



St Edmundsbury
BOROUGH COUNCIL

COUNCIL SUMMONS

and

AGENDA

for

SPECIAL MEETING

17th May 2012

St Edmundsbury Borough Council

JOY BOWES
Head of Legal and
Democratic Services

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

8 May, 2012

To: All Members of the Council

You are hereby summoned to a Special Meeting of the Council to be held in the **Athenaeum**, Angel Hill, Bury St Edmunds on **Thursday, 17 May, 2012 at 10.30 am**, for the conferment of the Honorary Freedom of the Borough upon David Lockwood, and Honorary Alderman of the Borough upon Nigel Baber Atikens.



Head of Legal and Democratic Services

**Special Meeting
of the
St Edmundsbury Borough Council**

17 May 2012
Athenaeum, Angel Hill, Bury St Edmunds

ASSEMBLY AND PROCESSIONAL PROCEDURE

ASSEMBLY

Members are requested to assemble at **The Apex, Charter Square, Bury St Edmunds at 10.00 am**. Their ladies/gentlemen should take their seats in the Athenaeum by not later than 10.15 am. Past Mayors'/Chairmen's Badges may be worn.

ATTENDANCE REGISTER

All Members are requested to sign, before the Meeting, the Attendance Register which will be placed **in the entrance foyer of The Apex**.

PROCESSION FROM THE APEX TO THE ATHENAEUM

At 10.10 am, all Members will be requested to start forming into processional order at The Apex, with a view to the formed procession moving off from the foyer of The Apex at approximately 10.15 am.

PROCESSION INTO THE ATHENAEUM

All stand

At 10.25 am the Members of the Council will enter the Athenaeum in procession, headed by the Sword and Mace Bearers; **they will stand** by their seats until the Sword and Maces have been placed in position and the meeting has been opened with Prayers by the Mayor's Chaplain.

PRAYERS

The Mayor will invite his Chaplain, the Reverend Katherine Valentine of St Mary's Church, Pakenham, to open the meeting with prayers.

The Mayor will then invite **all to sit and the public to remain seated for the remainder of the meeting**.

Special Meeting of the St Edmundsbury Borough Council

17 May 2012

AGENDA

1. **Apologies for absence.**
2. **Conferment of Honorary Freedom of the Borough**

That this Council, in recognition of the eminent services rendered by

David Lockwood

of Mayfield Cottage, Weston Ditch, West Row, Bury St Edmunds, a member of the Council of the Borough of St Edmundsbury for Northgate Ward from 1983 to 2011, Mayor of the Borough in 2003-4 and Deputy Mayor in 2004-5; and in appreciation of the exemplary manner in which he distinguished himself as a Chairman or Vice-Chairman of committees including the Overview and Scrutiny Committee, Development Control Committee and Commercial Services Committee; and further in recognition of his dedicated and unstinting public service as a Council representative with the Havebury Housing Partnership, the Safer Neighbourhood Team, the St John's Centre, the King Edward VI School Foundation, the St Edmundsbury Countryside Forum and the Crime Reduction Forum; and also as a member of Suffolk County Council for the Divisions of Northgate St Olaves from 1975 to 2005 and Tower from 2005 to 2009, serving as Chair of the council 2000 to 2001 and also as Chair of committees including Social Services, Health Scrutiny and Development Control; and

Further, in recognition of the energy and commitment he has shown in these roles and in addition as a Justice of the Peace on the St Edmundsbury Bench from 1987 to 2009, becoming a court chair in 1995; and since 2009 on the Norfolk Bench, sitting as court chair in King's Lynn;

Do hereby, in pursuance of Section 249 of the Local Government Act 1972 and in acknowledgement of the services aforesaid, confer upon the said **David Lockwood**, the Honorary Freedom of the Borough of St Edmundsbury; and

Do hereby admit him to be an Honorary Freeman of the Borough accordingly.

Councillor T. G. Clements will move:-

That the Council confer upon David Lockwood of Mayfield Cottage, Weston Ditch, West Row, Bury St Edmunds, the Honorary Freedom of the Borough of St Edmundsbury in the terms of the formal motion set out in the Agenda, and the Mayor present an illuminated copy of the resolution to David Lockwood.

