) That the Appointments Panel be authorised to approve the arrangements for drawing up, and to agree the Job Description and Person Specification for the new Head of Service post, as part of their consideration of the arrangements for appointment to the post.

**(Note: The meeting ended at 8.20 p.m.).**