

**MINUTES OF THE COUNCIL**  
**AT THE MEETING OF THE COUNCIL OF THE**  
**BOROUGH OF LUTON HELD AT THE TOWN HALL, LUTON**  
**ON**  
**WEDNESDAY 18<sup>TH</sup> FEBRUARY 2009 AT 6.00 P.M.**

**PRESENT:**

<b>THE MAYOR -</b>	Councillor Singh.
<b>THE DEPUTY MAYOR -</b>	Councillor Malik.
<b>COUNCILLORS -</b>	Akbar, Ashraf, Ayub, Bailey, Benard, Bullock, Burnett, Campbell, Chapman, R. J. Davis, Farooq, Foord, Franks, Garrett, Harris, Hinkley, M. Hussain, Q. Hussain, Ireland, Khan, Mead, Neale, Pantling, Patterson, Pedersen, Raquib, Riaz, Roden, Rutstein, Saleem, Shaw, Siederer, Simmons, Simons, Skepelhorn, Smith, Stewart, Strange, Taylor, Timoney, Titmuss and Worlding.

**24 MINUTES (REF: 1)**

**Resolved:** That the Minutes of the meeting of the Council held on the 20<sup>th</sup> January 2009 be taken as read, approved as a correct record and signed by the Chair.

Councillor Garrett advised the Council that he had not received a written response to a question that he had asked of Councillor Davis at the last Council meeting held on 20<sup>th</sup> January 2009 and to which Councillor Davis had indicated a written reply would be given. Councillor Davis advised that he would ensure that the response was despatched to Councillor Garrett.

**25 APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors J. Davies, R. Davies, Dolling and Kiansumba.

**26 MEMBERS CONDUCT (REF: 2.1)**

The Mayor reminded Members of the need to observe proper conduct, to show respect for each other and to observe his rulings at meetings of the Council.

**27 CHARITY DINNER AND DANCE (REF: 2.2)**

The Mayor reminded Members that he would be holding a charity Indian Meal on the evening of Saturday, 18<sup>th</sup> April 2009 at the Auction House, Crescent Road. Tickets could be obtained from the Mayor's Secretary at a cost of £25.00.

**28 LOCAL GOVERNMENT FINANCE ACT 1992**

The Chief Executive reminded the Council that a list of items before the Council that 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 that Section applied should disclose the fact and refrain from voting on any question relating to those items.

**(Note: No disclosures by Members were made.)**

**29 LUTON TOWN FOOTBALL CLUB**

Councillor Harris asked the Council, and the Council agreed to congratulate Luton Town Football Club in reaching the Johnstone's Paint Trophy Final at Wembley.

**30 BUDGET 2009-10 AND CAPITAL PROGRAMME 2009-14 (REF: 5.1)**

- (a) Upon consideration of the report of the Executive (9<sup>th</sup> February 2009) on the Revenue Budget for 2009-10 and the Capital Programme 2009-2014 (Ref: 5.1) it was proposed by Councillor Harris and seconded by Councillor Simmons:

‘(i) That the Council approve:

- (1) The 2009/10 revenue estimates of net expenditure prior to growth, savings, and any movements in reserves, as set out in the budget papers (known as the ‘Green Book’) circulated (as amended by the substitution of Section 1 of page 1 of the ‘Green Book’ attached as Appendix 1 to Ref: 5.1) and in the Joint report of the Head of Corporate Finance and Head of Capital & Asset Management (Executive Report Ref: 8);
- (2) The items put forward for inclusion in the draft capital programme (set out in the blue pages of the ‘Green Book’, subject to the amendments shown at Appendix T) and the potential funds available (shown at Appendix K), and the items and amounts to be included in the capital programme for 2009-2014;

- (3) The list of savings proposals (set out in the white pages of 'Green Book' - pages 45 to 54), and the service changes necessary to give effect to those savings;
- (4) The list of growth proposals (set out in the white pages of 'Green Book' - pages 33 to 36) and the service changes necessary to give effect to those growth proposals;
- (5) The list of items previously shown in the medium term plan and together with the amendments shown on the list (white pages of Budget papers pages 37 to 44) and the service changes necessary to give effect to those proposals;
- (6) additional one off growth proposals of £35,000 for the Cultural Olympics, £30,000 for the Disabled Project at the Centre for Youth and Community Development; and £150,000 for support to local voluntary organisations to provide money advice during the recession;
- (7) a contribution of £2,486,000 from the Service Provision Reserve;
- (8) The Head of Corporate Finance's proposals for Prudential Indicators set out in Appendix G in accordance with the Prudential Code of Capital Finance.
- (9) The Statement of Policy on making a Minimum Revenue Provision for 2009/10, as set out in Appendix C.