Councillor R. J. Cockle will second the motion.

The Mayor will then put the motion to the vote, and upon its being declared carried will call upon the Honorary Freeman to make a declaration in the following terms:-

"I, **David Lockwood**, do solemnly and sincerely declare that I will be good and true to our Sovereign Lady, **Queen Elizabeth the Second**, that I will be subject and obedient to all the good order and customs of this Borough and that I will be obedient to the office of Mayor of this Borough; that I will keep the Queen's Peace and shall know no Gatherings nor Conspiracies made against the Queen's Peace nor anything whereby this Borough or the Freedom thereof may be damnified, but shall disclose the same to the Mayor or the Magistrates of this Borough; and I do further declare that in all things I will conduct myself as a true and loyal Freeman ought to do."

The Mayor will then ask all Members of the Council to rise and will invite the Honorary Freeman to subscribe to the Roll of Honorary Freemen of the Borough.

The Mayor will then present an illuminated copy of the resolution to the Honorary Freeman.

Members of the Council and the Honorary Freeman will resume their seats and the Mayor will invite David Lockwood to acknowledge his admission.

3. Conferment of Honorary Alderman of the Borough

That this Council, in recognition of the eminent services rendered to it by

Nigel Baber Aitkens

of Castle Farm, Tuffields Road, Whepstead, a member of the Council of the Borough of St Edmundsbury from 1983 to 1995 and from 2003 to 2011; Leader of the Council from 1991 to 1995 and Deputy Leader from 2007 to 2010; and in appreciation of the exemplary manner in which he has distinguished himself as a Chairman or Vice-Chairman of committees including Policy and Resources, Transport and Works, Environmental Health and Housing and Policy Development; as a Cabinet member and the Portfolio Holder for Economy and Asset Management; and

Further, in recognition of his commitment to public service shown in his roles as representative of the Council with the Bury St Edmunds Citizens Advice Bureau, Suffolk Local Government Association, Suffolk District Councils Association, Suffolk Housing Association, Relate, Suffolk Rail Policy Group, Greater Cambridge Partnership, St Edmundsbury Crime Reduction Committee and as a Governor of County Upper School

Do hereby, in pursuance of Section 249 of the Local Government Act 1972 and in acknowledgement of the services aforesaid, confer upon the said **Nigel Baber Aitkens** the title of Honorary Alderman of the Borough of St Edmundsbury.

Councillor J. H. M. Griffiths will move:-

That the Council confer upon Nigel Baber Aitkens of Castles Farm, Tuffields Road, Whepstead, Bury St Edmunds, the Honorary Alderman of the Borough of St Edmundsbury in the terms of the formal motion set out in the Agenda, and the Mayor present an illuminated copy of the resolution to Nigel Baber Aitkens.

Councillor R. L. Clifton-Brown will second the motion.

The Mayor will then put the motion to the vote, and upon its being declared carried will then ask all Members of the Council to rise and will invite the Honorary Alderman to subscribe to the Roll of Honorary Alderman of the Borough.

The Mayor will then present an illuminated copy of the resolution to the Honorary Alderman.

Members of the Council and the Honorary Alderman will resume their seats and the Mayor will invite Nigel Baber Aitkens to acknowledge his admission.

The Mayor will then announce the conclusion of the formal business of the Council.

FLORAL PRESENTATIONS

All Members of the Council will stand.

The Mayor will announce floral presentations to Jacqueline Harrison and Mrs Gillian Aitkens.

RECESSION FROM THE ATHENAEUM

The Sword Bearer will announce the recession from the Athenaeum and ask members of the public to stand.

All Members of the Council will **remain standing** in their places whilst the Sword and Mace Bearers take up the Sword and Maces. As soon as the Sword and Mace Bearers are ready, specified Members of the Council, preceded by these Officers, will leave the Athenaeum.

HONORARY FREEDOM OF THE BOROUGH

Until well into the 19th century, Freemen existed in many Boroughs as constituent parts of the Corporations and enjoyed special rights, dependent on local custom, such as rights of pasturage on corporate land and exemptions from certain tolls and dues.

