

MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL

Minutes of the Annual Meeting of the Council held on Thursday 19 May 2011 at 11.00 am in the Athenaeum, Bury St Edmunds.

PRESENT: The Mayor (Councillor I C Houlder) (in the Chair),
Councillors Ager, Beckwith (*for Part II Procedural Business*),
Mrs Broughton, Buckle, Ms Byrne, Chung (*for Part I Ceremonial Business*),
Clements, Clifton-Brown, Cockle, Cox, Everitt, Farmer, French, Mrs Gower,
Griffiths, Hale, Mrs Hind, P J Hopfensperger, Mrs R V Hopfensperger,
Hordern, Mrs Levack (*for Part II Procedural Business*), Marks,
Mrs Mildmay-White, Nettleton (*for Part II Procedural Business*), Oliver,
Pugh, Ray, Redhead (*for Part II Procedural Business*), Mrs Richardson,
Rout, Mrs Rushbrook, Mrs Rushen, Simner, Spicer, Springett, Mrs Stamp,
Stevens, Thorndyke, F J Warby, Mrs P A Warby and Mrs D A Whittaker.

1. Prayers

The Reverend John Parr, of All Saints Church, Bury St Edmunds, opened the meeting with prayers.

2. Apologies for Absence

Apologies for absence were received from Councillors Farthing, McManus and A Whittaker.

3. Election of Mayor

On the motion of Councillor Oliver, seconded by Councillor Ray, and duly carried, it was

RESOLVED:-

That Christopher James Evan Spicer, a Councillor of the Borough, be and is hereby elected Mayor for the ensuing year.

The Mayor took the Chair, signed the Declaration of Acceptance of Office and acknowledged his election.

4. Appointment of Mayor's Chaplain

The Mayor reported that he would be appointing as his Chaplain the Reverend Katherine Valentine of St Mary's Church, Pakenham.

5. Civic Service

The Mayor reported that he had arranged for the Civic Service to be held at St Mary's Church, Pakenham on Sunday, 10 July 2011 at 11.00 am.

6. **Vote of Thanks to the Retired Mayor and Mayoress**

On the motion of Councillor Everitt, seconded by Councillor Stevens, and duly carried, it was

RESOLVED:-

That the Council, in recognising the most able and diligent manner in which the retired Mayor, Councillor Ian Charles Houlder, has carried out the duties of Mayor of the Borough during the past year, record its thanks and deep appreciation of his services as Mayor, and the Council further record its appreciation of the gracious work of the retired Mayoress, Mrs Sue Houlder.

7. **Election of Deputy Mayor and Deputy Mayoress**

On the motion of Councillor Everitt, seconded by Councillor Stevens, and duly carried, it was

RESOLVED:-

That Councillor Terence Leonard Buckle be and is hereby elected Deputy Mayor for the ensuing year.

8. **Vote of Thanks to Retired Deputy Mayor and Deputy Mayor's Consort**

On the motion of Councillor Farmer, seconded by Councillor Mrs Rushbrook, and duly carried, it was

RESOLVED:-

That the Council record its sincere and deep appreciation of the services of Councillor Mrs Patricia Ann Warby, as Deputy Mayor of the Borough, and of the help and support given by the Deputy Mayor's Consort, Mr Frank Warby.

9. **Presentation of Freedom of the Borough Insignias**

The Mayor presented Freedom of the Borough Insignias to Honorary Freeman of the Borough James Ronald Hartley and Sheila Kathleen Wormleighton, M.B.E. In the absence of Honorary Freeman Sir Eldon Wylie Griffiths his Insignia was presented to Councillor John Griffiths.

ADJOURNMENT

At 11.55 am the Mayor then announced the conclusion of the ceremonial business of the Council and an adjournment for a civic reception. The procedural business in Part II of the Agenda commenced at 1.00 pm.

10. **Election of Leader of the Council**

On the motion of Councillor Hale, seconded by Councillor Mrs Broughton, and duly carried, it was

RESOLVED:-

That Councillor Griffiths be elected Leader of the Council.

Councillor Griffiths, Leader of the Council, welcomed the newly elected Councillors and paid tribute to those who had not been re-elected or who had chosen not to stand again.

11. **Appointment of Cabinet Members**

Councillor Griffiths, Leader of the Council, informed the Council that there were a number of significant issues that required clarification before he was able to finalise the Membership of Cabinet. Items such as the Localism Bill, the current status of Suffolk County Council's New Strategic Direction and the shared services agenda with Forest Heath District Council required clarification. As an interim measure Councillor Griffiths announced the following Cabinet Members and their portfolios:-

Councillor Clements	:	Transport and Planning
Councillor Everitt	:	Bury St Edmunds and Community
Councillor Mrs Gower	:	Haverhill and Housing
Councillor Mrs Mildmay-White	:	Economy and Asset Management and Culture and Sports
Councillor Ray	:	Performance & Organisational Development and Resources and Efficiency
Councillor Stevens	:	Environment and Street Scene

Councillor Griffiths also informed the Council that he would retain responsibility for Rural Areas and External Relations and that Councillor Mrs Mildmay-White would act as Deputy Leader of the Council.

