

## **MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL**

Minutes of the Special Meeting of the Council held on Thursday 17 May 2012 at 10.30 am in the Athenaeum, Angel Hill, Bury St Edmunds

PRESENT: The Mayor (Councillor C J E Spicer) (in the Chair),  
Councillors Ager, Mrs Broughton, Buckle, Ms Byrne, Chung, Clements, Clifton-Brown, Cockle, Cox, Everitt, Farmer, French, Mrs Gower, Griffiths, Hale, Mrs R V Hopfensperger, Houlder, Marks, McManus, Mrs Mildmay-White, Oliver, Pugh, Ray, Mrs Richardson, Mrs Rushbrook, Mrs Rushen, Springett, Mrs Stamp, Stevens, Thorndyke, F J Warby, Mrs P A Warby and Mrs D A Whittaker.

### **99. Prayers**

The Reverend Katherine Valentine, of St Mary's Church, Pakenham, opened the meeting with prayers.

### **100. Apologies for Absence**

Apologies for absence were received from Councillors Beckwith, Farthing, Mrs Hind, P J Hopfensperger, Hordern, Mrs Levack, Nettleton, Redhead, Rout, Simner and A Whittaker.

### **101. Conferment of Honorary Freedom of the Borough**

On the motion of Councillor T G Clements, seconded by Councillor R J Cockle, and carried unanimously, it was

RESOLVED:-

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.

### **102. Conferment of Honorary Alderman of the Borough**

On the motion of Councillor J H M Griffiths, seconded by Councillor R L Clifton-Brown, and carried unanimously, it was

RESOLVED:-

That the Council confer upon Nigel Baber Aitkens of Castle 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.

### **103. Conclusion of Business**

The meeting concluded at 11.09 am

**MAYOR**

## **MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL**

Minutes of the Annual Meeting of the Council held on Thursday 17 May 2012 at 11.00 am in the Athenaeum, Angel Hill, Bury St Edmunds.

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

### **1. Prayers**

The Reverend Katherine Valentine, of St Mary's Church, Pakenham, opened the meeting with prayers.

### **2. Apologies for Absence**

Apologies for absence were received from Councillors Mrs Hind, P J Hopfensperger, Hordern, Mrs Levack, Simner and A Whittaker.

### **3. Election of Mayor**

On the motion of Councillor J P McManus, seconded by Councillor S R M Oliver, and duly carried, it was

RESOLVED:-

That Timothy Godfrey Marks, 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 announced that he would be appointing as his Chaplain the Reverend Canon Ian Finn, Rural Dean of Clare and Rector of Haverhill.

### **5. Civic Service**

The Mayor announced that he had arranged for the Civic Service to be held at St Mary's Church, Haverhill on Sunday, 22 July 2012 at 2.00 pm.

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

On the motion of Councillor Mrs S J Mildmay-White, seconded by Councillor P A Stevens, and duly carried, it was

RESOLVED:- 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.

Having been presented with his Past Mayor's badge, the Deputy Mayor signed the Declaration of Acceptance of Office, replied to the Vote of Thanks and acknowledged his election.

7. **Vote of Thanks to Retired Deputy Mayor and Deputy Mayoress**

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

RESOLVED:-

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.

The retired Deputy Mayor acknowledged the Vote of Thanks.

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***ADJOURNMENT***

***At 12.02 pm 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.***

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8. **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, especially the shared services agenda with Forest Heath District Council and its newly formed Cabinet. In addition, the new Joint Chief Executive would be formulating proposals for the joint management structure, and reviewing the Member decision making structure.

Councillor Griffiths concluded by stating that the Cabinet would, therefore, retain the same Members, with the same portfolios, and that Councillor Mrs Mildmay-White would continue as Deputy Leader of the Council.

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

The Council considered Report D1 (previously circulated) which detailed the results of a Political Balance Review.

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

The Democratic Renewal Working Party was not required to be politically balanced but the allocation of seats was, by custom and practice, undertaken on this basis.

Under the Localism Act, the current provisions for the Code of Conduct, Standards Committee and consideration of complaints was due to be replaced by local arrangements. The Act did not require Councils to have a Standards Committee per se, but it did require that councils 'promote and maintain high standards of conduct'. If Councils did have a Standards Committee then there was no provision in the Act to continue the current obligation to have independent and parish representatives on the Committee with equal voting rights to the Borough Council Members. On 19 June 2012 Council would be asked to determine a new Standards Regime to take effect from 1 July 2012. Consequently, Council was asked to approve the continuation of the current arrangements until 30 June 2012.

On the motion of Councillor Griffiths, seconded by Councillor Ray, 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 1.4 of Report D1 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 1.5 of Report D1 be approved;
- (3) the allocation of seats on the Standards Committee as indicated in paragraph 1.7 of Report D1 be approved;
- (4) the allocation of seats on the Mayoral Advisory Committee as indicated in paragraph 1.8 of Report D1 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 full Members and one Substitute Member from 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.

10. **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.

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

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

RESOLVED:-

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

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

On the motion of Councillor Griffiths, seconded by Councillor F J Warby, and duly carried, it was

RESOLVED:-

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

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

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

RESOLVED:-

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

14. **Establishment of the Suffolk Police and Crime Panel**

The Council considered Report D2 (previously circulated) which sought approval of the establishment of the Suffolk Police and Crime Panel, and the nomination of a Member and Substitute Member from the same political group to represent the Borough Council on the Panel.

The Police and Social Responsibility Act 2011 required that in advance of the November 2012 elections for a Police and Crime Commissioner (PCC) each police force area must establish a Police and Crime Panel (The Panel). The Home Office had encouraged local determination of arrangements to implement the requirements of the Act, but there was an expectation that arrangements would be transparent and justifiable. In Suffolk there had been good inter authority discussion and collaboration among officers and Council Leaders to jointly develop the proposals contained within this report.

Each district/borough council within Suffolk was to nominate one full member and one substitute member to the Panel, and Suffolk County Council was required to nominate four Councillors. It was also confirmed that Suffolk County Council would be the host authority for the purposes of the administration of the Panel.

The following details were attached to the report:-

- Appendix 1: Membership of the Panel and representation;
- Appendix 2: The role of the Police and Crime Panel;
- Appendix 3: Suffolk approach to establishing the Panel;
- Appendix 4: Panel arrangements and Rules of Procedure; and
- Appendix 5: What are the timescales associated with this decision?

Some clarification was sought as to the composition of the Panel, but there was general consensus for the proposals contained within the report.

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

RESOLVED:- That

- (1) the recommendations contained within Report D2 be endorsed; and
- (2) Councillor Marks be appointed as the Borough Council's full Member on the Police and Crime Panel.

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

RESOLVED:-

That Councillor Mrs P A Warby be appointed as the Borough Council's Substitute Member on the Police and Crime Panel.

15. **Appointment of Returning Officer: Use of Chief Executive's Urgency Powers**

The Council received and noted a narrative item which stated that the Chief Executive had exercised his Urgency Powers, as contained within the Constitution, to make a temporary appointment of Returning Officer.

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 had been removed from the Council's Constitution.

While this situation was being reviewed the Chief Executive used the urgency powers contained within Part 3 of the Council's Constitution, 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.

**16. Schedule of Meetings: 2012/2013**

The Council considered Report D3 (previously circulated) which detailed the proposed dates for meetings of the Council, Cabinet and Committees for the period May 2012 to May 2013.

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

RESOLVED:-

That the dates of the meetings of the Council, Cabinet and Committees, as detailed in Report D3, be approved.

**17. Conclusion of Business**

The meeting concluded at 1.32 pm.

**MAYOR**