

STEVENAGE BOROUGH COUNCIL**COUNCIL
MINUTES****Date: Wednesday 23 February 2011****Time: 7.00 p.m.****Place: Council Chamber**

Present: The Mayor (Councillor M Downing), the Deputy Mayor (Councillor C Latif), Councillors S Batson MBE DL, P Bibby CC, H Burrell, L Chester, D Clark, R Clark, D Cullen, J Fraser CC, J Gardner, L Harrington, M Hearn, R Henry, J Hollywell, C Hurst, M Hurst CC, B Jackson, D Kissane, J Lloyd CC, Mrs J Lloyd, J Mead, M Notley, R Parker CC, M Patson, R Raynor, G Snell, L Strange, P Stuart, S Taylor CC, B Underwood, V Warwick, A Webb and M Yarnold-Forrester.

Start/End Time: Start Time: 7.00 pm
End Time: 8.50 pm

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received on behalf of Councillors G Clark, M Cherney-Craw, L Martin-Haugh, J Pickersgill and S Speller.

There were no declarations of interest.

2. MINUTES – 6 OCTOBER 2010

It was **RESOLVED** that the Minutes of the meeting of Council held on Wednesday 6 October 2010 be approved as a correct record and signed by the Mayor.

3. MINUTES – 8 DECEMBER 2010

It was **RESOLVED** that the Minutes of the Extraordinary meeting of Council held on Wednesday 8 December be approved as a correct record and signed by the Mayor.

4. MINUTES – 26 JANUARY 2011

It was **RESOLVED** that the Minutes of the Extraordinary meeting of Council held on Wednesday 26 January 2011 be approved as a correct record and signed by the Mayor.

5. MAYOR'S COMMUNICATIONS

The Mayor informed the Council that he had agreed to vary the order of business as the question submitted by Mrs Saint-Leitner, as shown at item 8 on the agenda, related to the budget. It would therefore be dealt with towards the end of the main debate at item 6. Council was further informed that item 14, the 2011/2012 Capital Forward plan and 5 Year Capital Strategy, would also be dealt with in the Main Debate.

Council was advised that 30 acts had auditioned for the Mayor's Charity Concert and that the standard of the acts was very high. Members were encouraged to attend the event, which would take place on Monday 28th March 2011.

The Mayor presented an award to the Portfolio Holder, Housing, who received the award on behalf of the Housing Advice Service which had recently been fully accredited with the Community Legal Services Quality mark.

6. MAIN DEBATE – '2011/2012 COUNCIL TAX AND BUDGET'

Items 8 and 14 were taken in conjunction with this debate.

The Chief Executive advised the Council of the precepts which had been set by the County Council and the Police Authority. For a Band D property the County Council element of the Council Tax bill would be £1,118.83 – an increase of 0% and for the Police Authority this would be £147.82 – also an increase of 0%. He stated that these precepts had been included in the formal Council Tax Resolution as set out in Appendix B to the officer report, pages 23-25 of the agenda.

The Mayor called upon the Leader of the Council, Councillor S Taylor to move a Motion on the Council Tax Setting and 2011/2012 budget.

Before her speech Councillor Taylor presented an extract of a film about the history of play in Stevenage, reminding Members that the Council runs play services that have benefited many families across the town over the years. Council was advised that the full length version of the film could be viewed on the Youtube website.

Before outlining the budget proposals the Leader spoke about the current economic situation and the measures that had been taken by the last Government to moderate the effects of the banking crisis. In terms of the local economy the Leader outlined the measures that had been taken to stimulate regeneration and growth in the Town, which included the refurbishment of the Town Centre gardens, the establishment of a 'one-stop' business advice centre at the Business Technology Centre and the introduction of the Test Trading Grant Scheme designed to help small businesses.

For the forthcoming year the Council would continue to support, amongst others, the Citizens' Advice Bureau and CVS, but it was stressed that the budget before

Council would regrettably involve cuts to both jobs and services. There were manifold reasons for this, including a cut in the Central Government Grant and a reduction in fees and charges. Altogether there was a shortfall of £2.6 million to be made up in the budgetary process and she emphasised that the Council had already saved £7 million since 2007.

The Leader concluded by saying that elements of the budget had been in the public domain since November 2010 and that the Tory Group had offered savings suggestions, some of which had been taken up. In addition a number of consultations had taken place to ensure full transparency in the budget setting process. T

The Motion was then seconded.