Since 1885, Borough Councils have been able to confer Honorary Freedoms upon persons of distinction and persons or organisations who have rendered eminent services to the Borough or have served the community in a very distinguished way, but there are no defined criteria. It is solely at the discretion of a Borough Council, and is the highest tribute that a Borough can bestow. The fact that the honour has been bestowed by the former Borough of Bury St Edmunds and the present reorganised and larger Borough of St Edmundsbury on only 35 occasions in total since 1885 (see Page 6) is testament to its rarity.

It is honorary only, confers no legal rights and places no obligation on the holder, but Honorary Freemen are invariably invited to take part in important ceremonial occasions in the Borough. For units of the armed services it confers the historic right to “exercise the Freedom”, that is to march through the Borough with colours flying, drums beating and bayonets fixed.

HONORARY ALDERMAN OF THE BOROUGH

Aldermen played a central role in the governance of the borough of Bury St Edmunds for centuries. They were important people in their local community, with the right to have the ceremonial maces paraded before them at civic occasions.

Although the way local government works fundamentally changed with the Local Government Act 1972, the right to recognise the dedication and commitment of former councillors through awarding the title of Honorary Alderman was preserved. The difference is that the role now covers the whole of the Borough of St Edmundsbury, not just one town.

Many people have served as Aldermen over the years and two still have a special place in the town. Alderman Jankyn Smyth (or John Smith) was a wealthy merchant who died in 1481 and left a large sum of money to benefit townspeople. He is still remembered today at the annual cakes and ale ceremony in June, which is preceded by a service at St Mary’s Church and his bequest is still used to help local people.

Alderman James Oakes, born in 1741, was heavily involved in the town’s economic, political and social life. He is famous for his diaries, which detail every area of life in Bury St Edmunds and span 50 years during the troublesome times of the French Revolution and Napoleonic wars. His memory is preserved in the oak tree above the beehive on the Lloyds bank sign in the Buttermarket, which recollects the former Oakes, Bevan and Co Bank on that site. In 1805 James donated the Mayor’s chain which is still used today.

Admissions to the Honorary Freedom of the Borough
subsequent to the Honorary Freedom of the Boroughs Act, 1885
and Section 249 of the Local Government Act, 1972

Former Borough of Bury St Edmunds	<i>Date of Conferment</i>
The Right Honourable Sir William Purdie Treloar, Lord Mayor of London	1907
Edward William Lake, J.P.	1909
George Gery Milner-Gibson-Cullum, M.A., F.S.A., D.L., J.P.	1911
Owen Aly Clark, Alderman of the former Borough	1919
Field Marshal Viscount Allenby, K.C.B., G.C.M.B., C. in C. of the British Army in Egypt and Palestine	1920
Lt. Col. the Honourable Walter Edward Guinness, D.S.O., M.P., Under-Secretary of State for War	1923
John Ridley Hooper, J.P.	1934
Joseph Maitland Wilson, C.B.E., J.P.	1934
Edward Lancelot Dewe Lake, T.D., J.P.	1937
The Most Honourable Rear Admiral Frederick William Fane, Fourth Marquis of Bristol, M.V.O.	1943
The Suffolk Regiment	1944
Miss Muriel Dewe Lake	1946
Field Marshal the Lord Wilson of Libya and Stowlangtoft G.C.B., G.B.E., D.S.O., A.D.C.	1947
Ernest Stork, D.S.O., M.B., J.P., Borough Medical Officer of Health	1948
358 (Suffolk Yeomanry) Medium Regiment R.A.T.A.	1953
1st East Anglian Regiment (now the 1st [Royal Norfolk and Suffolk] Bn., Royal Anglian Regiment)	1963
The Suffolk and Norfolk Yeomanry (as reorganised April 1967)	1967
Robert Arthur Cecil Olle, Alderman of the former Borough	1968
George Henry Pemberton, Alderman of the former Borough	1968
Ernest William Steward, M.B.E., J.P., Alderman of the former Borough	1968
Frederick George Banks, Alderman of the former Borough	1970
Royal Air Force Honington	1972
 St Edmundsbury Borough Council	
Lt. Gen. Sir Richard Goodwin, K.C.B., C.B.E., D.S.O., D.L.	1978
John William Henry Knight, O.B.E., Councillor of the Borough	1991
Eric George Steele, O.B.E., J.P., Councillor of the Borough	1993
The Lady Miriam Hubbard	1995
James Ronald Hartley, Councillor of the Borough	1999
Third Air Force, United States of America	2000
Normandy Veterans Association (1944), Bury St Edmunds & District Branch No. 35	2004
All residents of the Borough of St Edmundsbury who served in the armed forces of the Allied Powers during the Second World War	2005
677 (Suffolk and Norfolk Yeomanry) Squadron Army Air Corps (Volunteers)	2006
Sheila Kathleen Wormleighton, M.B.E.	2007
Sir Eldon Wylie Griffiths, M.A. (Cantab), M.A. (Yale)	2007
3 Regiment, Army Air Corps, Wattisham	2010



