

MINUTES OF THE COUNCIL

AT THE ANNUAL MEETING OF THE COUNCIL OF THE BOROUGH OF LUTON HELD AT THE TOWN HALL, LUTON ON

TUESDAY, 20TH MAY 2008 AT 6.00 P.M.

PRESENT:

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

48 ELECTION OF MAYOR (REF: 1)

Upon nominations being called for Councillor Shaw nominated and Councillor Burnett seconded Councillor Singh to be elected Mayor of the Borough of Luton. There were no other nominations.

It was therefore:

Resolved: That Councillor Singh be and he is hereby elected Mayor of the Borough of Luton for the ensuing Municipal Year.

Councillor Singh then made and subscribed the Declaration of Acceptance of the Office of Mayor and took the Chair.

49 APPOINTMENT OF DEPUTY MAYOR (REF: 3)

Upon nominations being called for Councillor Ashraf nominated and Councillor Ireland seconded Councillor Malik to be elected Deputy Mayor of the Borough of Luton. There were no other nominations.

It was therefore:

Resolved: That Councillor Malik be and she is hereby elected Deputy Mayor of the Borough of Luton for the ensuing Municipal Year.

Councillor Malik then made and subscribed the Declaration of Acceptance of the Office of Deputy Mayor.

50 MINUTES (REF: 5)

Resolved: That the Minutes of the meeting of the Council held on 1st April 2008 be taken as read, approved as a correct record and signed by the Chair.

51 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Kiansumba, Mead and Rutstein.

52 ELECTION OF EXECUTIVE LEADER (REF: 6)

Upon nominations being called for Councillor Harris nominated and Councillor R. J. Davis seconded Councillor Simmons to be elected Executive Leader. There were no other nominations.

It was therefore:

Resolved: That Councillor Simmons be elected Executive Leader for the ensuing Municipal Year.

53 NUMBER OF MEMBERS TO THE EXECUTIVE (REF: 7)

It was proposed by Councillor Simmons and seconded by Councillor Harris and:

Resolved: That the number of members of the Executive in addition to the Executive Leader be 9.

54 APPOINTMENT OF MEMBERS TO THE EXECUTIVE (REF: 7)

Upon nominations being called for Councillor Simmons nominated and Councillor Harris seconded the following members to be members of the Executive: Councillors Ashraf, Bailey, R.J. Davis, Harris, M. Hussain, Khan, Roden, Shaw and Worthing. There were no other nominations.

It was therefore:

Resolved: That, in addition to the Executive Leader, Councillors Ashraf, Bailey, R.J. Davis, Harris, M. Hussain, Khan, Roden, Shaw and Worthing be appointed to the Executive.

55 LOCAL GOVERNMENT AND HOUSING ACT 1989 - CONSTITUTION OF COMMITTEES (REF: 8)

Resolved: That the constitution of the Council's Committees to which Section 15 of the Local Government and Housing Act 1989 applies be as set out in the table shown below:

Committee	Labour	Liberal Democrat	Conservative	Co-opted	Elected From Outside Council	Other (non-voting)	Total Seats
Scrutiny Board	5	3	1	0	0	0	9
Regeneration and Citizenship Scrutiny	4	2	1	0	0	0	7
Environment and Non-Executive Functions Scrutiny	5	3	1	0	0	0	9
Performance, Resources and Assets Scrutiny	4	2	1	0	0	0	7
Children and Young People Scrutiny	8	2	1	2	2	3	15*
Social Inclusion Scrutiny	5	3	1	0	0	0	9
Administration	4	3	0	0	0	0	7
Regulation	4	3	0	0	0	0	7
Development Control	6	4	1	0	0	0	11
Constitution	6	4	1	0	0	0	11
Housing Appeals Panel	3	2	0	0	0	0	5
Taxi and Private Hire Licensing Panel	4	2	1	0	0	0	7
Area Committee Board	4	2	1	0	0	0	7
Audit and Governance Committee	4	3	0	0	0	0	7
	66	38	10	0	0	0	114*
Allocation	57.89%	33.33%	8.77%				
Entitlement	54.17%	35.42%	10.42%				

(Note: * indicates that the figure excludes co-opted/lay-members)

