

MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL

Minutes of the Meeting of the Council held on Tuesday 26 February 2013 at 7.00pm in the Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds.

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

71. Prayers

The Mayor's Chaplain, Reverend Canon Ian Finn, Rural Dean of Clare and Rector of Haverhill, opened the meeting with prayers.

72. Minutes

The minutes of the meeting of the Council held on 18 December 2012 were confirmed as a correct record, subject to the removal of Councillor Marks from the list of attendees as he was already shown as being in the Chair, and signed by the Mayor.

Under Minute 62 (A) (6) a question was raised as to whether the figure of £130,000 per year for production of the Home Link Magazine was correct, and a written response was requested.

73. Mayor's Communications

The Mayor reported on the 29 civic engagements which he and the Mayoress had attended in the 10 weeks since the last meeting of Council on 18 December 2012. A further 2 engagements had been attended by Deputy Mayor, Councillor Spicer, and another by past mayors Councillors F Warby and Mrs P Warby on behalf of the Mayor. There had been relatively few engagements during this period compared to the last, and the Mayoralty was now entering a period of fund raising, which had commenced with a Chinese New Year Dinner, for which the Mayor was indebted to Councillor Chung for his help in arranging this successful event.

74. Announcements from the Leader of the Council

Councillor Griffiths, Leader of the Council, advised the Council that all staff and Members were to be congratulated that tonight the Council was looking to freeze Council Tax for the fourth year in the last five, whilst at the same time maintaining services. He also took the opportunity to update Members on progress with the shared Pay and Reward Strategy between St Edmundsbury and Forest Heath District Council, which had received approval from the Unison National Office, and would now be the subject of a ballot of local Unison members. Special thanks should go to the Chief Executive and the Head of Human Resources for their work in progressing this important strategy on behalf of the Council, and to all officers from both councils for the

development of a strategy which would mean the important shared services work would continue to its planned timetable.

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

Apologies for absence were received from Councillors Ager, Beckwith, Mrs Broughton, French and Rout.

Under this item the Head of Legal and Democratic Services drew Members' attention to the two extra documents which had been circulated, these being addenda to Reports D301 and D302.

76. **Declarations of Interest**

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

77. **Public Question Time**

Mr Simon Harding of Bury St Edmunds asked was it acceptable for the less well-off to subsidise the entertainment of the better-off at The Apex?

In reply, **Councillor Mrs Mildmay-White, Portfolio Holder for Culture and Sport**, reminded Mr Harding that the administration of this Council had worked tirelessly to reduce its overheads, and had been successful in making £2.3 million of cumulative savings with Forest Heath District Council, whilst at the same time being committed to economic growth. The Council had invested in the town centres, which had resulted in attracting businesses to them and making them attractive places for people to visit. The Leader had worked with the Local Enterprise Partnerships and attracted £4 million of investment into Haverhill Research Park.

The Council was also committed to providing subsidised sports and leisure facilities across the Borough, including world class venues which gave all sections of the community the chance to participate in sports and leisure activities. The support the Borough Council gave to such initiatives had ensured that the Arts Council continued to invest in the Borough, and helped to continue the provision of entertainment at reasonable cost. A family heritage ticket for up to 5 people gave entry into various Borough leisure facilities at a cost of only £30 for a year. The administration was committed to continuing such provision, and at the same time had been successful in not increasing Council Tax for four years out of the past five.

Mr Simon Harding of Bury St Edmunds asked, if Suffolk County Council recommended changes to St Andrew's Street South, would St Edmundsbury Borough Council lobby hard to maintain the right for the disabled to park, as now, when using the Post Office's disabled counter in St Andrew's Street South?

In reply, **Councillor Terry Clements, Portfolio Holder for Planning and Transport**, advised that whilst the Council would certainly push for the type of scheme which it felt was best for the Borough, it would be impossible to give an answer on specific points until the scheme had been put forward by the County Council.

As a supplementary question, **Mr Harding** asked whether the Council would lobby to maintain the right for shoppers to park outside Palmers, the fish and chip shop and Tesco Express in St Andrew's Street South, especially when collecting or returning goods.

In reply, **Councillor Clements** advised that the Council would look at the overall scheme when this was put forward and consider what was most appropriate.

Mr Tom Murray of Bury St Edmunds asked how long the Council intended to subsidise The Apex, and whether the amount shown in the current budget would increase.

