

MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL

Minutes of the Meeting of the Council held on Monday 30 June 2014 at 7.00pm in the Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds.

PRESENT:

The Mayor (Councillor R D Everitt) (in the Chair)

Councillors:

Beckwith	P J Hopfensperger	Simner
Mrs Broughton	Mrs R V Hopfensperger	Spicer
Brown	Houlder	Springett
Ms Byrne	Mrs Levack	Mrs Stamp
Chung	Marks	P A Stevens
Clements	McManus	Thorndyke
Clifton-Brown	Mrs Mildmay-White	Mrs P Wade
Cockle	Nettleton	Ms Wakelam
Mr Cox	Oliver	F J Warby
Farmer	Pugh	Mrs P A Warby
Farthing	Ray	A Whittaker
Mrs Gower	Mrs Rayner	Mrs D A Whittaker
Griffiths	Redhead	
Mrs Hind	Mrs Richardson	

17. **Prayers**

The Mayor's Chaplain, Reverend Canon Matthew Vernon, Sub-Dean of St Edmundsbury Cathedral, opened the meeting with prayers.

18. **Remembrance**

A minute's silence was held in remembrance of former Borough Councillor and Mayor of St Edmundsbury, Mike Ames and Honorary Freeman of the Borough, Sir Eldon Griffiths.

19. **Minutes**

In respect of the minute 80(ii)(c) contained in the minutes for the meeting held on 25 February 2014, Councillor Mrs Gower reported that a written response had not yet been received in reply to Councillor Mr Cox's question about the provision of a notice board with map and directory in Haverhill. This response would be followed up and a written reply would be provided to Councillor Mr Cox as soon as possible.

The minutes of the meetings of Council held on 25 February 2014; 15 May 2014 (Special Meeting of Council); and 15 May 2014 (Annual Meeting of Council), were confirmed as correct records and signed by the Mayor.

20. **Mayor's Communications**

The Mayor reported on the civic engagements and charity activities which he, the Mayoress, Deputy Mayor and Deputy Mayoress had attended since his election on 15 May 2014. He also drew Members' attention to the engagements undertaken by the former Mayor of St

Edmundsbury, Councillor Buckle, and the former Mayoress since the meeting of Council on 25 February 2014 up until the Annual Meeting on 15 May 2014.

21. **Announcements from the Leader of the Council**

Councillor Griffiths, Leader of the Council, had no announcements to make on this occasion.

22. **Announcements from the Head of Legal and Democratic Services and Apologies for Absence**

Apologies for absence were received from Councillors Buckle, Mrs Rushbrook and Mrs Rushen. The Head of Legal and Democratic Services also informed Members that the Deputy Mayor would be arriving late as he was currently attending the Annual Awards Ceremony held by West Suffolk College at St Edmundsbury Cathedral and would join the proceedings later.

The Head of Legal and Democratic Services then drew Members attention to the late papers which had been circulated, as follows:

- (a) Addendum to Report F49, Schedule of Referrals from Cabinet and West Suffolk Joint Standards Committee;
- (b) Exempt Addendum to Report F51, Project to Investigate Relocating the Depot to the Potential New Shared Facility near to Bury St Edmunds; and
- (c) Report F53, Report from the Leader of the Council.

23. **Declarations of Interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

24. **Public Question Time**

Mr John Corrie of Bury St Edmunds firstly provided background to his question which centred around Suffolk County Council's (SCC) decision to locate a Waste Transfer Station at Rougham Hill, Bury St Edmunds and how he was the Claimant in the forthcoming Judicial Review against the process undertaken to reach this decision. He then asked whether there had been any interaction with SCC before or after the announcement of St Edmundsbury Borough Council's proposed initiative to relocate the depot, and was the Borough Council certain that the alternative site would have a sufficiently large area to accommodate a Waste Transfer Station and Household Waste Recycling Centre (HWRC) without the near-50% reduction in HWRC capacity that was proposed for the combined site at Rougham Hill.

In reply, **Councillor Stevens, Portfolio Holder for Waste and Property**, stated that there had been contact with SCC and other partners of the Suffolk Waste Partnership. The Borough Council exploited opportunities as they arose which included the potential relocation of the depot to an alternative site. The site could potentially offer sufficient land to accommodate the depot, a Waste Transfer Station and Household Waste Recycling Centre (HWRC). If sited in this

alternative location, it was expected that subject to the outcome of the proposed feasibility study, there would be no reduction in capacity in the HWRC.