56 MEMBERSHIP OF COMMITTEES, ETC. (REF: 9)

It was proposed by Councillor Simmons and seconded by Harris:

Resolved: (i) That the membership on the Committees of the Council and Fixed Panels be as shown in the Schedule below:

**SCHEDULE
ADMINISTRATION COMMITTEE**

Councillor Ashraf
Councillor Chapman
Councillor R. Davies
Councillor Pedersen

Councillor Saleem
Councillor Simmons
Councillor Stewart

AUDIT AND GOVERNANCE COMMITTEE

Councillor R. Davies
Councillor R.J. Davis
Councillor Farooq
Councillor Pantling

Councillor Patterson
Councillor Raquib
Councillor Saleem

CONSTITUTION COMMITTEE

Councillor Chapman
Councillor R.J. Davis
Councillor Franks
Councillor Harris
Councillor Ireland
Councillor Roden

Councillor Simons
Councillor Singh
Councillor Smith
Councillor Strange
Councillor Timoney

DEVELOPMENT CONTROL COMMITTEE

Councillor Akbar
Councillor Benard
Councillor Dolling
Councillor Farooq
Councillor Foord
Councillor Franks

Councillor M. Hussain
Councillor Rutstein
Councillor Skepelhorn
Councillor Stewart
Councillor Taylor

REGULATION COMMITTEE

Councillor Ayub
Councillor Bailey
Councillor Mead
Councillor Rutstein

Councillor Singh
Councillor Smith
Councillor Worthing

STANDARDS COMMITTEE

Councillor Dolling
Councillor Neale
Councillor Taylor

Councillor Titmuss
Councillor Worthing

5 Independent co-opted members:

Mrs. M. Briggs
Mr. J. A. Hearnshaw
Mr. J. Jones

Ms. J. Spendley
Mrs. S. Wright

LICENSING COMMITTEE

Councillor Bailey
Councillor Campbell
Councillor R. Davies
Councillor Dolling
Councillor Hinkley
Councillor M. Hussain
Councillor Pedersen
Councillor Roden

Councillor Siederer
Councillor Simmons
Councillor Simons
Councillor Singh
Councillor Stewart
Councillor Taylor
Councillor Worthing

TAXI AND PRIVATE HIRE LICENSING PANEL

Councillor Ayub
Councillor Bullock
Councillor Garrett
Councillor Hinkley

Councillor Riaz
Councillor Saleem
Councillor Siederer

HOUSING APPEALS PANEL

Councillor Akbar
Councillor Q. Hussain
Councillor Raquib

Councillor Riaz
Councillor Siederer

SCRUTINY BOARD

Councillor Bullock
Councillor Dolling
Councillor Garrett
Councillor Ireland
Councillor Pedersen

Councillor Raquib
Councillor Riaz
Councillor Skepelhorn
Councillor Taylor

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Councillor Akbar
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor Campbell
Councillor Hinkley

Councillor Kiansumba
Councillor Malik
Councillor Patterson
Councillor Raquib
Councillor Stewart

2 co-opted Diocesan members
2 elected from outside Council
3 other (non-voting)

ENVIRONMENT AND NON-EXECUTIVE FUNCTIONS SCRUTINY COMMITTEE

Councillor Ayub
Councillor Garrett
Councillor Ireland
Councillor Mead
Councillor Riaz

Councillor Smith
Councillor Strange
Councillor Taylor
Councillor Timoney

PERFORMANCE, RESOURCES AND ASSETS SCRUTINY COMMITTEE

Councillor Burnett
Councillor Farooq
Councillor Franks
Councillor Malik

Councillor Pantling
Councillor Saleem
Councillor Titmuss

REGENERATION AND CITIZENSHIP SCRUTINY COMMITTEE

Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor Foord

Councillor Neale
Councillor Rutstein
Councillor Stewart

SOCIAL INCLUSION SCRUTINY COMMITTEE

Councillor Bullock
Councillor J. Davies
Councillor Q. Hussain
Councillor Kiansumba
Councillor Malik