In reply, **Councillor Mrs Mildmay-White** reminded Mr Murray that this figure included a large amount of over £150,000 for maintenance costs to provide a refurbishment fund. Renewals funds had existed before for items such as refuse freighters, but not for the refurbishment of leisure facilities. Whilst it was intended to bring down the subsidy over time, it had always been clear that the arts element of The Apex would always require a subsidy, in the same way as other arts venues in the Borough.

The Council's investment in the arts generated at least a five-fold return to the local economy. If The Apex were to be unsubsidised, then people would have no choice but to travel to larger cities for such entertainment. It was intended that the subsidy would come down over time, and there was no intention to see it increase. The Council was now working with Sodexo Prestige to provide catering and hospitality facilities at The Apex, and was aiming to increase conference business, and both of those initiatives should also assist to bring the subsidy down over time.

As a supplementary question, **Mr Murray** asked what the cut-off point for the subsidy would be.

In reply, **Councillor Mrs Mildmay-White** advised that that point had not yet been reached.

Mr Tom Murray of Bury St Edmunds asked when the scaffolding behind the former Woolworths store in St Andrew's Street South was due to come down, and whether this would be prior to the start of the tourist season.

In reply, **Councillor Clements** agreed to provide a written response.

Mr Simon Harding of Bury St Edmunds asked whether the recently released Freedom of Information response concerning fire safety at The Apex had reduced capacity and income, how long the Council had known about this issue, and what action it proposed to take.

In reply, **Councillor Mrs Mildmay-White** agreed to provide a written response.

Mr Simon Harding of Bury St Edmunds asked whether the Council would support the new Chief Executive in investigating what went wrong at The Apex, and what the Council intended to do about this.

In reply, **Councillor Mrs Mildmay-White** advised that an extensive two-year review of the operation of The Apex had been undertaken, and all the details Mr Harding required could be found in that report, which was a public document.

Mr Simon Harding of Bury St Edmunds asked whether the Council would consider allowing only moveable "A-Boards" of similar size and design to be placed on the highway, and whether charges were being considered for such Boards.

In reply, **Councillor Griffiths, Leader of the Council**, advised that the Overview and Scrutiny Committee had carried out an extensive review of the issue of A-Boards on the highway. **Councillor Nettleton, Chairman of the Overview and Scrutiny Committee**, advised that he would arrange for Mr Harding to be sent copies of the reports which had been considered by the Committee, which would answer all Mr Harding's questions.

Mr Tom Murray of Bury St Edmunds asked why the Council Tax precept paid to Bury St Edmunds Town Council was so much lower than that paid to Haverhill Town Council.

In reply, **Councillor Ray, Portfolio Holder for Performance and Resources**, explained that the parish and town councils set their own precept, and then requested the Borough Council to collect it for them. Haverhill Town Council's precept was higher because that Town Council provided a wider range of services to Haverhill than Bury St Edmunds Town Council provided to Bury St Edmunds. It was a matter for the town councils themselves to set their precepts, not for the Borough Council.

78. **Mayoralty 2013/2014**

Councillor Hale, Chairman of the Mayoral Advisory Committee, reported informally that following a discussion on a number of excellent candidates, the Committee had unanimously recommended that at the Annual Meeting of Council, Councillor Terence (Terry) Buckle be nominated for election as Mayor for the 2013/2014 civic year.

Councillor Buckle advised the Council that he would be honoured to accept the nomination.

79. **Schedule of Referrals from Cabinet, Standards Committee and Democratic Renewal Working Party**

The Council considered the Schedule of Referrals contained within Report D301 (previously circulated).

(A) Referrals from Cabinet: 13 February 2013

(A)(1) Treasury Management Performance and Annual Treasury Management and Investment Strategy 2013/2014

Councillor Ray introduced this item and drew relevant issues to the attention of Council.

In response to a question, Councillor Ray advised that he did not feel that the downgrading of the country's Triple A credit rating

would affect the Council's Treasury Management and Investment Strategy, as it was concerned with the ratings of the individual organisations with which the Council invested its money.

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

RESOLVED:

That the Annual Treasury Management and Investment Strategy for 2013/2014, attached as Appendix 2 to Report D252, be approved.

(A)(2) Council Tax Base for Tax Setting Purposes 2013/2014 and Changes to the Level of Discounts and Exemptions in Respect of Second Homes and Some Classes of Empty Properties

Councillor Ray advised of new powers within the Local Government Finance Act 2012 for local authorities to reduce the level of discounts and exemptions currently granted in respect of second homes and some classes of empty properties. The cut to the government grant had been confirmed as 10%, and several Councillors had taken the opportunity to attend a briefing on how the shortfall would be met.