12. **Review of Political Balance and Appointment of Committees, Sub-Committees and Working Party**

The Council considered Report C1 (previously circulated) which detailed the results of a Political Balance Review as at 19 May 2011 and a revised version of Report C1 (previously circulated) which gave further analysis of the number of Members on the Committees due to the formation of an Independent Group containing three Members and the Independent Member, Councillor P J Hopfensperger.

The Council was required by law to allocate seats to the following Committees based on political balance:-

Development Control	:	16 Members
Licensing & Regulatory	:	13 Members
Officer Appointments	:	7 Members
Overview & Scrutiny	:	16 Members
Performance & Audit Scrutiny	:	10 Members
Staffing Appeals	:	7 Members

It was recognised that the allocation of seats on the Committees to the Conservative Group had resulted in a total of 59 seats being allocated but that

the exact entitlement based on the overall percentage of Conservative Members on the Council meant that the Group was entitled to 58 Members. It was also recognised that the formula for allocation of seats meant that the Independent Member, Councillor P J Hopfensperger, had not automatically been allocated any seats on the Committees, however, he was entitled to 1/45 of the 69 seats available which equated to 1.53 seats.

The Council was informed that it was the intention that the Conservative Group would allocate a seat on the Overview and Scrutiny Committee to Councillor P J Hopfensperger.

On the motion of Councillor Ray, seconded by Councillor Mrs P A Warby, and duly carried, it was

RESOLVED:- That

- (1) the allocation of seats on the Committees of the political groups of the Borough Council as indicated in paragraph 1.2 of Report C1 (Amended) be approved;
- (2) the allocation of seats on the Democratic Renewal Working Party of the political groups of the Borough Council, as indicated in paragraph 1.4 of Report C1 (Amended) be approved;
- (3) the allocation of seats on the Standards Committee as indicated in paragraph 1.6 of Report C1 (Amended) be approved;
- (4) the allocation of seats on the Mayoral Advisory Committee as indicated in paragraph 1.8 of Report C1 (Amended) be approved;
- (5) the Head of Legal and Democratic Services be given delegated authority to appoint Members and substitute Members of these Committees and Democratic Renewal Working Party in (1), (2), (3) and (4) above on the basis of nominations from the relevant Group Leaders; and
- (6) the Head of Legal and Democratic Services be given delegated authority to appoint 3 Members of the Performance and Audit Scrutiny Committee to the Treasury Management Sub-Committee in consultation with Group Leaders and the Chairman of the Performance and Audit Scrutiny Committee.

13. **Appointment of Chairman of the Overview and Scrutiny Committee**

On the motion of Councillor Griffiths, seconded by Councillor Cockle, and duly carried, it was

RESOLVED:-

That Councillor Nettleton be appointed as Chairman of the Overview and Scrutiny Committee.

14. **Appointment of Vice-Chairman of the Overview and Scrutiny Committee**

On the motion of Councillor Griffiths, seconded by Councillor Marks, and duly carried, it was

RESOLVED:-

That Councillor Houlder be appointed as Vice-Chairman of the Overview and Scrutiny Committee.

15. **Appointment of Chairman of the Performance and Audit Scrutiny Committee**

On the motion of Councillor Griffiths, seconded by Councillor Stevens, and duly carried, it was

RESOLVED:-

That Councillor Hale be appointed as Chairman of the Performance and Audit Scrutiny Committee.

16. **Appointment of Vice-Chairman of the Performance and Audit Scrutiny Committee**

On the motion of Councillor Griffiths, seconded by Councillor Mrs Whittaker, and duly carried, it was

RESOLVED:-

That Councillor Spicer be appointed as Vice-Chairman of the Performance and Audit Scrutiny Committee.

17. **Appointment of the Independent Remuneration Panel**

The Council considered a narrative item which sought approval for four members of the public to be appointed to the Independent Remuneration Panel.

The Council was required to appoint an Independent Remuneration Panel which, broadly, had the function of providing the local authority with advice on its Members' Allowance Scheme. On 14 December 2010 the Council appointed a Selection Panel of three Members to recommend appointments to the Panel.

On the motion of Councillor Hale, seconded by Councillor Nettleton, and duly carried, it was

RESOLVED:- That

- (1) Cyril Leach, Alan Lower, Daryn Reffell and Kevin Sturgeon be appointed members of the Independent Remuneration Panel, with a term of office expiring on 31 March 2015; and
- (2) each member of the Independent Remuneration Panel receive £100 for attendance at meetings plus reimbursement of out of pocket expenses based on the rates applicable to Members of the Council.