In a supplementary question, **Mr Corrie** sought clarification that the proposed new HWRC site would remain approximately the same size as the existing, and again, subject to the findings of the feasibility study, this was confirmed by **Councillor Stevens**.

Mr Harding of Bury St Edmunds asked whether the Borough Council owned the land at the Waste Transfer Station site at Rougham Hill and had it already agreed as stated in planning application SE/13/0982, page 14, to lease the extra land required to expand the site to Suffolk County Council; and whether it was correct that the largest single category of waste by volume over 12 months leaving Rougham Hill was unsorted landfill waste and which route would this waste on its journey to the incinerator at Great Blakenham take if a second Waste Transfer Site was built.

In reply, **Councillor Stevens, Portfolio Holder for Waste and Property**, confirmed that the Borough Council did own the land of the Waste Transfer Station site at Rougham Hill. The decision to transfer the lease the additional land was undertaken through the democratic decision making process with a stipulation that the transfer was subject to planning consent, which SCC provided themselves through its own decision making processes.

Councillor Stevens added that the Borough Council had taken the opportunity to look at the development of a further site that would accommodate all waste transferred to the Energy from Waste (EfW) plant at Great Blakenham. When the EfW site was fully operational, the Borough Council would seek to minimise any waste going to landfill, so the majority of waste would travel on the A14 to the EfW plant which was adjacent to the A14. The proposed feasibility study linked to bringing forward the potential new site would also ensure calculations of all Refuse Collection Vehicle (RCV) movements across the Borough were taken into account to create a better flow; minimise disruption and keep the cost of waste services down to as low as possible.

In a supplementary question, **Mr Harding** stated that council tax payers owned the lorry park on Rougham Hill. He asked whether the Borough Council had explored the possibility of expanding the park to (a) provide parking for Heavy Goods Vehicles that were now having to park overnight in Moreton Hall and (b) provide parking for Council RCVs and associated vehicles adjacent to the present transfer station.

In reply, **Councillor Griffiths, Leader of the Council**, stated that the land in question had been leased for 100 years in an agreement which was applicable to either the Borough or County Council. Where possible and appropriate, the Borough Council would be open to look at potential opportunities as they arose.

Mr Harding then asked a further question whether it was acceptable that the Borough Council was not in support of disabled access provision at Cupola House in Bury St Edmunds.

In reply, **Councillor Griffiths, Leader of the Council**, informed Mr Harding that the Borough Council would fully support disabled access

provision where it possibly could. With regards to Cupola House, Mr Harding had already received a written response regarding this matter on a previous occasion, which had been circulated to all Councillors, and this response had indicated that if there was a possible way of making disabled access feasible, sustainable and viable at Cupola House, the Council would be pleased to support that.

25. **Petition**

(Councillor Brown declared a local non-pecuniary interest as he had signed the petition. Councillor Ms Byrne declared a local non-pecuniary interest as a Member of Haverhill Town Council. Councillors Cockle, Farmer, Oliver, Springett, F J Warby and Mrs P A Warby declared local non-pecuniary interests as Members of Bury St Edmunds Town Council. All of the aforementioned Members remained in the meeting for the consideration of this item.)

The Council had received a petition from Mrs Diana André of Haverhill, containing over 2,500 signatures which stated *'We call upon St Edmundsbury Borough Council to reinstate all the £128,933 Council Tax Support Grant that was intended for Haverhill by central government.'*

In accordance with Part 4, Rules of Procedure, of the Council's Constitution, a petition containing more than 2,500 signatures was required to be debated by full Council. The petition organiser was provided with not more than five minutes to present the petition at the meeting and the matter would then be discussed by Councillors for a maximum of 20 minutes. The Council would then decide how to respond to the petition, which may be to:

- (a) take the action the petition requested;
- (b) not to take the action requested for reasons put forward in the debate; or
- (c) commission further investigation into the matter, for example by referring it to a relevant committee.

Mr Roger André was in attendance to present the petition on behalf of Mrs Diana André. The Mayor welcomed Mr André to the meeting and informed him that he had up to five minutes in which to address the Council.

Mr André set out the reasons for the presentation of the petition, including how the 25 percent reduction in Council Tax Support Grant (CTSG) intended for Haverhill in 2014/2015 and a further 25 percent reduction in 2015/2016 would put a significant strain on Haverhill Town Council's budgets. He explained that the basis for the government providing funding for the CTSG was to meet the reduction in tax base resulting from changes to the Council Tax benefits system. As the tax base grew in future years due to additional housing being built in Haverhill, the impact on the Town Council's budgets was expected to diminish. Whilst it was difficult to estimate future precept requirements, it was expected that by 2016/2017, the Town Council's requirement for the CTSG would be significantly reduced.

