

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

19 September 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 27 September 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 Katherine Valentine of St Mary's Church, Pakenham.

(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 28 June 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**

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 26 September 2011**. The written notification should **detail the full question** to be asked at the meeting of the Council.)*

7. **Service by Former Members of the Council**

(a) **Long Service Awards**

On 16 July 1991 (Council Minute 28 refers) (*and in addition to the statutory provision for the creation of Honorary Freemen and Honorary Aldermen*) the Council created a third award option, namely formal acknowledgement of 12 years or more cumulative service by former Members of the Council. Accordingly, the following motions in respect of those who are eligible for the award will be moved individually by Councillor Griffiths, and upon the individual approval of each resolution by the Council, the Mayor will present a framed copy of such resolution to the former Member concerned:-

"That, in recognition of twelve years of dedicated public service by

MARK ALAN EREIRA-GUYER

as an elected Member of the Council for the Risbygate and St Olaves Wards, Bury St Edmunds and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of sixteen years of dedicated public service by

JANE ANN BONE

as an elected Member of the Council for the Clare Ward, and in acknowledgement of her contribution to the work of the Borough Council, including her term of office as Mayor for 1994/1995, and her service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twenty years of dedicated public service by

NIGEL BABER AITKENS

as an elected Member of the Council for the Chevington and Chedburgh Wards, and in acknowledgement of his contribution to the work of the Borough Council and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twenty-eight years of dedicated public service by

DAVID LOCKWOOD

as an elected Member of the Council for the Northgate Ward, Bury St Edmunds and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor for 2003/2004, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

(b) Vote of Thanks to other Immediate Past Members

Councillor Griffiths will move the following motion:-

"That the Council records a vote of thanks in respect of the former Councillors who had not been re-elected or had not stood for re-election, namely, former Councillors Mrs Alexander, Anderson, Bradbury, Chappell, Mrs Charlesworth, Jones, Price and Turner."

8. Items Referred to full Council by Cabinet, Overview and Scrutiny Committee and Democratic Renewal Working Party

Schedule attached as Report **C144**.

9. Statement of Accounts: 2010/2011

In accordance with the Overview and Scrutiny Procedure Rules, as contained within Part 4 of the Council's Constitution, the Performance and Audit Scrutiny Committee has a responsibility *'to provide Scrutiny to the authority's financial performance by scrutinising the Annual Accounts.'*

On 20 September 2011, after the distribution of these Council papers, the Committee will scrutinise the Annual Statement of Accounts for 2010/2011, as contained within Report C138, alongside the Annual Governance Statement. Following the Committee meeting Members will be sent a report that will include the Statement of Accounts (**Paper C145 TO FOLLOW**), and will detail any comments made by the Committee. The Annual Governance Statement is included in Report C144, Scheduled Referrals from Cabinet, Overview and Scrutiny Committee and Democratic Renewal Working Party, as the last item.

The Council is **RECOMMENDED** to approve the Statement of Accounts 2010/2011, contained within Report **C145**.

10. **Appointment of Parish Council Representative to the Standards Committee**

In accordance with Part 3 of the Council's Constitution, Responsibilities and Functions, the Council is requested to **ENDORSE** the appointment of Mr Bryan Hawes as a Member of the Standards Committee representing large sized parishes. Mr Hawes is a Councillor on Haverhill Town Council. He is nominated by the Standards Committee following an interview by the Chairman and Monitoring Officer on 12 September 2011.

11. **Question on Notice**

Councillor Nettleton has given notice under paragraph 11.2 of the Council Procedure Rules of the following question to Councillor Clements, Portfolio Holder for Transport and Planning:-

'Does the Portfolio Holder for Transport and Planning agree that in order to prevent future irresponsible 'call-ins' of planning applications by one rogue Councillor, all future attempts to have an application determined by the Development Control Committee in a Ward other than that represented by a Member should be countersigned by another Member of the Council?'

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'.

12. **Quarterly Report on Special Urgency**

Part 4, Access to Information Procedural Rules, of the Constitution (paragraphs 17.3.1 and 17.3.2) requires the Leader of the Council to submit quarterly reports to the Council on the executive decisions taken, if any, in the circumstances set out in Rule 16, Special Urgency, in the proceeding three months.

Accordingly, the Leader of the Council reports that no executive decisions have been taken under the Special Urgency provisions of the Constitution.

13. 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 C146 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	(C147 attached)
(b)	Culture and Sport	Cllr. Sara Mildmay-White	(C148 attached)
(c)	Economy & Asset Management	Cllr. Sara Mildmay-White	(C149 attached)
(d)	Environment & Street Scene	Cllr. Peter Stevens	(C150 attached)
(e)	Haverhill and Housing	Cllr. Anne Gower	(C151 attached)
(f)	Performance & Organisational Development	Cllr. David Ray	(C152 attached)
(g)	Resources & Efficiency	Cllr. David Ray	(C153 attached)
(h)	Transport & Planning	Cllr. Terry Clements	(C154 attached)

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

Report C155 attached.

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

Report C156 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	-	7 and 21 July, 4 and 18 August, and 1 September 2011
Standards	-	13 July 2011