A full debate then ensued with input from the public gallery. The main points raised were as follows:

- Due regard had been paid to the specific public sector equality duties as set out in the Disability Discrimination Act, the Race Relations Act and the Sex Discrimination Act. Equality impact assessments had been prepared to allow the Council to consider the impact on minority groups which had allowed for informed decisions to be made.
- There would be no pay rises for any staff, including the low paid, in 2011/12.
- 45 jobs would be lost
- There would be a drop of 50% in the money available to enable the Council to meet the decent homes standard
- All groups had agreed to a voluntary minimum cut of 5% in their individual and special responsibility allowances
- Balancing the budget had been a huge task and officers were thanked for their input and assistance to Members
- There would be need for more sharing of support services with neighbouring authorities
- Redundancies would not help the Town to generate growth
- The Council should consider using its reserves or borrow rather than making cuts.

At this juncture the question raised by Mrs Saint-Leitner, as detailed at item 8 on the agenda, was considered. A summary of the Leader's reply is outlined at item 8 to these minutes.

In replying to the debate the Leader commented that it was not the intention of the Council to close down any service in its entirety as it was hoped to resume the current level of service delivery at a later date. Levels of reserves meant their use was not an option and servicing the costs of borrowing would further reduce the budget available to provide services for the people of the Town.

The Leader concluded by thanking the members of the public that had attended for the debate and informed them that Majority Group Members would be going to Westminster on 26 March to take part in the TUC National Demonstration Against the Cuts.

The Motion was then put to the vote and it was **RESOLVED:**

1. That the Budget summarised at Appendix A to the report be the Council's General Fund Budget for 2010/11 and 2011/12. A further update on the 2010/11 budgets would be given at the March Executive as part of the quarterly monitoring process.
2. That the following be approved:
 - a. the revised working revenue estimates for the year 2010/11 amounting to £13,321,600 and the revenue estimates for 2011/12 amounting to £10,744,400;
 - b. the contribution to balances totalling £78,484 in 2010/11;
 - c. the contribution to balances totalling £105,693 in 2011/12.
3. That it be noted that at its meeting on 19 January 2011 the Executive calculated the amount of 28,797.44 Band D equivalent properties as its council tax base for the year 2011/12 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.
4. That the following amounts be now calculated by the Council for the year 2011/12 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:
 - a. £10,850,093 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, less the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c)
 - b. £5,334,110 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
 - c. £87,201 Being the utilisation of the Council's share of the estimated surplus totalling £161,181 as calculated in accordance with Sections 97(3) and Section 98(4) of the Local Government Finance Act 1988

d. £188.52 Being the amount at 4a. above less the amounts at 4b. and 4c. above, all divided by the amount at 3. 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

e. Valuation Bands

A	£ 125.68
B	£ 146.63
C	£ 167.57
D	£ 188.52
E	£ 230.41
F	£ 272.31
G	£ 314.20
H	£ 377.04

Being the amounts given by multiplying the amount at 4d. above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is 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.

5. That it be noted that for the year 2011/12 Hertfordshire County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

Valuation Bands

A	£ 745.89
B	£ 870.20
C	£ 994.52

D	£ 1,118.83
E	£ 1,367.46
F	£ 1,616.09
G	£ 1,864.72
H	£ 2,237.66

6. That it be noted that for the year 2011/12 Hertfordshire Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 and amended by Section 27 of the Police and Magistrates' Court Act 1994, for each of the categories of the dwellings shown below:

Valuation Bands

A	£ 98.55
B	£ 114.97
C	£ 131.40
D	£ 147.82
E	£ 180.67
F	£ 213.52
G	£ 246.37
H	£ 295.64

7. That, having calculated the aggregate in each case of the amounts at 4e. and 5. and 6. above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts for council tax for the year 2011/12 for each of the categories of dwellings shown below:

Valuation Bands

A	£ 970.12
B	£ 1,131.80
C	£ 1,293.49
D	£ 1,455.17
E	£ 1,778.54

F £ 2,101.92

G £ 2,425.29

H £ 2,910.34

8. That approval be given to a General Fund Revenue Account Contingency Sum in the Budget and Policy Framework for 2011/12 of £400,000.
9. That the advice of the Strategic Director (Resources) on the robustness of the draft budget and the adequacy of reserves (as detailed at Appendix C to the report) be noted.
10. That the Fees and Charges increases (as detailed at Appendix F to the report) be noted.
11. That the consultation feedback and mitigation strategies summarised in Appendix H be noted, and that the Council should have due regard to the Equalities Impact Assessment issues set out in Appendix g.
12. That it be noted that the Council may, at its discretion, agree to vary the budget, in the course of its considerations.
13. That it be noted that all Groups have indicated that their Members will voluntarily forego at least 5% of their individual basic and Special Responsibility Allowances for 2011/2012 and that mileage allowance will not be claimed for Council business within the Borough boundary.
14. That it be noted that the General Fund Medium Term Financial Strategy remains largely unchanged from that reported to the meeting of the Executive held on 19 January 2011 and continues to meet the financial objectives set by the Chief Financial Officer.