The Borough Council's decision to withdraw £32,233 of CTSG in 2014/2015 and a further £64,466 in 2015/2016 had impacted on the Town Council's ability to provide its intended events and services and therefore Mr André requested that as was the intention of the

Department for Communities and Local Government (DCLG) for the town, the support grant for 2014/2015 and 2015/2016 be fully reinstated with a review being undertaken thereafter having been informed by the tax base available for precepting. Mr André proceeded to present the petition to the Mayor, which was duly accepted.

The Mayor then opened the debate. As the petition related to Council Tax, he firstly called upon Councillor Ray, Portfolio Holder for Resources and Performance to respond to the petition.

Councillor Ray thanked Mr André for the petition and acknowledged the considerable effort taken to obtain in excess of 2,500 signatures. He highlighted the reasons for the phasing out of the CTSG for Town and Parish Councils, which had been democratically resolved by full Council on 30 September 2013, having fully considered the challenges faced by the Borough Council as a result of its reduction in formula grant settlement. While the CTSG for both the district, parish and town elements was in the 2014/2015 formula grant settlement, the amount itself was not be separately visible. The DCLG had stressed that it was for each local authority to reach agreement with their parish and town councils on the amount of funding that was to be passed down and the Borough Council had taken the decision to phase the grant out over a four year period to provide town and parish councils with certainty regarding the amount of grant they would receive to help assist their financial planning, regardless of whether the Borough Council received such funding from central government in future years.

Councillor Ray then proceeded to move a motion, which was duly seconded by Councillor Griffiths. Given the length of the motion, this was circulated to all Councillors present and members of the public and press.

The debate continued and Councillor Ms Byrne expressed her support for the petition. She stated that in a Ministerial Statement released by Brandon Lewis MP in February 2014, this had confirmed that the CTSG would be provided for 2014/2015 and 2015/2016 with no indication that the grant should be phased out. Councillor Ms Byrne subsequently moved an amendment to the motion, which was duly seconded by Councillor Brown, requesting that the CTSG should be reinstated for Haverhill Town Council in full for 2014/2015 and 2015/2016 and that a review examining changes to town and parish tax bases should inform future funding.

At this point, a motion was proposed, seconded and duly carried to suspend Section 9.9 of the Council Procedure Rules contained in the Constitution, which set out the procedure for 'Petitions requiring Council debate', to extend the debate by an additional ten minutes to the prescribed maximum allocation of 20 minutes to allow a conclusion to be reached.

A debate was then held on the amendment to the motion and on being put to the vote, the amendment was lost. The debate continued on the substantive motion with Councillor Griffiths, as seconder of Councillor Ray's motion, providing his reasons for supporting the motion, and drew attention to the Borough Council's significant investment in Haverhill in recent years, both in terms of providing capital funding and working with partners to improve services.

As mover of the substantive motion, Councillor Ray was given his right of reply. Other than reiterating that should the motion be carried, it complied with (b) above in terms of how the Council should respond to the petition, nothing further was added, therefore the Mayor proceeded to the vote.

RESOLVED: That

- (1) the Council notes the content of the petition;
- (2) to give parish and town councils the certainty they have requested, no change be made to the level of Council Tax Support Grant which the Borough Council has already advised parish and town councils will be passed onto them in 2015/2016 for the reasons reiterated in the letter from the Leader of the Council to parish and town councils on 18 June 2014; however
- (3) in view of comments received from local stakeholders (including the petition), the advice of the Government Minister and research into how other councils across the country have exercised their same discretionary powers, the Council undertakes to review the level of Council Tax Support Grant it passes onto parish and town councils from 2016/2017 onwards;
- (4) this review be carried out in 2015/2016, at the halfway point of the existing four year plan to phase out Council Tax Support Grant and, specifically, when the Borough Council has more information from the Government on its own financial plans for local government; and
- (5) the review also take into account other means of support provided by the Borough Council as part of its overall package of support to local communities.

26. **Items Referred to Full Council by Cabinet and West Suffolk Joint Standards Committee**

The Council considered the Schedule of Referrals contained within Report F49 and an addendum to Report F49 (both previously circulated).

(A) Referrals from Cabinet: 25 March and 20 May 2014

Members noted that no recommendations from these meetings required a decision by Council.

