

MINUTES OF ST EDMUNDSBURY BOROUGH COUNCIL

Minutes of the Meeting of the Council held on Tuesday 18 June 2013 at 7.00pm in the Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds.

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

18. Prayers

The Mayor's Chaplain, Reverend Canon Jonathan Alderton-Ford of Christ Church, Moreton Hall, Bury St Edmunds, opened the meeting with prayers.

19. Minutes

The minutes of the meetings of the Council held on 26 February 2013 and 16 May 2013 (Annual Meeting) were confirmed as correct records and signed by the Mayor.

Under Minute 12 of the minutes of the Annual Meeting, Appointment of Vice Chairman of Overview and Scrutiny Committee, Councillor Cox questioned the validity of appointing Councillor Mrs Hind as Vice Chairman as she had previously not been a Member of that Committee. The Head of Legal and Democratic Services advised that it was a function of the Annual Meeting to appoint the Vice Chairman of the Overview and Scrutiny Committee, and that at the time such appointment was made, technically there were no existing appointments to the Committee, as these were made after the meeting of Annual Council, on the nomination of Group Leaders, in accordance with the Annual Review of Political Balance and Appointment to Politically Balanced Bodies.

20. Mayor's Communications

The Mayor advised that details of the 13 engagements which the Mayor and Mayoress had attended since the Annual Meeting of the Council on 16 May 2013 had been circulated with the Members' Bulletin on Friday 14 June 2013.

21. Announcements from the Leader of the Council

Councillor Griffiths, Leader of the Council, made three announcements. Firstly he advised Members that the Vision 2031 documents for Bury St Edmunds, Haverhill and the Rural Areas had been launched for final public consultation before being placed before the Planning Inspector. Councillor Griffiths encouraged any Members who still had comments to make on the documents to do so. He also thanked all those who had worked to get the documents to this stage.

Secondly Councillor Griffiths advised those Members who were not aware that Councillor Mrs Gower was currently unwell, and wished her a speedy recovery. Finally, Councillor Griffiths asked all Members to join him in congratulating Councillor Paul Farmer on being awarded the MBE in the Queen's Birthday Honours List, for the tremendous work he had undertaken over many years for his Ward, the Borough and for Suffolk as a whole.

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

Apologies for absence were received from Councillors Mrs Broughton, Clifton-Brown, Cockle, Mrs Gower, Hale, Mrs Howard, Spicer and A Whittaker.

23. **Declarations of Interest**

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

24. **Public Question Time**

No questions were asked.

25. **Video: "23 and a half hours: What is the single best thing we can do for our health?" by Dr Mike Evans**

At the request of Councillor Mrs Mildmay-White, and with the permission of the Mayor, Members were played the above video, which had been shown at the last meeting of the Health and Wellbeing Board.

26. **Schedule of Referrals from Cabinet and Democratic Renewal Working Party**

The Council considered the Schedule of Referrals contained within Report E30 (previously circulated).

(A) Referrals from Cabinet: 22 May 2013

(A)(1) Annual Review and Appointment of Cabinet Working Parties and Other Groups

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

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

RESOLVED: That

- (1) the Health and Safety Manager be given delegated authority to implement any future recommendations of the West Suffolk Joint Health and Safety Panel in respect of amendments and additions to Part 5 (Arrangements) of the Joint Health and Safety Policy;

- (2) the role description of the West Suffolk Joint Health and Safety Panel in Part 4 (Organisation) of the Joint Health and Safety Policy be amended to include a specific responsibility to: 'Consider and make recommendations to the Health and Safety Manager regarding Part 5 of this policy'; and
- (3) if the above delegated authority to the Health and Safety Manager is also approved by Forest Heath District Council, the Terms of Reference of the West Suffolk Joint Health and Safety Panel be amended accordingly as set out in Appendix J of Report E6.

(A)(2) Bury St Edmunds Community Football Project: Request for Loan by Bury Town Football Club

(Councillor Clements declared that he was Chairman of the Shadow Board for the Bury St Edmunds Community Sports Association and left the meeting during the debate and voting on this item to avoid the perception of bias).

