

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

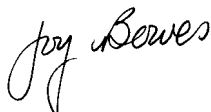
JOY BOWES
Head of Legal
and Democratic Services

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

19 September 2012

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 **Thursday 27 September 2012** 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 Reverend Manette Crossman, Curate at St Mary's, Haverhill.

(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 meetings of the Council held on 19 June 2012 and 1 August 2012 (Special Meeting)** (copies 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 pecuniary or local non pecuniary 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 Wednesday 26 September 2012**. The written notification should **detail the full question** to be asked at the meeting of the Council.)*

7. **Schedule of Referrals from Cabinet, Joint Development Management Policies Committee and Democratic Renewal Working Party**

Schedule attached as Report **D142**.

8. **Statement of Accounts: 2011/2012**

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 25 September 2012, after the distribution of these Council papers, the Committee will scrutinise the Annual Statement of Accounts for 2011/2012, as contained within Report **D140** to Performance and Audit Scrutiny Committee, copy attached. Following the Committee meeting a report will be prepared that will detail any comments or additional recommendations made by the Committee.

The Council is **RECOMMENDED** to approve the Statement of Accounts 2011/2012, contained within Report **D140**.

9. **Question on Notice**

Councillor Nettleton has given notice under paragraph 11.2 of the Council Procedure Rules of the following question to Councillor Mrs Gower, Portfolio Holder for Housing, Licensing and Environmental Health:

'What immediate action, if any, is being taken to bring 103 Northgate Street, Bury St Edmunds, into use as a dwelling as it has been empty and semi-derelict for 14 years and the Borough Council has so far failed to act decisively?'

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'.

10. **New Standards Regime: Independent Persons**

Report **D143** attached.

11. **Management Restructure: Changes to the Constitution**

Part 3 of the Council's Constitution contains a Scheme of Delegation setting out the functions that have been delegated to specific officer posts. As a result of the restructure that is due to take effect shortly, it is necessary to amend the delegations so that the new Directors and Heads of Service can carry out their duties immediately they are appointed.

Attached as Paper **D144** is the revised delegation scheme as it applies to the new Director and Head of Service posts.

Council is therefore **RECOMMENDED** to:-

- (1) approve the delegations set out in Paper D144; and**
- (2) give delegated authority to the Chief Executive, in consultation with the Leader of the Council, to make further minor consequential changes arising from changes in job title or duties which do not materially affect the terms of the Constitution.**

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 preceding 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 D145 attached)*

(ii) *Reports from each Member of the Cabinet, namely:-*

	<u>Portfolio</u>	<u>Cabinet Member</u>	<u>Report No</u>
(a)	Culture and Sport	Cllr. Sara Mildmay-White	(D146 attached)
(b)	Environment and Waste Management	Cllr. Peter Stevens	(D147 attached)
(c)	Housing, Licensing and Environmental Health	Cllr. Anne Gower	(D148 attached)
(d)	Performance and Resources	Cllr. David Ray	(D149 attached)
(e)	Planning and Transport	Cllr. Terry Clements	(D150 attached)
(f)	Tourism and Community Services	Cllr. Robert Everitt	(D151 attached)

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

Report D152 attached.

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

Report D153 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 - 5 July;
2, 16 August; and
6 September 2012

PART 2 - PRIVATE

NONE