(B) Referrals from Cabinet: 3 June 2014 (Extraordinary meeting)

(B)(1) West Suffolk Joint Pay Policy Statement 2014/2015

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

RESOLVED:

That the West Suffolk Joint Pay Policy Statement for 2014/2015 contained in Appendix 1 to Report F22, be adopted.

(C) Referrals from Cabinet: 24 June 2014

(C)(1) West Suffolk Joint Anti-Fraud and Anti-Corruption Policy

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

RESOLVED:

That the West Suffolk Anti-Fraud and Anti-Corruption Policy, as contained in Appendix A to Report F14, be adopted.

(C)(2) Adoption of Contract Procedure Rules and Financial Procedure Rules

A discussion was held on the minimum and maximum thresholds for seeking tenders when procuring goods, services and works, and how it was important that local businesses were supported. In response, Councillor Ray, Portfolio Holder for Resources and Performance emphasised that the newly adopted West Suffolk Procurement Strategy supported the participation of small and medium sized enterprises and community-based providers in procurement activities, where possible.

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

RESOLVED:

That the Contract Procedure Rules and Financial Rules, as set out in Appendices A and B respectively to Report F41, be adopted.

(Councillor Mrs Hopfensperger left the meeting at the conclusion of this item and did not return.)

(C)(3) Review of Cumulative Impact Policy

(Councillor Mrs Rayner declared a pecuniary interest as she and her husband owned a share in a business that was located in the proposed Cumulative Impact Area of Abbeygate Ward. The Monitoring Officer had granted a dispensation and therefore Councillor Mrs Rayner remained in the meeting to speak on the item but did not vote.)

Councillor Clements, Portfolio Holder for Planning and Regulation, introduced this item and explained that he was pleased to support the recommendations of the Licensing and Regulatory Committee, which had proposed that while it supported the reinstatement of a Cumulative Impact Policy (CIP) in Abbeygate

Ward, it concurred with the views of the Ward Members for Risbygate Ward and considered the area delineated in Appendix A to Report F31, which included Station Hill, should not be designated as a Cumulative Impact Area (CIA).

Councillor Nettleton, one of the Members for Risbygate Ward, provided Council with the reasons why he had not supported the proposed CIA designation, including that he considered there was insufficient evidence to support the proposal. He thanked Members of the Licensing and Regulatory Committee and Cabinet for listening to his and the other Member for Risbygate Ward, Councillor Ms Wakelam's views.

Councillors Mrs Rayner and Farmer, Members for Abbeygate Ward, provided detailed reasons why the CIP should be reinstated in Abbeygate Ward, including that since its initial introduction in 2008, the town centre had continued to thrive and no new applications for premises' licences had been refused.

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

RESOLVED: That

- (1) the policy wording on cumulative impact and the proposed reinstatement of the Cumulative Impact Area within the Abbeygate Ward, as identified in Appendix A to Report F31, be adopted and included as a revision to the current Statement of Licensing Policy; and
- (2) the proposed designation of a Cumulative Impact Area within the Risbygate Ward, as delineated in Appendix A of Report F31, be not proceeded with.

(C)(4) Bury St Edmunds North East Strategic Development Masterplan

(Councillor Mrs Broughton declared a pecuniary interest as her husband was the owner of an area of land contained in the Bury St Edmunds North East Strategic Development Site and left the meeting during the consideration of this item.)

(Councillors Brown, Clements, Mrs Gower and Mrs Stamp declared local non-pecuniary interests as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

Councillor Clements, Portfolio Holder for Planning and Regulation introduced this item and made reference to the Addendum to Report F49. This clarified the use of the word 'facilitating' contained in Policy CS11 of the Borough Council's adopted Core Strategy. The addition contained in the Addendum stated that '*in respect of facilitating the provision of an A143 Great Barton bypass, the Masterplan would not prevent a bypass coming forward should it become deliverable in the future. Although the Suffolk Local Transport Plan identifies a bypass for Great Barton*

as a long term aspiration, it is not in the County Council's programme or identified as a deliverable project for 2031'.

Councillor Clements moved a motion to adopt the Masterplan and this was duly seconded by Councillor Mrs Mildmay-White.

Councillor Mr Cox sought clarification on the wording provided in Section 4.7 of Report F37 to the Sustainable Development Working Party in respect of Concept Statements and Masterplans; and also wished to know a definitive figure for the 'minor costs associated with the adoption of the document', as quoted in Section 8 of Report F37. Councillor Clements informed that written responses would be provided to answer these queries.