Councillor Saleem
Councillor Simons
Councillor Skepelhorn
Councillor Timoney

AREA COMMITTEE BOARD

Councillor Campbell
Councillor R.J. Davis
Councillor M. Hussain
Councillor Khan

Councillor Neale
Councillor Simmons
Councillor Strange

CENTRAL LUTON AREA COMMITTEE

Councillor Ayub
Councillor Benard
Councillor Burnett
Councillor Q. Hussain
Councillor Khan

Councillor Neale
Councillor Pantling
Councillor Riaz
Councillor Saleem
Councillor Singh

NORTH LUTON AREA COMMITTEE

Councillor Bullock
Councillor Campbell
Councillor R.J. Davis
Councillor Foord
Councillor Garrett

Councillor Hinkley
Councillor Pedersen
Councillor Simons
Councillor Titmuss
Councillor Worthing

WEST LUTON AREA COMMITTEE

Councillor Akbar
Councillor Bailey
Councillor Malik
Councillor Mead
Councillor Roden

Councillor Shaw
Councillor Simmons
Councillor Stewart
Councillor Strange

EAST LUTON AREA COMMITTEE

Councillor Chapman
Councillor J. Davies
Councillor R. Davies
Councillor Dolling
Councillor Franks

Councillor Patterson
Councillor Rutstein
Councillor Siederer
Councillor Skepelhorn
Councillor Smith

SOUTH LUTON AREA COMMITTEE

Councillor Ashraf
Councillor Farooq
Councillor Harris
Councillor M. Hussain
Councillor Ireland

Councillor Kiansumba
Councillor Raquib
Councillor Taylor
Councillor Timoney

(ii) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Discretionary Housing Payments Appeal Panel:

POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE DISCRETIONARY HOUSING PAYMENTS APPEAL PANEL

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor J. Davies
Councillor R. Davies
Councillor R.J. Davis
Councillor Farooq

Councillor Kiansumba
Councillor Malik
Councillor Pedersen
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Siederer
Councillor Simmons
Councillor Singh

Councillor Harris
Councillor Hinkley
Councillor M. Hussain
Councillor Ireland
Councillor Khan

Councillor Stewart
Councillor Taylor
Councillor Timoney
Councillor Titmuss
Councillor Worthing

(iii) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Foster Carer Appeal Panel:

POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE FOSTER CARER APPEAL PANEL

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor J. Davies
Councillor R. Davies
Councillor R.J. Davis
Councillor Farooq
Councillor Foord
Councillor Harris
Councillor Hinkley
Councillor M. Hussain
Councillor Ireland

Councillor Khan
Councillor Kiansumba
Councillor Malik
Councillor Pantling
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Simmons
Councillor Singh
Councillor Skepelhorn
Councillor Stewart
Councillor Taylor
Councillor Timoney
Councillor Worthing

(iv) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Luton Education Teachers Appeal Panel:

POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE LUTON EDUCATION TEACHERS APPEAL PANEL

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor Campbell
Councillor R.J. Davis
Councillor Farooq
Councillor Harris
Councillor Hinkley
Councillor M. Hussain

Councillor Malik
Councillor Mead
Councillor Patterson
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Siederer
Councillor Simmons
Councillor Singh
Councillor Skepelhorn
Councillor Stewart

Councillor Ireland
Councillor Khan
Councillor Kiansumba

Councillor Taylor
Councillor Timoney
Councillor Worlding

(v) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Nursery Education Appeal Panel:

**POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE NURSERY
EDUCATION APPEAL PANEL**

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor R.J. Davis
Councillor Farooq
Councillor Harris
Councillor Hinkley
Councillor M. Hussain
Councillor Ireland
Councillor Khan
Councillor Kiansumba
Councillor Malik

Councillor Mead
Councillor Patterson
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Siederer
Councillor Simmons
Councillor Singh
Councillor Skepelhorn
Councillor Stewart
Councillor Taylor
Councillor Timoney
Councillor Worlding

(vi) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Personnel Appeal Panel:

**POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE PERSONNEL
APPEAL PANEL**

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor J. Davies
Councillor R. Davies
Councillor R.J. Davis
Councillor Farooq
Councillor Franks
Councillor Garrett
Councillor Harris
Councillor M. Hussain

Councillor Kiansumba
Councillor Malik
Councillor Pantling
Councillor Patterson
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Simmons
Councillor Singh
Councillor Skepelhorn
Councillor Stewart
Councillor Taylor
Councillor Timoney