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During the coming year the West Suffolk brand (above) will become more visible to people as St Edmundsbury Borough Council and Forest Heath District Council share more services.

The two councils have already successfully shared bin collections and recycling for some while, saving significant amounts of money. Now we are moving towards sharing other services, such as planning, housing, environmental health, managing car parks and property. As the staff from both councils join their services together they will start to use the West Suffolk name.

You will begin to see West Suffolk appear on emails and publicity materials as well as signs and uniforms (but only when they need replacing or can be updated easily, we're not spending extra money on rebranding).

All of this does not mean that the councils will lose their individual identities. Each of us will have our own councillors, Cabinet and Mayor or Chairman. We will still take a great deal of pride in our own, individual, history and civic traditions and events.

Which means that events such as today's Annual Meeting, at which we thank the outgoing Mayor and choose a new councillor for that prestigious role, will continue to be celebrated and enjoyed by St Edmundsbury Borough Council and our guests.

ST. EDMUNDSBURY BOROUGH COUNCIL

JOY BOWES
Head of Legal and
Democratic Services

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

8 May, 2012

To: All Members of the Council

You are hereby summoned to the Annual Meeting of the Council to be held in the **ATHENAEUM**, Angel Hill, Bury St Edmunds on Thursday, 17 May, 2012 at 11.00 a.m. when it is proposed to transact the business on the attached Agenda.



Head of Legal and Democratic Services

(DETAILS OF THE PROCESSION TO THE ATHENAEUM ARE CONTAINED IN THE AGENDA FOR THE SPECIAL MEETING TO BE HELD IMMEDIATELY BEFORE THIS ANNUAL MEETING OF COUNCIL.)

PROCESSION INTO ATHENAEUM

All stand.

At 10.55 a.m. The Mayor and specified Members of the Council will enter the Athenaeum in procession, headed by the Sword and Mace Bearers; **they will stand** by their seats until the Sword and Maces have been placed in position and the meeting has been opened with Prayers by the Mayor's Chaplain.

PRAYERS

The Mayor will invite his Chaplain, the Reverend Katherine Valentine of St Mary's Church, Pakenham to open the meeting with prayers.

MAYOR'S COMMUNICATIONS

The Mayor will then invite **all to sit and the public to remain seated for the remainder of the meeting.**

AGENDA

PART I (Ceremonial Business)

1. APOLOGIES FOR ABSENCE

The Mayor will ask the Head of Legal and Democratic Services to announce any apologies for absence.

2. ELECTION OF MAYOR

The retiring Mayor will announce that the next item of business is the election of Mayor for the ensuing year and will call for nominations.

Councillor J. P. McManus will move,

"That Timothy Godfrey Marks, a Councillor of the Borough, be and is hereby elected Mayor for the ensuing year."

Councillor S.R.M. Oliver will second.

The retiring Mayor will ask if there are any other nominations.

The retiring Mayor will then put the motion to the vote and, on its being carried by a show of hands, will declare that Councillor Timothy Godfrey Marks is elected Mayor.