A detailed discussion was then held, and some Members expressed concern whether Suffolk County Council, as Highways Authority, had sufficiently addressed future traffic growth within an overall sustainable transport strategy for this area within the Great Barton Ward and the neighbouring locality. Section 3.39 of the draft Masterplan made reference to the preparation of a Transport Assessment, which was a requirement of the future planning application. Councillor Farthing proposed, which was duly seconded by Councillor P J Hopfensperger, an amendment to the motion that whilst adoption of the Masterplan should proceed, the Transport Assessment should firstly be considered by the Sustainable Development Working Party to ensure the views of residents in this locality had been adequately assessed before the planning application was determined by the Development Control Committee.

Councillors Clements and Mrs Mildmay-White, as proposer and seconder of the substantive motion, agreed to make this amendment and therefore no separate vote on the amendment was taken. The Mayor proceeded to the vote on the substantive motion, as amended, and it was

RESOLVED: That

- (1) the Masterplan for development of the Strategic Development site at Bury St Edmunds North East, as contained in Appendix A of Report F37, be adopted as non-statutory planning guidance; and
- (2) production of the Transport Assessment proceed in accordance with the provision made in Section 3.39 of the Masterplan and as required by the future planning application; however, this document firstly be considered by the Sustainable Development Working Party before the planning application is determined by the Development Control Committee.

(The Deputy Mayor, Councillor Chung arrived during the consideration of this item and Councillor Simner left the meeting during the consideration of this item and did not return.)

(D) Referrals from the West Suffolk Joint Standards Committee: 16 June 2014

(D)(1) Appointment of Independent Persons

The Council was informed that Forest Heath District Councillor Stewart was the Chairman of the West Suffolk Joint Standards Committee and not Councillor Redhead as stated in Report F49. Members were also reminded that brief biographies of the proposed Independent Persons were provided in Members' News during week commencing 23 June 2014 to assist Members in their decision making process.

On the motion of Councillor Thorndyke, Vice Chairman of the Committee, seconded by Councillor Cockle and duly carried, it was

RESOLVED:

That Ms Joy Inameti and Mr Arnold Barrow be appointed this Council's Independent Persons in accordance with s28(7) of the Localism Act 2011 for a term of two years and one year respectively commencing 1 July 2014.

27. Annual Scrutiny Report: 2013/2014

The Council received and noted the Annual Report of the Overview and Scrutiny Committee, and the Performance and Audit Scrutiny Committees, previously circulated as Report F50.

Article 7 of the Council's Constitution required *that 'the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.'*

Councillor Houlder, as Chairman of the Overview and Scrutiny Committee for the current and reporting period, paid tribute to the Members of the Committee and the work that had been undertaken during the year. He thanked Councillor Mrs Hind for her Vice-Chairmanship and also Members of Forest Heath District Council's Overview and Scrutiny Committee as a number of meetings had been held where matters had been jointly scrutinised by both Committees.

Councillor Mrs Broughton, Chairman of the Performance and Audit Scrutiny Committee for the current and the reporting period drew relevant issues to the attention of Council.

Questions were asked of both Chairmen, to which they duly responded.

Councillor Ray, Portfolio Holder for Resources and Performance, expressed his thanks to the work of the Performance and Audit Scrutiny Committee over the past year.

(Councillors Cockle, F J Warby and Mrs P A Warby left the meeting at the conclusion of this item and did not return.)

28. **Representation on Suffolk Health Overview and Scrutiny Committee**

The Council considered a narrative item which sought a Borough Council representative and, if required, a substitute Member to serve on Suffolk County Council's Health Overview and Scrutiny Committee.

Contrary to the information contained in the narrative item, as the Overview and Scrutiny Committee had not recently met, the Chairman rather than the Committee had re-nominated Councillor Beckwith to be the Borough Council's representative on this body. No substitute Member had been nominated.

On the motion of Councillor Houlder, seconded by Councillor Farthing, and duly carried, it was

RESOLVED:

That Councillor Beckwith be appointed as the Borough Council's nominated representative on the Suffolk Health Overview and Scrutiny Committee for 2014/2015.

29. **Project to Investigate Relocating the Depot to a Potential New Shared Facility near to Bury St Edmunds**

(Councillors Brown, Clements, Mrs Gower and Mrs Stamp declared local non-pecuniary interests as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

The Council considered Report F51 and an Exempt addendum to Report F51 (both previously circulated), which sought approval for a maximum of £100,000 to secure a land option and to resource project delivery for the potential relocating of the waste depot to a possible new shared facility near to Bury St Edmunds.