(Councillor Cox declared a Local Non-Pecuniary Interest in this item as an affiliated member of both the Suffolk Football Association and the Cambridgeshire Football Association, and remained in the meeting during the debate and voting on this item).

Councillor Mrs Mildmay-White introduced this item, detailing the background to the project, including that the site had been allocated for the project many years previously.

Whilst in public session, in response to a question, Councillor Mrs Mildmay-White advised that once all funding for the project was in place, the figures would be made public, and that this was expected to take place over the summer.

As Members wished to ask questions on the exempt elements of the report, 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(a) of the Act.

Following the re-admission of the public, on the motion of Councillor Mrs Mildmay-White, seconded by Councillor Ray, and duly carried, it was

RESOLVED: That

- (1) a loan be approved, to allow Bury Town FC to invest in the Bury St Edmunds Community Football Project, as detailed in Section 4 of Exempt Report E8; approval to be subject to the Chief Finance Officer being satisfied that

the loan is sustainable and properly secured;
and

- (2) the Council's own capital contribution of up to £1m and the final lease arrangements be submitted to full Council for final approval once the Football Foundation funding bid is confirmed, the construction tenders are received and it is clear that there is sufficient funding to complete the project.

(B) Referrals from Democratic Renewal Working Party: 2 May 2013

(B)(1) Member Development: Update (Report D356)

Councillor Mrs P Warby introduced this item and drew relevant issues to the attention of the Council.

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

RESOLVED:

That the areas of training shown in (1) to (9) below be included in the 2013/14 Member Development Programme:

- (1) Advanced Outlook;
- (2) Local Government Finance;
- (3) Development Control Committee – basic responsibilities of Ward Members;
- (4) Licensing and Regulatory Committee – general information for Ward Members;
- (5) Understanding the Organisation;
- (6) Electronic Communications (incorporating email usage and social media);
- (7) 6-monthly briefings on the Welfare Reform Act;
- (8) "Designated Persons" (to be slotted in when there is a suitable gap in the programme); and
- (9) Emergency Planning – via the e-learning platform, when this is available.

(B)(2) Amendment to the Constitution: Addition to the Scheme of Delegation to Officers (Report D357)

Councillor Mrs P Warby introduced this item and drew relevant issues to the attention of the Council. In response to a question, Members were advised that the types of amendment likely to be made under this delegated authority were as set out in the recommendations, ie minor typographical, grammatical, factual or contextual changes which did not materially affect the meaning of the document.

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

RESOLVED:

That the following delegation be added to the Scheme of Delegation to Officers at Part 3 of the Council's Constitution, for all Chief Officers:

"Following consultation with the relevant Portfolio Holder(s), to make any minor typographical, grammatical, factual or contextual changes to any policies or strategies approved through Cabinet or full Council, provided they do not materially affect the meaning of the document".

(B)(3) Review of Petitions Scheme – E-Petition Facility (Agenda item 7)

Councillor Mrs P Warby introduced this item and drew relevant issues to the attention of the Council.

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

RESOLVED:

That the Head of Legal and Democratic Services be authorised, in consultation with the Chairman of the Democratic Renewal Working Party and the relevant Portfolio Holder, to amend and update the Petitions Scheme in the Council's Constitution to reflect any future changes in the electronic petitions (e-petitions) process required by a change or improvement in software or technology, provided that such changes maintain accessibility to the scheme and are consistent with the existing guidelines and terms and conditions regarding validity, transparency and privacy.

(B)(4) Performance and Audit Scrutiny Committee: Approval of the Council's Annual Accounts (Report D358)

Councillor Mrs P Warby introduced this item and drew relevant issues to the attention of the Council.

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

RESOLVED: That

- (1) the Performance and Audit Scrutiny Committee be given delegated powers to approve the Council's Statement of Accounts; and
- (2) the Head of Legal and Democratic Services be given delegated authority to make the necessary changes to the Council's Constitution.