Councillor Ireland
Councillor Khan

Councillor Worthing

(vii) That there be established a pool comprising of the Members named below from which Members may be appointed to serve on the Social Services Stage 3 Complaint Review Panel:

POOL FROM WHICH APPOINTMENTS WILL BE MADE TO THE SOCIAL SERVICES STAGE 3 COMPLAINT REVIEW PANEL

Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor J. Davies
Councillor R.J. Davis
Councillor Farooq
Councillor Harris
Councillor M. Hussain
Councillor Ireland
Councillor Khan
Councillor Kiansumba

Councillor Malik
Councillor Pedersen
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Saleem
Councillor Shaw
Councillor Simmons
Councillor Simons
Councillor Singh
Councillor Stewart
Councillor Taylor
Councillor Timoney
Councillor Worthing

(viii) That the Head of Local Democracy be authorised to appoint Members to serve on the Nursery Education Appeal Panel and the Personnel Appeal Panel at (v) and (vi) above on any given occasion.

(ix) That the Director of Housing and Community Living and Adult Social Services be authorised to appoint Members to serve on the Discretionary Housing Payments Appeal Panel, the Foster Carer Appeal Panel and the Social Services Stage 3 Complaint Review Panel at (ii), (iii) and (vii) above on any given occasion.

(x) That the Director of Children and Learning be authorised to appoint Members to serve on the Luton Education Teachers Appeal Panel at (iv) above on any given occasion.

57 MEMBERSHIP OF OTHER BODIES (REF: 10)

It was proposed by Councillor Simmons and seconded by Councillor Harris:

Resolved: That the membership of other bodies be as set out in the schedule tabled at the meeting (attached at Appendix 1/08 to these Minutes) and that in the case of those bodies indicated as being Executive bodies, the membership be commended to the Executive for approval.

58 APPOINTMENTS PANEL AND REDEPLOYMENT PANEL (REF: 11)

It was proposed by Councillor Simmons and seconded by Councillor Harris:

Resolved: (i) That an Appointments Panel be established for the purposes of taking or arranging to be taken all necessary steps relating to the process of appointing Chief Officers and Deputy Chief Officers.

(ii) That, subject to Paragraphs (iii) and (iv) below, the membership of the Appointments Panel on any given occasion be six Members appointed by the Head of Local Democracy, after consulting the Executive Leader and the Deputy Executive Leader, and drawn from a pool of the following Members:

Executive Leader
Deputy Executive Leader
Relevant Executive Portfolio Holders
Chair or Vice-Chair of relevant Regulatory Committee
Chairs of each of the Scrutiny Committees (or any
Member of a Scrutiny Committee nominated by
the Chair of that Committee)
Chair of Scrutiny Board
Councillor Akbar
Councillor Ashraf
Councillor Ayub
Councillor Bailey
Councillor Benard
Councillor Bullock
Councillor Burnett
Councillor Campbell
Councillor Chapman
Councillor J. Davies
Councillor R. Davies
Councillor R.J. Davis
Councillor Dolling
Councillor Farooq
Councillor Foord
Councillor Franks
Councillor Garrett
Councillor Harris
Councillor Hinkley
Councillor M. Hussain
Councillor Q. Hussain
Councillor Ireland
Councillor Khan
Councillor Kiansumba
Councillor Malik
Councillor Mead
Councillor Neale
Councillor Pantling

Councillor Patterson
Councillor Pedersen
Councillor Raquib
Councillor Riaz
Councillor Roden
Councillor Rutstein
Councillor Saleem
Councillor Shaw
Councillor Siederer
Councillor Simons
Councillor Simmons
Councillor Singh
Councillor Skepelhorn
Councillor Smith
Councillor Stewart
Councillor Strange
Councillor Taylor
Councillor Timoney
Councillor Titmuss
Councillor Worlding

(iii) The members of the Appointments Panel appointed under (ii) above shall include the Chair of the Scrutiny Board or a Chair of a Scrutiny Committee, or in the event that none of these members is available, any member of the Scrutiny Board nominated by the Chair of the Scrutiny Board or any member of a Scrutiny Committee nominated by the Chair of that Committee.