It had been agreed that the Council would charge working age Council Tax Benefit claimants 8.5% of the tax which would normally apply. The rest of the shortfall would be made up by changes to discounts on empty properties, second homes, and the empty homes premium, which were set out in the report. This solution would be in place for one year, following which it could be amended if needed. The measures put in place were intended to spread the load as evenly and fairly as possible.

In response to questions, Councillor Ray advised that:

- (1) it was recognised that collecting 8.5% of the tax from working age claimants could potentially be difficult, and for that reason the Council had based its figures on an assumption that only 90% would be collected, although the Council would work hard to achieve collection of the entire amount payable;
- (2) the new scheme would not discourage people from registering on the Electoral Register, as they needed to be known to the system in order to receive their benefits;
- (3) St Edmundsbury only accounted for approx. 12% of the overall Council Tax, and the impact of the changes would be far greater on the larger preceptors. For this reason, even if St Edmundsbury were to fund its gap through other measures, such as selling land or assets, this would still leave a huge gap for Suffolk County Council to fill;
- (4) the very small second home discount of 5%, which attracted only £2,000 in income, was being retained in order that the Council could keep track of the number of second homes in the Borough; and

- (5) the process for consideration of any changes to the scheme following its first year of operation would be much the same as for this year, ie consideration by Cabinet as part of the budget setting process and recommendations to full Council.

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

RESOLVED: That

- (1) the changes to the level of discounts and exemptions currently granted in respect of second homes and some classes of empty properties, as outlined in paragraph 4.7 of Report D277, be approved;
- (2) the tax base for 2013/2014, for the whole of its area, is 34,380.85 equivalent Band 'D' dwellings, as detailed in paragraph 4.14 of Report D277, be noted;
- (3) the tax base for 2013/2014 for the different parts of its area, as defined by Parish or special expense area boundaries, as shown in Appendix 2 to Report D277, be noted; and
- (4) delegated authority be given to the Head of Resources and Performance, in consultation with the Portfolio Holder for Performance and Resources, to design a scheme that aims to compensate Parish and Town Councils for the net changes agreed as part of the Local Council Tax Support scheme (Cabinet Report D224 – 12 December 2012) and the changes proposed within paragraph 4.7 of Report D277.

(A)(3) Budget and Council Tax Setting: 2013/2014

The recommendations emanating from the Cabinet's consideration of the above report were contained within Report D303, Budget and Council Tax Setting: 2013/2014, on this full Council agenda, and no decision was therefore required at this point in the proceedings.

(A)(4) Providing Flexibility Over the Start Time for Annual Council

Councillor Mrs Mildmay-White advised the Council that in order to provide some flexibility over the start time to this important event in the annual cycle of meetings, a change was proposed to the Constitution. This change would provide the flexibility to explore a later start time, which could aid the planning of a more compact programme of events on the day of Mayor Making which would be more accessible and relevant to stakeholders and the key strategic partners of the Council.

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

RESOLVED:

That the existing Council Procedure Rules at 1.1.1 of Part 4 of the Constitution be replaced with the following: 'The timing of the Annual Meeting of the Council will be established by the Head of Legal and Democratic Services, following consultation with the Leader of the Council and the Chairman of the Mayoral Advisory Committee, the meeting to be held on the second Thursday following the four yearly elections, or if there are no elections, the third Thursday in May'.

(A)(5) Suffolk Joint Health and Wellbeing Strategy

Councillor Mrs Mildmay-White advised Council that all those with representation on the Suffolk Joint Health and Wellbeing Board, including St Edmundsbury, were required to agree the content of the Joint Health and Wellbeing Strategy (JHWS) and contribute to its implementation through the Council's service delivery where appropriate in terms of meeting local need and matching the policies and resources of the individual partner organisations.

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

RESOLVED: That

- (1) the Joint Health and Wellbeing Strategy for Suffolk developed by Suffolk's Health and Wellbeing Board, as contained in Appendix 1 to Report D282, be approved as part of the St Edmundsbury policy framework; and
- (2) it be agreed that St Edmundsbury will contribute to the implementation of the Joint Health and Wellbeing Strategy through its service delivery mechanisms (where appropriate in terms of meeting local need and matching the policies and resources of the Council), and through membership of the Suffolk Health and Wellbeing Board which has the statutory duty to produce the Strategy and Joint Strategic Needs Assessment.

(Councillor Mrs Richardson left the meeting at the conclusion of this item).