27. **Annual Scrutiny Report: 2012/13**

The Council received and noted the Annual Report of the Overview and Scrutiny and Performance and Audit Scrutiny Committees, previously circulated as Report E31.

Paragraph 7.5.1 of 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, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Council, and paid tribute to the work of Councillor Nettleton, who had been Chairman of the Committee during the period the report related to.

In response to a question, Members were advised that the progress of the recommendations from the Committee's A Boards Review, which had proposed a permitting scheme for A Boards on the highway, was dependent on the progress of the Council's Street Vending Policy, which was currently subject to consultation, and of which the A Boards permitting scheme was proposed to be a part.

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

The Council considered a narrative item which sought approval for Councillor Beckwith to be re-nominated as a Borough Council representative on the Suffolk Health Overview and Scrutiny Committee.

The Council was asked to nominate one Member and, if required, one substitute Member to serve on the County Council's Health Overview and Scrutiny Committee. This Member should ideally be from the Borough Council's Overview and Scrutiny Committee, although this was not essential as the necessary training would be given by the County Council.

Given the years of experience Councillor Beckwith had on this joint body, the Overview and Scrutiny Committee had re-nominated him for 2013/2014.

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

RESOLVED:-

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

29. **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.

30. **Reports and Questions**

- (i) Report from the Leader of the Council: Councillor Griffiths (Report E32)

No questions were raised.

- (ii)(a) Report from the Deputy Leader of the Council: Councillor Mrs Mildmay-White (Report E33)

Councillor Mrs Mildmay-White advised that the Health and Wellbeing Board was very inclusive of district councils, and had asked for the district members to become champions for one of the five elements of its new Strategy. Councillor Mrs Mildmay-White had been made a champion for Older People and Ageing Well. She added that the Borough had some of the longest-living populations in the country, in particular in Moreton Hall and Rougham.

In response to questions, Councillor Mrs Mildmay-White advised:

- (1) under paragraph 1.5, regarding who would assess older peoples' risk of falling, various agencies would be involved, for example people given a walking frame would be likely to be assessed as higher risk; and
- (2) whilst the Health and Wellbeing Board would not be able to focus on just one topic, its Strategy would include the issue of the importance of diet and exercise; Councillor Mrs Mildmay-White would send an electronic copy of the Strategy to all Members when available.

- (ii)(b) Report from the Cabinet Member for the Waste and Property Portfolio: Councillor Stevens (Report E34)

Referring to paragraph 3.2 of his report, Councillor Stevens congratulated Wickhambrook Parish Council on its success in winning the £500 grant from the Rural Action Plan. He also congratulated Great Barton on having won the St Edmundsbury Village of the Year Competition, and wished the village luck going forward into Suffolk Village of the Year.

Under paragraph 4.2, Spring Clean 2013, a question was raised as to whether volunteers taking part in local clean-up events across the County were covered by insurance in case of injury, and a written response would be forwarded to Members in due course.

(ii)(c) Report from the Cabinet Member for the Housing Portfolio: Councillor Mrs Gower (Report E35)

In the absence of Councillor Mrs Gower, Councillor Mrs Mildmay-White advised that she would take any questions on this report.

In response to questions, Councillor Mrs Mildmay-White advised that:

- (1) the Chalkstone Community Picnic would be re-arranged for another date;
- (2) One Haverhill was a joint venture with a number of partners attending meetings, and it was therefore appropriate that its activities should be reported to Members; and
- (3) under paragraph 6.1, Councillor Mrs Gower had hoped to attend this event, but unfortunately had been unwell and unable to attend on the day.

Written responses would be forward to Members in due course to the following questions:

- (1) How many people are currently in bed and breakfast accommodation in the Borough, and what is the cost of this to the Council?
- (2) How many people living in accommodation deemed to be too large for them, but unable to be rehoused, are having to pay the new "bedroom tax", and what is the amount of any payment arrears?
- (3) Regarding the Council's Houses in Multiple Occupation (HMO) Strategy, how many inspections have taken place in the past 12 months, and have any actions been taken against landlords in breach of HMO legislation?