7. PETITIONS AND DEPUTATIONS

None.

8. QUESTIONS FROM THE PUBLIC

This item was taken with item 6.

In reply to Mrs Saint-Leitner's question the Leader raised the following points:

- In Stevenage Borough there is one approximately 1 Councillor per 1600 people, which is significantly higher than our civic link partner councils in Europe.

- 41% of current Councillors have been elected within the past ten years.
- The Council is supporting the 'Be a Councillor' and 'Taking part' campaigns which are aimed at encouraging younger people to become Councillors
- Following further consultations it was hoped to revise the proposals to allow four day a week opening and to set up some sort of 'Friends of the Museum' Scheme that may allow opening times to be extended if the Council received sufficient support..

There was no supplementary question.

9. LEADER OF THE COUNCIL'S UPDATE

The Deputy Leader of the Opposition asked a number of questions relating to the feedback from the Third Sector Conference that had taken place on 22 January 2011 and the use of consultants.

In reply Council was advised that due to the large number of attendees at the event, and a larger number of responses than expected to the consultation, a decision had been made to use a consultant to reconcile the feedback as it would cost less than using officer time to do so. A more detailed reply would be made in writing after the meeting.

In reply to a question from a member of the public about the potential privatisation of the National Health Service, Council was advised that the future of the NHS might be a subject for a Council debate at a later date, and that the questioner would be invited to attend.

The Leader of the Council declined the opportunity to raise any matters on this occasion.

10. NOTICE OF MOTIONS

None

11. QUESTIONS FROM MEMBERS TO COMMITTEE CHAIRS/PORTFOLIO HOLDERS

None.

12. MATTER REFERRED FROM EXECUTIVE - TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY – MID-YEAR REVIEW REPORT 2010/11.

The Council had before it a copy of the officer report which had been considered by the Audit Committee on 13 December and by the Executive on 15 December 2010 which recommended that Council approve the 2010/11 mid-year Treasury Management Strategy and the Annual Investment Strategy Review.

It was moved, seconded and **RESOLVED:**

1. That the 2010/11 mid-year Treasury Management Strategy and Annual Investment Strategy Review be approved.
2. That the increased borrowing requirement for 2010/11, in respect of the general fund capital programme be approved. An additional borrowing requirement of £800,000 had been identified.
3. That the updated Treasury and Capital Prudential Indicators as shown in Section 8 and in Appendix A of the report be approved. The charges are in respect of borrowing (increase £800,000), counterparty limits (amended down to £5m from £7.5m) and the limit for variable rate investments to be revised to £25m (from £20m).

13. MATTER REFERRED FROM EXECUTIVE – PRUDENTIAL CODE INDICATORS AND TREASURY MANAGEMENT

The Council had before it a copy of the officer report which had been considered by the Executive on 8 February 2011 which recommended that Council adopt the 2011/12 Treasury Management Strategy and the Prudential Code Indicators.

It was moved, seconded and **RESOLVED:**

1. That the 2011/12 Treasury Management Strategy as detailed in Appendix A of the report be adopted.
2. That the Prudential Code Indicators as detailed in Appendix A, attachment six of the report be adopted.

14. MATTER REFERRED FROM THE EXECUTIVE – 2011/12 CAPITAL FORWARD PLAN AND 5 YEAR CAPITAL STRATEGY.

This item was dealt with under Item 6 above.

It was moved, seconded and **RESOLVED:**

1. That the revised 2010/11 and the 2011/12 General Fund capital programme as detailed in Appendix A to the report be approved.
2. That the revised 2010/11 and the 2011/12 Housing Revenue Account Capital Programme as detailed in Appendix A to the report be approved.
3. That the updated forecasts of resources as summarised in Appendix A to the report be approved.
4. That the ongoing work of the Corporate Capital Review Group and Members to bring the 5 year Capital Strategy into balance be noted.

5. That a Contingency Sum in the Budget and Policy Framework for 2011/2012 of £250,000 (relating to schemes funded from capital receipts or borrowing) for the Capital Programme be approved.
6. That a de minimus level of £5,000 for expenditure qualifying as capital be approved.