(A)(6) Triennial Review of Gambling Act 2005: Statement of Licensing Principles

Councillor Mrs Gower advised the Council that the Gambling Act 2005 required the Council, as the licensing authority, to review its Statement of Licensing Principles every three years.

On the motion of Councillor Mrs Gower, seconded by Councillor Cockle, and duly carried, it was

RESOLVED: That

- (1) the Gambling Act 2005: Statement of Licensing Principles, as set out in Appendix A of Report D253, be adopted; and
- (2) the Head of Planning and Regulatory Services be given delegated authority, in consultation with the Portfolio Holder for Housing, Licensing and Environmental Health, to make any minor typographical, grammatical, factual or contextual changes to the Gambling Act 2005: Statement of Licensing Principles, provided they do not materially affect the meaning of the document.

(A)(7) Suffolk Flood Risk Management Strategy

Councillor Clements advised the Council that the Flood and Water Management Act 2010, Section 9, required Suffolk County Council, as Lead Local Flood Authority, to develop, maintain, apply and monitor a strategy for local flood risk management in its area. Section 9 of the Act required the County Council to consult with the other 'flood risk management authorities (local authorities, Environment Agency, water companies and Internal Drainage Boards) that may be affected by the strategy' as well as the public.

Councillor Clements encouraged Members to look at the maps associated with the Strategy, and to notify any inaccuracies to the County Council.

On the motion of Councillor Clements, seconded by Councillor Thorndyke, and duly carried, it was

RESOLVED:

That the content of the Suffolk Local Flood Risk Management Strategy, as contained in Appendix 1 to Report D266, be adopted.

(A)(8) Joint Development Management Policies: Submission

Councillor Clements advised the Council of the latest stage of the Joint Development Management Policies, following the most recent 'submission version' consultation which took place between October and December 2012. This consultation sought comment on matters of 'soundness' and 'legal compliance'.

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

RESOLVED: That

- (1) the Joint Development Management Policies document, as attached at Working Paper 2 to

Report D110, be approved for submission to the Planning Inspectorate;

- (2) the possibility of further consultation being necessary in relation to the potential impacts on this document of the revocation of the Regional Spatial Strategy (RSS) be noted;
- (3) delegated authority be given to the Head of Planning and Regulatory Services, in consultation with relevant Portfolio Holders from each authority, to make minor changes to the document, as required, as a result of discussion and negotiation with interested parties prior to the Examination in Public; and
- (4) a method be brought forward whereby all Members can be kept informed of changes to the document being recommended to the Inspector.

(B) Referrals from the Standards Committee: 23 January 2013

(B)(1) Joint Standards Committee for West Suffolk (Report D256)

Councillor Thorndyke, Chairman of the Standards Committee, advised the Council of the discussions on the establishment of a Joint Standards Committee with Forest Heath District Council (FHDC) which had taken place at the last meeting of the Standards Committee. The principle of a Joint Committee had been agreed, and the Committee had also made recommendations regarding chairmanship, and the time and venue of meetings.

As these recommendations were different to those proposed by FHDC, the Chairman proposed that recommendations (4), (5) and (6) from the Committee be replaced by a single recommendation that the Joint Committee set its own working practices, taking into account the recommendations of the Standards Committees of both councils.

Additionally, in order for the Joint Committee to be outside of the political balance rules, a further recommendation from full Council was required. For clarification purposes an addendum to Report D301 was circulated which set out the recommendations which the Council was being asked to approve.

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

RESOLVED: That

- (1) full Council approve the establishment of a Joint Standards Committee with Forest Heath District Council;
- (2) the Joint Standards Committee comprise three Members from each authority, and have the

Terms of Reference set out in Appendix A to Report D256;

- (3) one substitute Member also be appointed from each authority;
- (4) the Joint Standards Committee set its own working practices taking account of the recommendations of the Standards Committees of both St Edmundsbury and Forest Heath Councils; and
- (5) arrangements for appointments to the Joint Standards Committee be made without compliance with the political balance requirements in Sections 15 and 16 of the Local Government and Housing Act 1989.

**(C) Referrals from Democratic Renewal Working Party:
14 February 2013**

(C)(1) Amendment to the Schedule of Polling Places (Agenda Item 5)

Councillor Mrs P Warby advised Members that, due to the non-availability of a polling station in Sapiston Parish for the County Council Elections on 2 May 2013, the Working Party recommended an amendment to the Schedule of Polling Places to allow electors in Sapiston Parish to poll in Honington Parish (Village Ward) when required. As the parishes were adjacent to each other, this would not inconvenience voters.