(ii)(d) Report from the Cabinet Member for the Resources and Performance Portfolio: Councillor Ray (Report E36)

Two questions were raised to which written responses would be forwarded in due course, as follows:

- (1) How many staff will ultimately see a drop in their pay as a result of the implementation of the Single Pay and Reward Strategy?
- (2) Will any further increments be awarded to staff on higher end pay scales?

(ii)(e) Report from the Cabinet Member for the Economic Growth Portfolio: Councillor Pugh (Report E37)

Two questions were raised to which written responses would be forwarded in due course, as follows:

- (1) Whilst usage of car parks is monitored through the machines used to purchase tickets, how is use of the "free from 3" initiative in Bury St Edmundsbury being monitored?
- (2) Is there any scope to change the current "free from 3" initiative on Friday afternoons in Haverhill to a similar slot on Saturdays, to encourage people into the town on market day?

(Councillor Griffiths left the meeting during the discussion of this item).

(ii)(f) Report from the Cabinet Member for the Planning and Regulation Portfolio: Councillor Clements (Report E38)

In response to a question as to how the response from Suffolk County Council to Vision 2031 with regard to highways and educational infrastructure could itself be responded to by members of the public, Members were advised that the County Council's response to the consultation would be considered by its Cabinet on 9 July 2013, at which point the public would have the opportunity to comment, and that this issue would be well publicised.

Additionally, a written response would be forwarded to Members in due course providing an update on the control of rats at a specified location in Haverhill.

(ii)(g) Report from the Cabinet Member for the Communities Portfolio: Councillor Everitt (Report E39)

In response to a question regarding the condition of the Newbury Community Centre, Councillor Everitt advised that he would be in a better position to give a full response following completion of a structural survey which was being discussed with the community association.

A written response would be forwarded to Members in due course as to how and whether Members would be able to request a review of CCTV footage in order to prove an offence of dog fouling.

(ii)(h) Report from the Cabinet Member for the Heritage, Arts and Culture Portfolio: Councillor Mrs Stamp (Report E40)

In presenting her report, Councillor Mrs Stamp advised Members of the success of the Bury Motor Show in Nowton Park. Up to 2,000 visitors had been expected by exhibitors, whereas in fact nearly 4,000 people had attended.

In response to questions, Councillor Mrs Stamp advised Members that:

- (1) she would be happy to explore the potential for some form of skatepark facility to the east of Bury St Edmunds with local ward members, as part of her new responsibilities as Portfolio Holder;
- (2) regarding the future of the Suffolk Records Office in Bury St Edmunds, she was due to meet with the County Council Portfolio Holder later in the week and would keep Members informed of any progress; and
- (3) regarding the subsidy to the Apex, Councillor Mrs Stamp preferred to see this expenditure as an investment in the arts in the Borough, which actually brought a return of £5m into the economy each year. Nevertheless, the Apex Performance Panel was keen to reduce the subsidy, and plans were in place to achieve this, including the partnership with Sodexo, and reductions in marketing and administration costs.

A written response would be forwarded to Members in due course regarding whether it would be possible to site an extra rubbish bin at Tollgate Recreation Ground, and a sign stating that the play area was for the use of children of a limited age range.

- (iii) Report from the Chairman of the Overview and Scrutiny Committee: Councillor Houlder (Report E41)

In response to a comment from a Member that the Overview and Scrutiny Committee had discussed that the issue of child poverty should be included as part of the overall nutritional element being proposed by the Educational Attainment Task and Finish Group for inclusion in the Families and Communities Strategy, Councillor Houlder advised that this had been noted and minuted at the meeting.

- (iv) Report from the Chairman of the Performance and Audit Scrutiny Committee: Councillor Hale (Report E42)

No questions were raised.

- (v) Questions to the Chairmen of other Committees

No questions were raised.

31. **Conclusion of Business**

The meeting concluded at 8.53 pm.

MAYOR