The retiring Mayor **will then rise and stand behind the Deputy Mayor's Chair. All other Members of the Council will rise simultaneously.**

The new Mayor will then move to a position behind the Mayor's Chair.

The Sword Bearer will remove the Chain of Office and Robe from the retiring Mayor and hand the Robe to him. The retiring Mayor will then robe the new Mayor.

The Sword Bearer will next hand the Chain to the retiring Mayor who, with the assistance of the Sword Bearer, will place it on the new Mayor.

The new Mayor will then occupy the Mayor's Chair, and **the retiring Mayor will then occupy the chair vacated by the new Mayor.**

Simultaneously with the robing of the new Mayor, the Chain of Office will be removed from the retiring Mayoress, Mrs Joanna Spicer, and placed on the new Mayoress, Mrs Margaret Marks.

The retiring Mayoress and Mrs Margaret Marks will then exchange places.

All Members of the Council will now sit.

The new Mayor will then sign the Declaration of Acceptance of Office, and rising, will read the terms thereof before passing it to the Head of Legal and Democratic Services for her signature.

The Mayor will then acknowledge his election.

3. **MAYOR'S COMMUNICATIONS**

(a) **Appointment of Mayor's Chaplain**

The Mayor will announce that he will be appointing as his Chaplain the Reverend Canon Ian Finn, Rural Dean of Clare and Rector of Haverhill.

(b) **Civic Service**

The Mayor will announce that he has arranged for the Civic Service this year to be held at St Mary's Church, Haverhill on Sunday 22 July 2012 at 2.00 pm followed by a reception at Haverhill Library.

4. **VOTE OF THANKS TO THE RETIRED MAYOR AND MAYORESS AND ELECTION OF DEPUTY MAYOR**

Having announced this item as the next business, the Mayor will call for nominations.

Councillor Mrs. S. J. Mildmay-White will move,

"That (1) the Council, in recognising the most able and diligent manner in which the retired Mayor, Councillor Christopher James Evan Spicer, 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 Joanna Spicer; and

(2) Councillor Christopher James Evan Spicer be and is hereby elected Deputy Mayor for the ensuing year."

Councillor P. A. Stevens will second.

The Mayor will then ask for any other nominations.

The Mayor will then put the motion to the vote and, on its being carried by a show of hands, the retiring Deputy Mayor will rise and stand behind the Deputy Mayor's chair, and the new Deputy Mayor, **Councillor Christopher James Evan Spicer, will join him. All other Members of the Council will also rise simultaneously.**

The Sword Bearer will remove the Chain of Office and Robe from the outgoing Deputy Mayor (**who will move to the vacant chair**), and the Mayor will then robe the new Deputy Mayor and, with the assistance of the Sword Bearer, invest him with the Chain of Office. **Simultaneously**, the new Deputy Mayoress, Mrs Joanna Spicer, will be invested with her Badge of Office.

The Mayor will then present the new Deputy Mayor with his Past Mayor's badge.

All Members of the Council will then sit.

The new Deputy Mayor will then sign the Declaration of Acceptance of Office and pass it to the Head of Legal and Democratic Services for her signature.

The Deputy Mayor will then formally acknowledge his election and the presentation of Badges, and reply to the Vote of Thanks.

5. **VOTE OF THANKS TO RETIRED DEPUTY MAYOR AND DEPUTY MAYORESS**

Councillor Mrs. P. A. Warby will move,

"That the Council record its sincere and deep appreciation of the services of Councillor Terence Leonard Buckle, as Deputy Mayor of the Borough, and of the help and support given by the Deputy Mayoress, Mrs Pamela Buckle."

Councillor F. J. Warby will second.

The Mayor will then put the motion to the vote and, upon its being carried by a show of hands, will invite the retired Deputy Mayor to reply.

The retired Deputy Mayor will acknowledge the Vote of Thanks.

ADJOURNMENT

The Mayor will then announce the conclusion of the ceremonial business of the Council and an adjournment for the following presentations and civic reception before reconvening in the ATHENAEUM at a time to be announced for the procedural business in Part II of the Agenda.