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

RESOLVED:

That the Schedule of Polling Places be amended to allow electors in Sapiston Parish to poll in Honington Parish (Village Ward) when required.

(C)(2) Members' Overnight Subsistence (Report D293)

Councillor Mrs P Warby advised the Council that this issue had been discussed several times by the Democratic Renewal Working Party, which had requested a report setting out the circumstances in which a variation from the limits for overnight subsistence set out in the Members' Allowances Scheme could be authorised. Although officers had advised that this would be dealt with under standard financial authorities in the Council's Constitution, it was recommended that, for the sake of clarity, a line should be added in the Travel and Subsistence part of the Members' Allowances Scheme to state that these maximums may be exceeded where authorised by a Head of Service.

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

RESOLVED:

That for the sake of clarity, the sentence "the overnight subsistence allowance may be exceeded on the authorisation of a Head of Service, for example in order for a Member to stay in a hotel associated with a particular conference" be added to Schedule 4 of the Members' Allowances Scheme in the Council's Constitution.

(C)(3) Amendments to the Constitution (Report D294)

Councillor Mrs P Warby advised the Council that each year the Constitution was updated to reflect the changes which had been agreed through full Council. In working through the Constitution to make these amendments, several other inaccuracies had been spotted, and the Working Party recommended that authority be given to make relevant changes to the Constitution to bring it up to date.

Alongside these changes, amendments were requested to the procedure rules on the recording of Council meetings, and authority requested to amend the Policy Framework. These and the other proposed changes were repeated in Report D301 for clarification purposes.

In response to a question the Head of Legal and Democratic Services clarified that the changes to officer job titles referred to in the paper were to make changes where officers referred to in the Constitution had either changed their job titles, or a different officer was now responsible for a particular issue, for example following the implementation of the new Joint Leadership Team. It was also clarified that, due to the cost of printing and production, new copies of the Constitution would only be provided to Members on request.

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

RESOLVED:

That the Head of Legal and Democratic Services be given delegated authority to make the amendments to the Constitution outlined in Section 5 of Report D294, in order to remove inaccuracies.

80. Budget and Council Tax Setting: 2013/2014

(Councillors Chung, Cockle, Everitt, Farmer, Oliver, Simner, Springett and Mrs P Warby declared local non-pecuniary interests in Schedule 5 to Appendix I to report D302 as Members of Bury St Edmunds Town Council, and remained in the meeting during the consideration of this report).

The Council considered Report D302 (previously circulated) which recommended that the level of Band D Council Tax for 2013/2014 be set at the same level as for 2012/2013, at £175.23.

Subsequent to Report D302 being distributed, the Borough Council had received notification of an amendment to the precept set by Horringer Parish Council, which resulted in amendments to Appendices I and J, which were tabled at the meeting. Additionally, the precepts set by the Suffolk County Council and the Suffolk Police Authority had been confirmed, resulting in amendments to Recommendation 2.2 (vi), and clarification was given that finalisation of the precepts from the Bury St Edmunds and Haverhill Town Councils was awaited, resulting in amendments to Recommendations 2.2 and 2.2 (vi). Details of these amendments were also tabled at the meeting. Finally, Councillor Ray advised that the figure for the Suffolk County Council precept shown in paragraph 4.11.5 on page 13 of the report should be £39,068,646.

The Council was required to consider the budget for the Borough Council, and set the level of Council Tax for 2013/2014 to fund this budget. The proposed 2013/2014 net revenue budget was £11.843m, compared to the 2012/2013 net budget of £11.739m. Efficiency savings totalling £0.999m, arising from shared services with Forest Heath District Council (FHDC), together with other local savings initiatives, were being proposed. It was estimated that £11.43m would be spent on the Council's capital programme during 2013/2014, to be funded from a combination of grants and contributions (£5.15m), earmarked revenue reserves (£2.03m) and usable capital receipts reserve (£4.25m).

Councillor Ray, Portfolio Holder for Performance and Resources, introduced the budget, starting with the headline announcement that it was proposed that there would be no increase in the St Edmundsbury element of the Council Tax in 2013/14. The Police Authority and Suffolk County Council had also frozen their elements of the Council Tax, so the only movement for St Edmundsbury residents would be a small increase or a small decrease where their parish council had chosen to increase or decrease their element of the tax. It was known that 28 parishes had chosen to increase their precept, and 12 to reduce it.