Councillor Griffiths, Leader of the Council, introduced this item and explained that as part of the second phase of the Public Service Village (PSV) project (phase 1 being West Suffolk House), an opportunity existed to relocate the depot facilities at Western Way to a new site close to Bury St Edmunds. Subject to a business case and planning consent being obtained, co-locating these facilities with other public sector operations could yield significant benefits and efficiencies in the medium to long term. It would also allow the current depot site and adjacent land to be developed. Resources were required to secure an option on a suitable piece of land and instigate a project to confirm the feasibility and deliverability of such a proposal.

Councillor Stevens, Portfolio Holder for Waste and Property, provided additional background which had led to the proposal and how the recouping of this initial £100,000 investment would be factored into the business case for the project and the next phase of the PSV.

Some concern was expressed regarding Suffolk County Council's commitment to the potential alternative site and whilst it had indicated a willingness to consider a possible co-located solution of a Waste Transfer Station, Household Waste Recycling Centre and Depot, whether

this commitment would be honoured if the outcome of the forthcoming Judicial Review of the decision to site a new transfer station at Rougham Hill, Bury St Edmunds was in its favour.

Councillor Mr Cox asked a question regarding the affordability of the proposal and with reference to Page 60, Section 4.13, he asked whether an agreement had been reached in connection with “..*The costs of these elements will be shared appropriately with other potential partners*”. Councillor Griffiths informed that written responses would be provided to answer these queries.

At this point it was proposed, seconded and

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12(A) of the Act.

At the conclusion of the discussions held in private session, members of the public and press were invited to re-join the meeting in public session.

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

RESOLVED: That

- (1) funding from reserves to a maximum of £100,000 to secure a land option and to resource project delivery, as detailed in Section 4 of Report F51, be approved; and
- (2) the allocation and management of these funds be delegated to the Head of Waste Management and Property Services and the Head of Resources and Performance in consultation with the Leader of the Council, and the Portfolio Holders for Resources and Performance, and Waste and Property.

(Upon consideration of the above motion to move into private session, the Mayor’s Chaplain, Reverend Canon Matthew Vernon was formally invited to remain the meeting for the consideration of this item. Councillor Nettleton wished it to be recorded that he voted against the resolution. Councillor Farmer left the meeting at the conclusion of this item and did not return.)

30. **Alignment of Constitutions: Joint Task and Finish Group**

The Council considered Report F51 (previously circulated) which sought approval for the establishment of a Joint Task and Finish Group with Members of Forest Heath District Council (FHDC) to establish the principles for reviewing both authorities’ Constitutions and oversee the process on behalf of elected Members.

St Edmundsbury Borough Council's (SEBC) Constitution was introduced in 2002, as a result of the Local Government Act 2000, and followed national guidance at that time. FHDC's was introduced voluntarily in 2012, reflecting 10 years' practical experience of new constitutions nationally. As a result, while the two documents shared common characteristics, they varied in terms of detail.

Following the creation of a joint workforce for West Suffolk, there had been a natural progression to closer working between Members. Joint meetings of Cabinet and Overview and Scrutiny Committee had already been held and more were planned. However, this had exposed differences in procedures and joint working would clearly run more smoothly if both Councils had one consistent set of core rules, but still with flexibility or local variation in terms of decision-making structures to reflect different needs.

Members of the Task and Finish Group would initially begin analysing how they would wish the respective Constitutions to evolve. It was proposed to start with a series of principles which would address matters outlined in Section 4.1 of the report. The report then provided details of how the new Constitution would develop and that a final version was expected to be adopted and implemented in early 2015.

It had been proposed that Members forming the SEBC side would comprise three members of the Conservative Group and one other Member, therefore it was proposed that Councillors Houlder, Nettleton, Ray and Thorndyke be appointed to the group.

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

RESOLVED: That

- (1) a joint Constitution Task and Finish Group be set up with Forest Heath District Council comprising four Members from each authority (three from the Conservative Group and one Other), namely Councillors Houlder, Nettleton, Ray and Thorndyke;
- (2) the Group report to the September 2014 meeting of Council with recommendations for the principles on which the reviewed Constitutions will be based; and
- (3) the Group then guide the officers in bringing forward final proposals for Constitutional changes before the end of 2014/2015.

31. **Date for Annual Council 2015**

The Council received and noted a narrative item which proposed a new date for the Annual Meeting of Council in 2015.