(ii) That, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended by the Local Authorities (Calculation of Tax Base) Amendment (England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992, the Council's calculated amount of £55,220 as its Council Tax Base for the year 2009/2010, as decided by the Executive at its meeting held on 8<sup>th</sup> December 2008 (Decision EX/202/08) be noted by the Council.

(iii) That, in accordance with section 25 of the Local Government Act 2003, the Council has regard to the report of the Head of Corporate Finance (attached as Appendix R to Ref: 5.1), on the robustness of the proposed budget and the adequacy of reserves.

(iv) 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 financial year 2009/2010:

- (a) £485,864,659 – 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) £337,751,040 – being the aggregate of the amounts which the Council estimates for the items set out in Section 33 (3) (a) to (c) of the Act.
- (c) £148,113,619 – being the amount by which the aggregate at 5 (a) above exceeds the aggregate at 5 (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- (d) £86,150,099 – 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, decreased by the sum which the Council estimates will be transferred from its general fund to its collection fund in accordance with Section 97(4) of the Local Government Finance Act 1988.
- (e) £1,122.1210 – being the amount 5 (c) above less the amount at 5 (d) above, divided by the amount of 55,220 as shown in 3 above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of the Council Tax for the year.
- (f) Valuation Bands

Band A (entitled to a disabled relief)	£623.40
Band A	£748.08
Band B	£872.76
Band C	£997.44
Band D	£1,122.12
Band E	£1,371.48
Band F	£1,620.84
Band G	£1,870.20
Band H	£2,244.24

being the amounts given by multiplying the amount at 5 (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.

- (v) That it be noted that for the year 2009/10 the Bedfordshire Police Authority have stated the following amounts in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories shown below:

Valuation Band	Amount £
A (Entitled to a Disabled Relief)	78.09
A	93.71
B	109.32
C	124.94
D	140.56
E	171.80
F	203.03
G	234.27
H	281.12

(vi) That it be noted that for the year 2009/10 the Bedfordshire and Luton Combined Fire Authority have stated the following amounts in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories shown below:

Valuation Band	Amount £
A (Entitled to a Disabled Relief)	45.35
A	54.42
B	63.49
C	72.56
D	81.63
E	99.77
F	117.91
G	136.05
H	163.26

(vii) That having calculated the aggregate in each case of each of the valuation bands, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the following amounts of Council Tax for the year 2009/10 for each of the categories of dwellings shown below:-

Valuation Band	Amount £
A (Entitled to a Disabled Relief)	746.84
A	896.21
B	1,045.57
C	1,194.94
D	1,344.31
E	1,643.05
F	1,941.78
G	2,240.52
H	2,688.62

(viii) That the initial allocation of the Dedicated Schools Grant for 2009/10, as set out in Appendix N, be approved.

(ix) That the Medium Term Financial Plan set out in Appendix M, be approved.

(x) That the Budget Risk Management Strategy set out in Appendix B, be approved.

(xi) That the protocol for the management, control and use of reserves set out in Appendix I, be approved.

(b) An amendment was proposed by Councillor Rutstein and seconded by Councillor Franks.

Upon being put to the meeting, the amendment was lost:

‘(A) In the Paragraph numbered 2 of the Executive report:

(1) In sub-paragraph (i) after the phrase ‘in the joint report of the Head of Corporate Finance and the Head of Capital and Asset Management (Ref: 8) add ‘Subject to the following amendments:

- (i) a reduction of £100,000 in the employee costs of the Chief Executive’s Department to reflect the deletion of the budget provision for the post of Head of Strategic Planning, Policy and Performance Management
- (ii) a reduction of £40,000 in the employee costs of the Director of Customer and Corporate Services to reflect a reduction in the number of paid Trades Union posts supported by the Council from 4 to 2;
- (iii) a reduction of £19,000 in the employee costs of the Engineering and Transportation service to remove the vacant post of Senior Traffic Engineer from September 2009;
- (iv) an increase of £21,000 in the employee costs of the Director of Environment and Regeneration to reflect an increase of 1 in the establishment of civil enforcement officers;
- (v) a reduction of £19,000 in employee budgets across the Council by way of an increase in turnover provision;
- (vi) an increase of £150,000 in income from on-street parking enforcement;
- (vii) an increase of £30,000 in income from schools from the sale of occupational health services.’