Overall this was good news for Council Tax payers. From a Council perspective, the Borough had coped with significant changes arising from the localisation of business rates, the local council tax support scheme, the effects of inflation and cuts in Central Government funding over several years, and had still maintained its debt free status. This had been achieved through further local savings, as well as through sharing services with Forest Heath District Council.

The Council was required, in considering the budget, to take note of the Chief Finance Officer's report, at Appendix E to the report. The conclusion of the Chief Finance Officer was that overall estimates were robust, taking into account known risks and mitigating strategies, and that the reserves were adequate for the 2013/14 budget plans. Members were asked to have regard to this report when making their decisions on the 2013/14 budget.

Councillor Ray pointed out some highlights of the report, including the government's Council Tax Freeze Grant, which was, however, a short term solution, not a long term grant replacement, and the cumulative effect on the Council's finances would be that Council Tax failed to rise in line with inflation. The shared services savings on page 7 of the report had played a major part in enabling the Council to meet its savings target, however there was a risk that the proposed savings

could be under-achieved, although they could equally be exceeded. Councillor Ray also pointed out details of the Business Rates Retention Scheme on page 8, the Capital Programme on Page 9, and the key assumptions of the Medium Term Financial Strategy and expected budget gaps on page 10.

Councillor Ray thanked the Chief Finance Officer, Director Liz Watts and all Finance staff for their work in pulling this budget together, and all staff and Councillors for their efforts in making the Council's business more effective.

In seconding the recommendations, Councillor Griffiths echoed Councillor Ray's thanks to officers and Councillors who had contributed to this budget whilst maintaining services.

In response to questions, Councillor Ray advised that:

- (1) a written response would be provided in respect of the asset disposals set out in Table 4 on Page 9 of the report;
- (2) the Council Tax Base was set based on a Band D equivalent. The figures at 4.11.2 appeared to show a lower number of properties than the year before, but did not reflect a lower number of actual properties, but rather changes to the council tax support scheme coming from Central Government which resulted in a lower Council Tax base for Council tax setting purposes;
- (3) the New Homes Bonus could be spent how the Council saw fit, not necessarily to build new homes;
- (4) the Medium Term Financial Strategy had to include assumptions, but could be changed;
- (5) the core funding grants were on a 4-year basis, and the budget showed the overall funding position of all core funding grants given by the Borough Council; and
- (6) Anglia Revenues Partnership was a shared service between the Borough Council and three other councils.

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

RESOLVED: - That

- (1) having taken into account the information received by Cabinet on 13 February 2013 (Report D279) including the Report by the Head of Resources and Performance (S151 Officer) set out at Appendix E, together with the up to date information and advice contained in this report, the level of Band D Council Tax for 2013/2014 be set at £175.23;
- (2) Subject to (1) above, and to the finalisation required by the receipt of precepts from the Bury St Edmunds and Haverhill Town Councils, the following formal Council Tax resolution be adopted: -

- (i) the revenue budget, as summarised in Appendix A to Report D302, together with the shared services and local savings proposals detailed at Appendix C to Report D302, be approved;
- (ii) the revised Capital Programme detailed in Appendix B to Report D302, including the proposed growth of £0.08m to fund the continuation of the Rural Initiatives Grant Scheme during 2013/14, as detailed in paragraph 4.8.4 to Report D302, be approved;
- (iii) the statutory calculations under Sections 30 to 36 of the Local Government Finance Act 1992, as detailed in amended Appendix J to Report D302, be noted;
- (iv) the Suffolk County Council and Suffolk Police Authority precepts issued to St Edmundsbury Borough Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below, be noted:

Precepting Authority	2013/2014 precept by valuation bands							
	A	B	C	D	E	F	G	H
County Council	751.02	876.19	1,001.36	1,126.53	1,376.87	1,627.21	1,877.55	2,253.06
Police Authority	111.18	129.71	148.24	166.77	203.83	240.89	277.95	333.54

- (v) in accordance with Section 30(2) of the Local Government Finance Act 1992, the amounts shown in amended Schedule 4 of Appendix I to Report D302 be agreed as the amount of Council Tax for the year 2013/2014 for each of the categories of dwellings shown;
 - (vi) the Head of Resources and Performance be authorised to finalise, where necessary, the amounts in amended Schedule 4 of Appendix I to Report D302, as required by the precepts to be received from the Bury St Edmunds and Haverhill Town Councils (provisional precept notifications noted in Schedule 5 of amended Appendix I); and
- (3) the Head of Resources and Performance, in consultation with the Portfolio Holder for Performance and Resources, be authorised to transfer any surplus on the 2012/2013 revenue budget to the General Fund, and to vire funds

between existing Earmarked Revenue Reserves, as set out at Appendix F to Report D302, as deemed appropriate throughout the year.