15. MATTER REFERRED FROM THE GENERAL PURPOSES COMMITTEE – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 ADOPTION OF AMENDED SCHEDULE 3 PROVISIONS (BY WAY OF THE POLICING AND CRIME ACT 2009)

The Council had before it a copy of the officer report which had been considered by the General Purposes Committee on 31 January 2011, concerning sexual entertainment venues.

Council was advised that there were no such venues in the Town at the current time.

It was moved, seconded and **RESOLVED:**

1. That the amendments to schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 made by section 27 of the Policing and Crime Act 2009 be approved, in addition to the existing adopted provisions of Schedule 3, as originally approved by Committee on the 12 October 1982, and then by Council on the 26 October 1982.
2. That the designated Head of Service be given delegated authority to determine sexual entertainment venue licences and sex establishment licences under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 where no relevant representations are received. Where there are relevant objections delegated authority be assigned to the General Purposes Committee.
3. That the following fees for sexual entertainment licence applications be approved:
 - (1) application for the grant of licence: £4,530
 - (2) renewal of licence: £2,405
 - (3) transfer and/or major variation of a licence: £645
 - (4) minor variation of a licence: £89
4. That the licensing officers consult with existing sex establishments within Stevenage, the nominated responsible authorities as stated under the Licensing Act 2003, and holders of Licensing Act 2003 premises licences/club premises certificates that permit the consumption of alcohol on the premises as to the proposed policy set out in Appendix 1 of the report and report any

responses received to the General Purposes Committee before having the policy formally adopted.

16. OFFICER REPORT – CHANGES TO THE CONSTITUTION

The Council had before it an Officer report which recommended that Council approve a number of changes to the Constitution.

It was moved, seconded and **RESOLVED**:

1. That the following amendments to the Constitution be approved:
 - which are required to operate the Leader and Cabinet (England) model set out in Appendix 1 of the report – with effect from 25 May 2011
 - in order to simplify the arrangements for executing documents under the Council's seal set out in Appendix 2 of the report – with effect from 24 February 2011
 - in order to remove the requirement in Financial Regulations for the Executive to approve the writing off of certain debts by approving the changes set out in Appendix 3 of the report – with effect from 24 February 2011
 - in order to reverse temporary changes to the scheme of delegation for officers relating to Town and Country planning – with effect from 24 February 2011
2. That Council adopt an officers' Code of Conduct in the form set out in Appendix 5 of the report for inclusion in Section 5 of the Council's Constitution – with effect from 24 February 2011

17. OFFICER REPORT – MEMBERS' ALLOWANCES SCHEME 2011/2012

The Council had before it an Officer report which recommended a Members' Allowances Scheme for 2011/2012.

It was noted that all Groups had agreed that their Members would voluntarily forego at least 5% of their individual basic and special responsibility allowances for 2011/12 and that mileage allowance would not be claimed for any Council business within the Borough boundary.

It was moved, seconded and **RESOLVED** that a Members' Allowances Scheme be agreed for 2011/2012 as set out in Appendix A of the attached report.

18. AUDIT COMMITTEE – PART 1 DRAFT MINUTES - 13 DECEMBER 2010

Council was advised that the minutes had been formally by the Audit Committee at a special meeting held on Thursday 17 February 2011 and were therefore no longer 'draft'.

It was moved, seconded and **RESOLVED** that the Minutes of the Audit Committee held on 13 December 2010 be noted.

19. EXCLUSION OF PRESS AND PUBLIC.

It was **RESOLVED**:

1. That under Section 100 (A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1-7 of Part I of Schedule 12A of the Act, as amended by SI 2006 No.88.
2. That having considered the reasons for the following reports being in Part II it be determined that maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

20. PART 11 OFFICER REPORT – SENIOR OFFICER APPOINTMENTS

Council had before it a report that recommended the appointment of Marcel Coiffait as Interim Strategic Director.

In accordance with the Officer Employment Procedure rules in the Constitution every member of the Executive had been informed of the proposals set out in the report and it was reported to the meeting that no objections had been received.

It was moved, seconded and **RESOLVED**:

1. That Marcel Coiffait be appointed as Strategic Director (Community) from 1st April 2011 until 31st March 2012.
2. That Marcel Coiffait be appointed as the Council's representative as a member of Stevenage Homes Limited.

21. AUDIT COMMITTEE – PART II DRAFT MINUTES – 13 DECEMBER 2010

Council was advised that the minutes had been approved formally by the Audit Committee at a special meeting held on Thursday 17 February 2011 and were therefore no longer 'draft'.

It was moved, seconded and **RESOLVED** that the Part II Minutes of the Audit Committee held on 13 December 2010 be noted.

Mayor