(iv) In the case of the appointments referred to in (v) below, the Appointments Panel shall, in addition to the Members appointed under (ii) above, include the additional Member identified in (v) below in respect of those appointments, unless, in the case of the appointments at v(a) and v(b), below the additional Member has been appointed under (ii) above.

(v) The additional member shall be:

- (a) Where the Appointments Panel is to consider appointment to a post relating to Executive Functions, the Executive Member holding the portfolio relating to or which includes the service to which the appointment relates;
- (b) Where the Appointments Panel is to consider an appointment to a post relating significantly to Non-executive Functions, the Chair or Vice-Chair of the relevant Regulatory Committee;
- (c) Where the Appointments Panel is to consider an appointment to a post relating primarily to support to the scrutiny function, the Chair of the Scrutiny Board or of a Scrutiny Committee.

(vi) That a Redeployment Panel be established for the purpose of determining, in any case involving the redeployment or potential redeployment of a Chief Officer or Deputy Chief Officer, whether that Officer meets the criteria for redeployment.

(vii) That the Membership of the Redeployment Panel on any given occasion be 3 Members appointed by the Head of Local Democracy, after consulting the Executive Leader and the Deputy Executive Leader, and drawn from the pool of Members referred to at (ii) above.

(viii) No Member who serves on the Redeployment Panel may subsequently be appointed to serve on the Appointments Panel where the Appointments Panel is to consider appointment to a post previously considered by the Redeployment Panel on which the Member served.

(ix) That UNISON be invited to send an observer to any meeting of the Redeployment Panel.

59 REPRESENTATION ON THE BEDFORDSHIRE POLICE AUTHORITY AND THE BEDFORDSHIRE AND LUTON COMBINED FIRE AUTHORITY (REF: 12)

It was proposed by Councillor Simmons and seconded by Councillor Harris:

Resolved: That Councillors Farooq, Pantling and Saleem remain as the Council's Representatives on the Bedfordshire Police Authority and Councillors Bullock, R. Davies, Riaz, and Timoney be appointed as the Council's representatives on the Bedfordshire and Luton Combined Fire Authority.

60 APPOINTMENT OF INDEPENDENT PANEL ON MEMBERS ALLOWANCES (REF: 13)

It was proposed by Councillor Simmons and seconded by Councillor Harris:

Resolved: That the following persons be appointed to serve on the Independent Panel on Members Allowances:

K. Coleman
P. Hunt
A. R. Malik
G. Needham
M. Quereshi

61 DATES AND TIMES OF MEETINGS (REF: 14)

It was proposed by Councillor Simmons and seconded by Councillor Harris:

Resolved: (i) That the meetings of the Council during the Municipal Year 2007/2008 be held on the following dates at 6.00 p.m:

22nd July 2008
2nd September 2008
4th November 2008
20th January 2009
18th February 2009 (Budget)
19th February 2008 (Reserve Budget)
14th April 2009
Annual Council – 19th May 2009

(ii) That the Standing Committees and Fixed Panels be recommended to observe the timetable of meetings (attached at Appendix 2/08 to these Minutes) and the dates and times of meetings being commended to the Executive be noted.

62 LOCAL AREA AGREEMENT 2008-2011 (REF: 15.1)

Upon consideration of the recommendations of the Chief Executive (Ref: 15.1) it was proposed by Councillor Simmons, seconded by Councillor Harris and:

Resolved: (i) That the Local Area Agreement as set out at Appendix A to the Chief Executive's report (Ref 15.1) be approved for submission to the Secretary of State for Communities and Local Government by the deadline of 23rd May 2008.

(ii) That the Chief Executive be authorised, following consultation with the Leader of the Council, to make any amendments necessary to finalise the agreement.

63 TERMS OF REFERENCE OF STANDARDS COMMITTEE (REF: 16.1)

Upon consideration of the recommendations of the Standards Committee (Ref: 16.1) it was proposed by Mr. J. Jones, seconded by Mrs. S. Wright and:

Resolved: That the current Standards Committee Terms of Reference be replaced with those attached at Appendix A to the report of the Standards Committee (Ref: 16.1).

(Note: The meeting ended at 6.59 p.m.)