

NOTE: All Members are requested to sign, before the Meeting, the Attendance Register which will be placed in the **Conference Chamber**.

**ST. EDMUNDSBURY BOROUGH COUNCIL**

JOY BOWES  
Head of Legal  
and Democratic Services

West Suffolk House  
Western Way  
Bury St Edmunds  
Suffolk  
IP33 3YU

28 March 2011

To: All Members of the Council

You are hereby summoned to a meeting of the Council to be held in the **Conference Chamber** at **WEST SUFFOLK HOUSE**, Western Way, Bury St Edmunds on **Tuesday 5 April 2011** at **7.00 pm**, when it is proposed to transact the business on the agenda set out below.



Head of Legal and Democratic Services

The Meeting will be opened with Prayers by the Mayor's Chaplain, Reverend John Parr of All Saints Church, Bury St Edmunds.

*(Note: Those Members not wishing to be present for prayers should remain in the Members' Breakout Area and will be summoned at the conclusion of prayers.)*

**PART 1 – PUBLIC**

1. **To confirm the minutes of the meeting of the Council held on 1 March 2011** (copy herewith).
2. **Mayor's communications**
3. **Announcements (if any) from the Leader of the Council or Members of the Cabinet**
4. **Announcements by the Head of Legal and Democratic Services (*including apologies for absence*)**
5. **Declarations of Interests**

Members are reminded of their responsibility to declare any personal or prejudicial interest which they have in any item of business on the Agenda **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

6. **Public Question Time under Section 9 of the Council Procedure Rules**

(a) **Petition**

In accordance with Part 4, Rules of Procedure, of the Council's Constitution '*Petitions containing not less than 100 signatures may be presented at meetings of the Council during public question time....*' and that '*The Council will, without debate, refer any petition to the appropriate forum for consideration.*'

The Council has received a petition containing over 100 signatures that supports the re-adoption of the Cumulative Impact Policy (Special Area Policy) for the defined Area of Bury St Edmunds in the Licensing Statement of Policy. A representative of the petitioners will present the petition and be allowed to address the Council for up to 5 minutes.

- (b) To hear and answer any questions from members of the public in the public gallery who are residents of the Borough.

*(Note: The maximum time to be set aside for this item is 30 minutes, but if all questions are dealt with sooner, or if there are no questions, the Council will proceed to the next business.*

*Each such person will be allowed up to a total of **five minutes for their question to be put and answered**. One further question will be allowed arising directly from the reply, **provided that the original time limit of five minutes is not exceeded**.*

***Written questions** may be submitted by members of the public to the Head of Legal and Democratic Services **no later than 10.00 am on Monday 4 April 2011**. The written notification should **detail the full question** to be asked at the meeting of the Council.)*

7. **Nomination for the Office of Deputy Mayor: 2011/2012**

To receive the informal report of the Mayoral Advisory Committee.

8. **Items Referred to full Council by Cabinet and Licensing and Regulatory Committee**

Schedule attached as Report **B537**.

9. **Questions on Notice**

Councillor Nettleton has given notice under paragraph 11.2 of the Council Procedure Rules of the following two questions to Councillor Griffiths, Leader of the Council,:-

- (1) '*Before seeking to hide secret deals by the issuing of a 'blue' paper to be debated behind closed doors, would not it be a good idea to first check that the information contained in the report is not required to be released if a Freedom of Information request is received?'; and*
- (2) '*What are the terms and conditions for Members and officers wishing to use the Members' Meeting Room in West Suffolk House?'*

**Paragraph 11.5** of the Council Procedure Rules states that:-

*Every question will be answered without discussion. The Member who is asked the question may decline to answer or may ask another Member to answer but that Member may also decline to answer. An answer may take the form of:-*

- (a) a direct oral answer summarised in the minutes;*
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or*
- (c) where the reply cannot conveniently be given orally at the meeting, a written answer sent by the appropriate officer and/or relevant Member to all Members within 10 working days of the Council meeting'.*

**Paragraph 11.6** states that:-

*'A Member asking a question under paragraph 11.2 or 11.3 of these Rules may ask one supplementary question, without notice, of a Member to whom the first question was asked. The supplementary question must arise directly from the original question or the reply'.*

***(Note: Each question will be taken separately)***

10. **Community Governance Review March 2011: Use of Chief Executive's Urgency Powers**

In December 2010 the Council concluded a community governance review of the parish arrangements within St Edmundsbury. It has subsequently become apparent that one request for a change to be considered as part of the review, that of Wickhambrook Parish Council to increase the number of parish councillors by one to provide a total of eight, was not actioned.

As the request to increase councillor numbers is a discrete one which does not impact on any other parishes or their electoral arrangements it has been possible to conduct a speedy consultation with the relevant local interested parties. Having consulted both the Borough and County Councillors for the area, along with party agents, and taking account of the fact that the request for the increase in numbers came directly from the Parish Council itself, the Chief Executive has agreed to the change using the urgency powers contained within Part 3 (C) (a) of the Council's Constitution. The decision was time critical as the change needed to be made in advance of 25 March 2011, the date for publication of the Notice of Election, so that the residents know how many seats there are to be filled.

The Council is requested to **NOTE** the use of the Chief Executive's Urgency Powers as contained within the Council's Constitution.

## 11. Reports and Questions

***(Note: Council Procedure Rule 11.1 of the Constitution requires that:-***

***(a) the time limit for all questions and answers under this item is one and a half hours; and***

***(b) a maximum of 7 minutes to be initially allocated to each report and questions on that report (to include up to two minutes if necessary for the report writer to present their report). After every report has been received, the Mayor will determine if further questions can be put to the relevant Member(s) in the balance of the hour and a half left available for this session.)***

(i) *Report from the Leader of the Council, Cllr. John Griffiths (Report **B538** attached)*

(ii) *Reports from each Member of the Cabinet, namely:-*

	<u>Portfolio</u>	<u>Cabinet Member</u>	<u>Report No</u>
(a)	Bury St Edmunds and Community Safety	Cllr. Robert Everitt	<b>(B539 attached)</b>
(b)	Culture and Sport	Cllr. Lynsey Alexander	<b>(B540 attached)</b>
(c)	Economy & Asset Management	Cllr. Sara Mildmay-White	<b>(B541 attached)</b>
(d)	Environment & Street Scene	Cllr. Peter Stevens	<b>(B542 attached)</b>
(e)	Haverhill and Housing	Cllr. Anne Gower	<b>(B543 attached)</b>
(f)	Performance & Organisational Development	Cllr. David Ray	<b>(B544 attached)</b>
(g)	Resources & Efficiency	Cllr. John Griffiths	<b>(B545 attached)</b>
(h)	Transport & Planning	Cllr. Terry Clements	<b>(B546 attached)</b>

(iii) *Report from the Chairman of the Overview & Scrutiny Committee, Councillor David Lockwood.*

Report **B547** attached.

(iv) *Report from the Chairman of the Performance & Audit Scrutiny Committee, Cllr. John Hale.*

Report **B548** attached.

(v) ***Questions to Chairmen of other Committees (No reports or minutes attached)***

Under this item, Members may ask the relevant Chairman questions relating to meetings of the following Committees on the dates indicated:-

Development Control	-	3 March 2011.
Licensing and Regulatory Committee	-	14 March 2011.
Standards	-	23 March 2011.