PRESENTATIONS

The Mayor will also announce presentations to Mrs Marks, Mrs Spicer and Mrs Buckle.

CIVIC RECEPTION

The Mayor will invite the public and all Members of the Council to the civic reception in the Athenaeum.

PROCESSION FROM MEETING

The Sword Bearer will announce the procession from the meeting and ask members of the public to stand.

All Members of the Council will remain standing in their places whilst the Sword and Mace Bearers take up the Sword and Maces. As soon as the Sword and Mace Bearers are ready, the Council, preceded by these Officers, will leave the floor, commencing from the head of the table on each side.

PART II
(Procedural Business)

In the Athenaeum, Bury St Edmunds following an adjournment

6. APPOINTMENT OF CABINET MEMBERS

Having regard to the provisions of the Constitution, the Mayor will invite Councillor J.H.M. Griffiths, the Leader of the Council, to announce:-

- (a) up to nine Members whom he will be appointing to form the Cabinet;
- (b) the name of a Member of the Cabinet to act as Deputy Leader; and
- (c) the Portfolios, and which Members of the Cabinet will be Portfolio Holders.

(Note: In accordance with the provisions of the Constitution, the appointment of Members to the Cabinet announced in this way will take immediate effect. Otherwise, the Leader will give written notice to the Head of Legal and Democratic Services (as the proper officer) of the Members of the Cabinet as soon as practicable after the Annual Meeting. Such appointments made in that way will take effect two working days after the receipt of such notice by the Head of Legal and Democratic Services.)

7. REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF COMMITTEES, SUB-COMMITTEE AND WORKING PARTY

- (a) The Council will need to formally approve the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced, namely:
 - (a) Development Control;
 - (b) Licensing & Regulatory;
 - (c) Officer Appointments;
 - (d) Overview & Scrutiny;
 - (e) Performance & Audit Scrutiny;
 - (f) Staffing Appeals; and
 - (g) Standards.
- (b) The Council is invited to re-appoint to the Democratic Renewal Working Party in accordance with the political balance of the Council.
- (c) The Council is also invited to give delegated authority to the Head of Legal and Democratic Services, in consultation with Group Leaders and the Chairman of the Performance and Audit Scrutiny Committee, to appoint 3 full Members and a Substitute Member of the Committee to the Treasury Management Sub-Committee.

Report **D1** attached.

8. **APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF:**

- (a) **Overview and Scrutiny Committee; and**
- (b) **Performance and Audit Scrutiny Committee.**

In accordance with the Constitution, the Council will appoint the Chairmen and Vice-Chairmen of the Overview and Scrutiny and the Performance and Audit Scrutiny Committees.

9. **ESTABLISHMENT OF THE SUFFOLK POLICE AND CRIME PANEL**

Report **D2** attached.

10. **APPOINTMENT OF RETURNING OFFICER: USE OF CHIEF EXECUTIVE'S URGENCY POWERS**

The acceptance by the Council of Report C354 on 15 February 2012 outlining the appointment of a Joint Chief Executive for Forest Heath District Council and St Edmundsbury Borough Council contained at section 5.7 a suggestion that it would be impractical for the Joint Chief Executive to be the Returning Officer for both authorities as there would be occasions when there would be two counts taking place at the same time. As a result of the acceptance of Report C354 the reference to the Joint Chief Executive being the Returning Officer for St Edmundsbury Borough Council has been removed from the Council's Constitution.

While this situation is being reviewed the Chief Executive used the urgency powers contained within the Council's Constitution under Part 3, Responsibility for Functions, Section Scheme of Delegation to Officers Para C(a), to appoint Cathy Manning as Returning Officer in a temporary capacity until such time as the Council formally appoints to the role.

The Council is requested to **NOTE** the use of the Chief Executive's Urgency Powers to appoint a Returning Officer in a temporary capacity.

11. **SCHEDULE OF MEETINGS: 2012/2013**

The Council is invited to approve the Schedule of Meetings (**Paper D3 attached**).

The Mayor will then announce the conclusion of the Annual Meeting of the Council.