(Councillors Cockle and Redhead left the meeting during the discussion of this item).

(Councillors P Hopfensperger and Simner left the meeting at the conclusion of this item).

81. Collaboration between the Theatre Royal and The Apex

(Councillors Clements and Mrs Stamp declared local non-pecuniary interests as Observers of the Theatre Royal Management Board appointed by the County Council and Borough Council respectively, and remained in the meeting during the consideration of this report).

The Council considered Report D303 (previously circulated) which provided the draft proposals from the Theatre Royal for an alliance to develop the performing arts in and around Bury St Edmunds.

Councillor Mrs Mildmay-White introduced the report and drew Members' attention to key issues. The Theatre would not be seeking a "single operation" model for the two venues at the current time, preferring a less formal model of collaboration, potentially including shared services in relation to the box office function. The two venues would also work together in respect of a more co-ordinated programming approach, the Bury Festival, joint initiatives in marketing and audience development and outreach and learning activities.

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

RESOLVED: That

- (1) the Council welcomes the draft proposals from the Theatre Royal for an alliance to develop the performing arts in and around Bury St Edmunds as set out in Appendix 1 of Report D303, and authorises the Head of Leisure, Culture and Communities, in consultation with the Portfolio Holder for Culture and Sport, to agree and implement the final arrangements for joint working along these lines, including the signing of any agreements, provided that they are consistent with the Council's agreed budgets and policy framework;
- (2) the Council also supports the principle of setting up a joint venture for box office and sales development with the Theatre Royal, subject to the criteria set out in paragraph 4.7.3 of Report D303; and
- (3) a business case and implementation plan for such a joint venture be considered by Cabinet and full Council following the completion of due diligence.

82. **Proposed Change to Date of Development Control Committee Site Inspection Meeting**

The Council considered a narrative item which advised that the date for one of the Development Control Committee (DCC) Site Inspection meetings had been set for 18 April 2013. It had transpired that this date coincided with the issuing of Postal Votes for the forthcoming Suffolk County Council Elections on 2 May 2013. Electoral Services required the whole Conference Chamber on this day to undertake this task and therefore, unless the Council held the DCC Site Inspection meeting at an external venue, which would incur associated costs, suitably-sized accommodation for this meeting was unavailable on the presently arranged date.

With the agreement of the Chairman of the Development Control Committee, Councillor Thorndyke, a change to this date had been recommended to enable the meeting to be held at West Suffolk House, and therefore prevent unnecessary expenditure being incurred as a result of an external venue being hired to accommodate the meeting on the previously arranged date.

On the motion of Councillor Thorndyke, seconded by Councillor Buckle, and duly carried, it was

RESOLVED:

That the date for the Development Control Committee Site Inspection meeting currently arranged for Thursday 18 April 2013 be re-arranged to Tuesday 16 April 2013 to enable the meeting to be held at West Suffolk House.

83. **Dispensation: Councillor Les Ager**

The Council considered a narrative item which explained that Councillor Les Ager had been unable to attend Council meetings since 27 September 2012 due to ill health. Section 85(1) of the Local Government Act 1972 provided that failure to attend for six consecutive months would lead to a Councillor ceasing to be a member of the authority unless, before the end of that six-month period, the authority approved the reason for non-attendance.

In introducing this item the Mayor wished Councillor Ager all the best for a speedy recovery.

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

RESOLVED:

That the non-attendance of Councillor Les Ager at meetings for a period in excess of 6 consecutive months by reason of ill health be approved, in accordance with Section 85(1) of the Local Government Act 1972.

84. **Quarterly 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.

85. Reports and Questions

- (i) Report from the Leader of the Council: Councillor Griffiths (Report D304)

In introducing his report Councillor Griffiths drew Members' attention to an error at Section 4.4 of the report, as the AGM of the New Anglia Local Enterprise Partnership had taken place in the past week, at The Apex. He also advised that the launch of the Suffolk Growth Strategy was due to take place at 8am on Wednesday 27 February 2013, also at The Apex.

No questions were raised.

- (ii)(a) Report from the Cabinet Member for the Culture and Sport Portfolio: Councillor Mrs Mildmay-White (Report D305)

Councillor Mrs Mildmay-White reported on the launch of the Bury St Edmunds Festival, and encouraged all Members to pick up a brochure and take a look at the exciting events planned over the four days of the Festival.