Council Procedure Rule 1.1.1 stipulated the day for the Annual Meeting as the '*second Thursday following the four yearly elections*' which in 2015 would be 21 May, coinciding with the Annual Meeting of Suffolk County Council in 2015.

In order for the date for Annual Council 2015 to be changed, the Council Procedure Rules contained in Part 4 of the Constitution needed to be amended. Rather than make piecemeal changes to the Constitution now, Members agreed that the required amendment should be considered as part of the Constitutional Review as referred to in minute 30 above and brought back to Council for approval at a later date.

In the meantime, Members therefore noted the proposed new date of Tuesday 19 May 2015.

32. **Motion on Notice**

Councillor Beckwith had given notice under paragraph 12.1 of the Council Procedure Rules of the following motion:

'That the Council carries out a partial Community Governance Review with a view to creating a Parish Council encompassing the existing borough council ward of Moreton Hall'.

Councillor Beckwith considered that although a lower tier of local government, a parish council would provide local people with a greater say on issues that affected their lives, such as the significant expansion of Moreton Hall during recent years and that proposed as part of Bury St Edmunds Vision 2031. The process for gathering the opinion of local residents regarding the potential parishing of Moreton Hall could start if the proposal provided in the motion was accepted.

The motion was duly seconded by Councillor Nettleton.

In accordance with paragraph 12.5 of the Council Procedure Rules, contained in Part 4 of the Constitution, this matter was referred to the appropriate forum for consideration as it would potentially involve the Council in expenditure not included in the approved revenue or capital budget. The appropriate forum for this matter to be referred was the Democratic Renewal Working Party.

No discussion was therefore held on this item.

33. **Report on Special Urgency**

The Council received and noted a narrative item, as required by the Council's Constitution, in which the Leader of the Council reported that at the time the Council agenda was published, no executive decisions had been taken under the special urgency provisions of the Constitution.

(Councillor Nettleton left the meeting at the conclusion of this item and did not return.)

34. **Reports and Questions**

- (a) Report from the Leader of the Council: Councillor Griffiths
(Report F53)

The following topics were the subject of questions put to Councillor Griffiths, who duly responded:

- (1) although the new Anglia Local Enterprise Partnership had acknowledged the Eastern Relief Road at Moreton Hall as

their top priority infrastructure project, the relief roads for North East and North West Haverhill still remained priority projects for delivery; and

- (2) how Councillor Cox was the first Borough Councillor to allocate a proportion of his locality budget to a project in his ward.

(b) Report from the Cabinet Member for Health and Communities Portfolio: Councillor Mrs Mildmay-White (Report F54)

The following topic was the subject of a question put to Councillor Mrs Mildmay-White, who duly responded:

- (1) regarding section 1.2 of Report F54, who was covering the cost of the independent building survey to be undertaken at Westbury Community Centre and how much it would be.

Councillor Mrs Mildmay-White agreed to provide a written response to this question.

(Councillor Griffiths left the meeting at the conclusion of this item and did not return.)

(c) Report from the Cabinet Member for the Waste and Property Portfolio: Councillor Stevens (Report F55)

Councillor Stevens drew attention to the launch of the new County wide energy efficiency programme, Suffolk Energy Action, and explained that this initiative was being effectively promoted and publicised to encourage the reduction of carbon emissions through energy efficiency improvements.

No questions were asked.

(d) Report from the Cabinet Member for the Housing Portfolio: Councillor Mrs Gower (Report F56)

Councillor Mrs Gower drew attention to Section 1.2 of her report and the community events taking place in Haverhill, including the East Town Park Sundial Project which was commemorating those that fell in World War I. She expressed her apologies to Councillor Mr Cox, as it had previously been agreed that he would liaise with both Samuel Ward and Castle Manor Academies to invite pupils to perform at the unveiling ceremony, which had unfortunately been slightly delayed. The appropriate Locality Officer would contact Councillor Mr Cox directly regarding this matter. Councillor Mrs Gower also made reference to Haverhill Silver Band's and the Haverhill Operatic Society's 'Les Ager Memorial Concert' held at The Apex on 19 June 2014; the proposed disposal of 10 Well Street in Bury St Edmunds; and the purchase of a five-bedroomed former House in Multiple Occupation in Bury St Edmunds which would be used as flexible, short term accommodation for those in need, thus saving on bed and breakfast costs.