(2) In sub-paragraph (iii), after the phrase: ‘to give effect to those savings’ add:  
‘subject to the following amendments:

- (i) delete E&R962S from the savings list;
  - (ii) for proposal HCL914S, increase the annual saving from £25,000 to £50,000 by replacing a further in house home care team with private sector provision of home care. Increase the post reductions from 2 to 4.
- (3) In sub-paragraph (iv), after the phrase: 'to give effect to those growth proposals' add:  
'subject to the following amendments:
- (i) Reduce the amount of the growth proposal for item reference Corp912G, Increased Costs of Energy and Gas, by £131,500.
  - (ii) Delete the item reference C&L903G-, Review Policy for School Lettings, and its proposed reduction in cost of £70,000 for 2009/10.'
- (B) In Paragraph 5 of the Executive report:  
In sub-paragraph a), delete the figure £485,864,659 and substitute the figure £485,663,159.  
In sub-paragraph b), delete the figure £337,751,040 and substitute the figure £337,931,040.  
In sub-paragraph c), delete the figure £148,113,619 and substitute the figure £147,732,119.  
In sub-paragraph e), delete the figure £1,122.1210 and substitute the figure £1,115.21  
In sub-paragraph f), delete the figures shown on the left hand side of the table below, and substitute the figures shown on the right hand side.

To be deleted	To be substituted
£623.40	£619.56
£748.08	£743.47
£872.76	£867.39
£997.44	£991.30
£1,122.12	£1,115.21
£1,371.48	£1,363.04
£1,620.84	£1,610.86
£1,870.20	£1,858.69
£2,244.24	£2,230.42

- (C) That this amendment be reported to the next meeting of the Executive.'

The Head of Corporate Finance reported that in accordance with the requirements of Section 25 of the Local Government Act 2003 the

amended budget proposal was robust and the reserves resulting there from were adequate.

- (c) An amendment was proposed by Councillor Franks and seconded by Councillor Rutstein but upon being put to the meeting was lost:

‘That the Council’s Executive be urged to give urgent consideration to what actions they can take to minimise the effects on Luton residents of potentially damaging service cuts included in the Budget, for instance:

- The closure of Sherd Lodge Residential Home.
- The closure of Hockwell Ring day centre.
- The closure of Mayne Avenue short stay children’s home.
- The £100,000 cut in the Equalities Agency grant.
- The reduction in the abandoned vehicles service.
- The further reduction in the numbers of parking attendants.
- The significant increase in taxi licence fees at a time when the trade is suffering loss of business.
- The above inflation increases in parking charges.
- The 25% increase in adult burial fees.
- The cancellation of all investment funding for Active Luton.

and ensure Equalities Impact Assessments are carried out on all service cuts contained in the Budget.

Prior to a vote being taken on the amendment, six Members required, under Standing Order 20.2, that the vote be by roll-call and the voting was as follows:

**FOR THE AMENDED MOTION:** Councillors Chapman, Franks, Hinkley, Q. Hussain, Mead, Neale, Pantling, Patterson, Pedersen, Rutstein, Siederer, Skepelhorn, Smith and Strange (14).

**AGAINST THE AMENDED MOTION:** Councillors Akbar, Ashraf, Ayub, Bailey, Benard, Bullock, Burnett, R. J. Davis, Farooq, Harris, M. Hussain, Ireland, Khan, Malik, Raquib, Riaz, Roden, Saleem, Shaw, Simmons, Singh, Stewart, Taylor, Timoney and Worthing (25)

**ABSTAINED FROM VOTING:** Councillors Campbell, Foord, Garrett, Simons and Titmuss (5).

**ABSENT FROM VOTING:** Councillors J. Davies, R. Davies, Dolling, and Kiansumba (4).

(d) The motion was then put to the meeting and it was:

**Resolved:** (i) That the Council approve:

- (1) The 2009/10 revenue estimates of net expenditure prior to growth, savings, and any movements in reserves, as set out in the budget papers (known as the 'Green Book') circulated (as amended by the substitution of Section 1 of page 1 of the 'Green Book' attached as Appendix 1 to Ref: 5.1) and in the Joint report of the Head of Corporate Finance and Head of Capital & Asset Management (Executive Report Ref: 8);
  - (2) The items put forward for inclusion in the draft capital programme (set out in the blue pages of the 'Green Book', subject to the amendments shown at Appendix T) and the potential funds available (shown at Appendix K), and the items and amounts to be included in the capital programme for 2009-2014;
  - (3) The list of savings proposals (set out in the white pages of 'Green Book' - pages 45 to 54), and the service changes necessary to give effect to those savings;
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  - (5) The list of items previously shown in the medium term plan and together with the amendments shown on the list (white pages of Budget papers pages 37 to 44) and the service changes necessary to give effect to those proposals;
  - (6) additional one off growth proposals of £35,000 for the Cultural Olympics, £30,000 for the Disabled Project at the Centre for Youth and Community Development; and £150,000 for support to local voluntary organisations to provide money advice during the recession;
  - (7) a contribution of £2,486,000 from the Service Provision Reserve;
  - (8) The Head of Corporate Finance's proposals for Prudential Indicators set out in Appendix G in accordance with the Prudential Code of Capital Finance.
  - (9) The Statement of Policy on making a Minimum Revenue Provision for 2009/10, as set out in Appendix C.
- (ii) That, in accordance with regulation 3 of the Local Authorities

(Calculation of Council Tax Base) Regulations 1992, as amended by the Local Authorities (Calculation of Tax Base) Amendment (England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992, the Council's calculated amount of £55,220 as its Council Tax Base for the year 2009/2010, as decided by the Executive at its meeting held on 8<sup>th</sup> December 2008 (Decision EX/202/08) be noted by the Council.

(iii) That, in accordance with section 25 of the Local Government Act 2003, the Council has regard to the report of the Head of Corporate Finance (attached as Appendix R to Ref: 5.1), on the robustness of the proposed budget and the adequacy of reserves.

(iv) 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 financial year 2009/2010:

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(f) Valuation Bands

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being the amounts given by multiplying the amount at 5 (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.

(v) That it be noted that for the year 2009/10 the Bedfordshire Police Authority have stated the following amounts in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories shown below:

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(vi) That it be noted that for the year 2009/10 the Bedfordshire and Luton Combined Fire Authority have stated the following amounts in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories shown below:

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C	72.56
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(vii) That having calculated the aggregate in each case of each of

the valuation bands, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the following amounts of Council Tax for the year 2009/10 for each of the categories of dwellings shown below:-

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G	2,240.52
H	2,688.62

(viii) That the initial allocation of the Dedicated Schools Grant for 2009/10, as set out in Appendix N, be approved.

(ix) That the Medium Term Financial Plan set out in Appendix M, be approved.

(x) That the Budget Risk Management Strategy set out in Appendix B, be approved.

(xi) That the protocol for the management, control and use of reserves set out in Appendix I, be approved.

**(Notes: (i) Councillors M. Hussain and Taylor disclosed personal (but not prejudicial) interests in the amendment at (c) above in that they were holders of private hire drivers licences and remained in the room during consideration of the matter;**

**(ii) Councillor Foord disclosed a personal (but not prejudicial interest )n the amendment at (c) above item as a Council appointed Director to Active Luton and remained in the room during consideration of the matter.)**

### **30 HOUSING REVENUE ACCOUNT (HRA) ESTIMATES AND RENTS AND SERVICE CHARGES 2009/10 (REF: 5.2)**

Upon consideration of the report of the Executive (9th February 2009) on the Housing Revenue Account (HRA) Estimates and Rents and Service Charges 2009/10 (Ref: 5.2), it was proposed by Councillor Shaw and seconded by Councillor Simmons and:

**Resolved:** That the Council approve:

- (i) The HRA budget for 2009/10 as shown at Appendix A to the report.
- (ii) Rent and Service Charge levels at an average increase of 4.95% to apply from April 2009, the reduction in income to be met from efficiency savings within the HRA in 2009/10.
- (iii) Rent levels for HRA garages to apply from April 2009.
- (iv) Rent levels for other non-HRA dwellings.
- (v) Rent levels for the Gypsy/Travellers Caravan Site.
- (vi) Rent levels for the Stopsley Mobile Home Park.
- (vii) That the above revised rents and service charges be effective from 6<sup>th</sup> April 2009 and the appropriate notice be served to tenants.
- (viii) Continued lobbying of the Department for Communities and Local Government (DCLG) regarding the HRA settlement for 2010/11 to allow a more equitable settlement for Luton.

**(Notes: (i) Councillor Worlding disclosed a personal (but not prejudicial) interest in item 5.2 in that he was a council tenant and remained in the room during consideration of the matter.**

**(ii) The meeting ended at 8.50 pm.)**