18. Representation on Outside Bodies

The Council considered Report C2 (previously circulated) which outlined previous outside body representations and sought delegated authority for the Head of Legal and Democratic Services to appoint the Borough Council's representatives on outside bodies and in accordance with nominations put forward by the relevant Group Leaders.

On 28 September 2010 the Council had resolved that the Borough Council's Revenues and Benefits Service join the Anglia Revenue Partnership as a full partner from 1 April 2011. Council was now being asked to approve that two Members of the Cabinet be appointed as full Members of the Anglia Revenue Partnership Joint Committee and a further two appointed as Substitute Members.

One of the functions exercised by the Council was to appoint representatives on outside bodies. Following each election Council undertook a full review to decide whether to continue with representation on an outside body. Appendix A to the report provided a list of outside bodies for the last civic year 2010/2011. The list provided the name of the organisations and the number of representatives in that year. The list was also annotated to indicate whether Council should continue with its representative or not.

Concern was expressed that some of the appointments were only available to Cabinet members but it was recognised that this was due to the requirements of the Council's Constitution. However, it was agreed that consideration be given to the means of communicating information from meetings of these type of groups to all Members of the Council. It was noted that the paper proposed that once the Haverhill and Bury St Edmunds Citizens Advice Bureaux were merged a representative of the Borough Council may attend as an observer only. Clarification was sought as to whether this would have implications on the Council's grant to the Citizens Advice Bureaux and it was stated that the Borough Council's representation and level of grant were not linked.

It was further noted that the County Council's Health Overview and Scrutiny Committee had been disbanded but health topics would now be considered at scrutiny meetings held once or twice a year. Instead of nominating to the County Council's Committee the Borough Council could send a delegate to the appropriate meeting and that the delegate to be nominated by the Chairman and Vice-Chairman of the Overview and Scrutiny Committee. Concern was expressed on whether the Borough Council would be informed when health topics were to be considered by the County Council and it was suggested that the Borough Council's officers be proactive in ensuring that this occurred.

Some concern was also expressed at the proposal to explore passing two nominations to the King Edward VI Grammar School Foundation to Bury St Edmunds Town Council.

On the motion of Councillor Griffiths, seconded by Councillor Mrs Mildmay-White, and duly carried, it was

RESOLVED:- That

(a) Anglia Revenues Partnership (ARP)

The Head of Legal and Democratic Services, in consultation with the Leader of the Council, be authorised to appoint two full and two substitute members of the Cabinet to the Anglia Revenues Partnership Joint Committee.

(b) Representation on Outside Bodies: Review

- (1) Where the Council may send observers to meetings of outside bodies these will be appointed by the Cabinet;
- (2) the Council explores the passing of nominations to other organisations as detailed in Appendix A to Report C2;
- (3) where the Council may make a nomination but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet; and
- (4) the Head of Legal and Democratic Services be given delegated authority to appoint the Borough Council's representatives on outside bodies not covered by (1) (2) and (3) above in accordance with nominations put forward by the relevant Group Leaders.

19. Amendments to the Constitution

The Council considered Report C3 (previously circulated) which sought approval for the delegation of functions to the Interim Joint Head of Planning and amendments in respect of the processing of Members' travel expenses.

As part of the shared services initiative, Nicola Baker of Forest Heath District Council had from 1 April 2011 been acting as Interim Joint Head of Planning for both St Edmundsbury Borough Council and Forest Heath District Council. On 7 April 2011 the Development Control Committee formally resolved to authorise delegation to Mrs Baker, as the Interim Joint Head of Planning, of all those powers which were set out in the Borough Council's Constitution, Scheme of Delegation to Officers. The Committee also resolved that the Chief Executive be asked to exercise his urgency powers, as contained within the Borough Council's Constitution, to include the delegation in the Constitution until formally ratified by full Council at the Annual Meeting.

A review had been undertaken into the payment of the Members' travel expenses and had concluded that there was a need to improve the payment system of travelling expenses to Members to make it more efficient. It was proposed, therefore, that Members be responsible for completing their own travel claims for all meetings they attend, and that this 'new system' be introduced after the May 2011 Elections.

Some concern was expressed that further information was required before finalising the new system and it was suggested that the issue be referred to the next meeting of the Democratic Renewal Working Party for consideration.

On the motion of Councillor Griffiths, seconded by Councillor Oliver, and duly carried, it was

RESOLVED:-

That the proposed changes to the payment of Members' travel expenses be referred to the Democratic Renewal Working Party for consideration and then recommendation to full Council.

20. **Schedule of Meetings**

The Council considered Report C4 (previously circulated) which detailed the proposed dates for meetings of the Council, Cabinet and Committees for the period May 2011 to May 2012.

On the motion of Councillor Mrs Mildmay-White, seconded by Councillor Thorndyke, and duly carried, it was

RESOLVED:-

That the dates of the meetings of the Council, Cabinet and Committees, as detailed in Report C4, be approved.

21. **Conclusion of Business**

The meeting concluded at 1.40 pm.

MAYOR