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

- (1) were Members aware that Councillor Farmer would be playing 31 of his own arrangements of Beatles songs on Saturday 13 April in the bar of The Apex from 11am – 12 noon, to raise money for Parkinson's awareness, details to be found at www.paulfarmer.com; and
- (2) as set out at section 7.2 of the report, Elkie Brooks had sung live at The Apex, and there had also been a Frank Sinatra tribute show.

- (ii)(b) Report from the Cabinet Member for the Environment and Waste Management Portfolio: Councillor Stevens (Report D306)

Referring to paragraph 2.4.2 of his report, Councillor Stevens expressed his thanks to the Members and residents of the Borough who had achieved the excellent recycling rates outlined, whilst at the same time reducing the overall tonnage of household waste collected.

Members wished their thanks to be put on record for the tireless efforts of the Council's "outside" staff such as refuse collectors and gritter drivers during the period of heavy snow.

- (ii)(c) Report from the Cabinet Member for the Housing, Licensing and Environmental Health Portfolio: Councillor Mrs Gower (Report D307)

Councillor Mrs Gower advised that the East of England Homelessness Summit was to be held at West Suffolk House on

18 March 2013. This was arranged by the National Housing Federation and the East of England Local Government Association, and she recommended the event to all Members with an interest in homelessness.

Councillor Mrs Gower also referred to section 6.2.1 of her report, which reported on her work with Forest Heath District Council on the Temporary Accommodation Working Group, which was looking at a number of options with regard to the provision of temporary accommodation, including the use of empty dwelling management orders to bring empty properties back into use.

In response to a question, Councillor Mrs Gower felt that it was entirely appropriate that she should report on the ONE Haverhill Board under her report, even though she was on the Board as a County Council Member, as the Borough Council was a partner on the Board.

(ii)(d) Report from the Cabinet Member for the Performance and Resources Portfolio: Councillor Ray (Report D308)

Councillor Ray added his thanks to those expressed earlier to the Chief Executive, the Head of Human Resources and local Unison representatives who had negotiated on the new shared Pay and Reward Strategy a constructive manner, and brought forward an agreement which had received regional and national support from Unison.

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

- (1) does the effect of the new Pay and Reward Strategy mean there will be no pay cuts for low earners.

(ii)(e) Report from the Cabinet Member for the Planning and Transport Portfolio: Councillor Clements (Report D309)

Councillor Clements advised that on 27 February 2013 Members would see the launch of "free from 3", an experimental scheme which would see free parking in Bury St Edmunds from 3pm on Tuesday afternoons. Tuesdays had been suggested by Bid4Bury, as being traditionally quiet afternoons, in the hope that more shoppers may be attracted into the town on that day. A similar scheme was being investigated for Haverhill.

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

- (1) what improvements were being planned for the A1307 corridor, in particular to railway stations.

When asked about contractors using community and Council land in Eden Road and obstructing residents' parking and footways in that road, for the past 5-7 weeks, Councillor Clements asked Councillor Cox to provide him with further information, so that he could follow the issue up.

- (ii)(f) Report from the Cabinet Member for the Tourism and Community Services Portfolio: Councillor Everitt (Report D310)

No questions were raised.

- (iii) Report from the Chairman of the Overview and Scrutiny Committee: Councillor Nettleton (Report D311)

No questions were raised.

- (iv) Report from the Chairman of the Performance and Audit Scrutiny Committee: Councillor Hale (Report D312)

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

- (1) when Members discuss with officers the Key Performance Indicator report at Performance and Audit Scrutiny Committee, given that Cllr Cox was not able to ask all the questions he had at the last meeting, should the recommendation on that report in future state that questions should only be asked on indicators showing as red.

- (v) Questions to the Chairmen of other Committees

The following topic was the subject of a question put to Councillor Thorndyke, Chairman of the Development Control Committee:

- (1) why were Councillor Cox's emails not circulated electronically to Development Control Members prior to the meeting; why have DC staff misquoted policies; why have problems with viewing presentations at DC meetings not been attended to; and why have incorrect minutes been confirmed as correct,

who duly responded that these matters had been raised before, and should have been raised when they occurred rather than at a full Council meeting, and that he was due to meet with the Head of Planning and Regulatory Services, when he would discuss the issues and produce a written response, if Councillor Cox could clarify exactly what he required.

86. **Conclusion of Business**

The meeting concluded at 10.02 pm.

MAYOR