The following topics were the subject of questions put to Councillor Mrs Gower, who duly responded:

- (1) whether any occupants of properties had been evicted as a result of the so-called 'bedroom tax';
- (2) keeping Ward Members for Haverhill East updated on the proposals for Chalkstone Community Centre; and
- (3) the desire to allocate New Homes Bonus funding towards the provision of satisfactory accommodation for homeless people.

(e) Report from the Cabinet Member for the Resources and Performance Portfolio: Councillor Ray (Report F57)

Councillor Ray reported that the draft Statement of Accounts for 2013/2014 had been completed and submitted to the external auditors. He commended the finance team for their work on this matter, particularly as they had completed the draft accounts whilst facing new challenges following the installation of the new Agresso computer software. With reference to Section 2.6 of the report, the West Suffolk Procurement Strategy had been approved by Cabinet on 24 June 2014. In addition, Councillor Ray stated that following the successful frontline councillor sessions held earlier this year, three further events had been arranged, as follows:

- (a) 14 July 2014: Being More Commercial;
- (b) 22 September 2014: Change and Transformation in the Public Sector; and
- (c) 27 October 2014: Planning Our Budget for the Next Financial Year, and Review of the Outcomes of the Ongoing Budget Consultation.

The following topics were subject to questions put to Councillor Ray, who duly responded:

- (1) in respect of Section 3.1.1, whether the quoted 'significant savings' for 2015/2016 expected to be achieved as a result of new partners joining the Anglia Revenues and Benefits Partnership were available in 2014/2015; and
- (2) whether the Anglia Revenues and Benefits Partnership Team had undertaken customer services training.

(Councillor P J Hopfensperger left the meeting at the conclusion of this item and did not return.)

(f) Report from the Cabinet Member for the Economic Growth Portfolio: Councillor Pugh (Report F58)

Prior to the meeting, Councillor Nettleton had identified the following typographical and factual errors within this report:

- (1) Section 2.2: 'Ayre Close' should read 'Eyre Close'; and
- (2) although 'M' was the thirteenth letter of the alphabet, Zone M was actually the eleventh permit parking zone in Bury St Edmunds and not the thirteenth, as printed.

The following topics were the subject of questions put to Councillor Pugh, who duly responded:

- (1) whether the trial of car parking restrictions introduced for Lawson's Place, Moreton Hall and Southgate Community Centre were to be implemented on a permanent basis;
- (2) why no elected Members that resided in Haverhill were on the ONE Haverhill Board and reference was made to the holding of these meetings in public;
- (3) how successful the recently held youth market was in Haverhill; and
- (4) why no Haverhill Members were involved in meetings that discussed proposed pay on exit schemes.

(g) Report from the Cabinet Member for the Planning and Regulation Portfolio: Councillor Clements (Report F59)

(Councillor Mrs Broughton declared a pecuniary interest as her husband was the owner of an area of land referred to in the Bury St Edmunds Vision 2031 document and left the meeting during the consideration of this item.)

Councillor Clements was pleased to report that the planning application for North West Haverhill had been approved by the Development Control Committee and how a Masterplan for the Gurteens site in Haverhill was being prepared in order to provide a framework for the future use of this site.

The following topic was the subject of a question put to Councillor Clements, who duly responded:

- (1) the present situation regarding the development of a revised Street Vending/A Boards Policy.

(Councillor Thorndyke left the meeting at the conclusion of this item and did not return.)

(h) Report from the Cabinet Member for Leisure, Culture and Heritage Portfolio: Councillor Mrs Stamp (Report F60)

Councillor Mrs Stamp drew attention to Section 2.1.2 of her report and encouraged Members to attend the launch of the 1970s exhibition at Moyses Hall museum, which was scheduled to open in early July 2014.

The following topics were the subject of questions put to Councillor Mrs Stamp, who duly responded:

- (1) the faulty gate mechanism at East Town Park in Haverhill and whether access could be gained by the secret shopper;
- (2) the Green Flag Scheme referred to in Section 1.1.2; and

(3) the provision of new chairs at The Apex and whether these were being funded by Sodexo.

(i) Report from the Chairman of the Overview and Scrutiny Committee: Councillor Houlder (Report F61)

No questions were raised.

(j) Report from the Chairman of the Performance and Audit Scrutiny Committee: Councillor Mrs Broughton (Report F62)

The following topic was the subject of a question put to Councillor Mrs Broughton who duly responded:

(1) the numbers of documents attached to registered planning applications that were not associated with the applications themselves.

(v) Questions to the Chairmen of other Committees

No questions were raised.

35. **Conclusion of Business**

The meeting concluded at 10.38 pm.

MAYOR