

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

6 December 2013

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 **Tuesday 17 December 2013** 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 the Mayor's Chaplain, Reverend Canon Jonathan Alderton-Ford of Christ Church, Moreton Hall, Bury St Edmunds.

(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 meeting of the Council held on 30 September 2013 (Page 1)** (copy attached)
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 Monday 16 December 2013**. The written notification should **detail the full question** to be asked at the meeting of the Council.)*

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

Schedule attached as Report **E205 (Page 17)**.

A. Referrals from Cabinet – 6 November 2013

- (1) Joint Appeal Policy and Procedures

B. Referrals from Cabinet – 10 December 2013

- (1) Review of the Council's Treasury Management Strategy
- (2) West Suffolk Families and Communities Strategy
- (3) Local Council Tax Reduction Scheme and Council Tax Technical Changes 2014/15
- (4) Council Tax Base for Tax Setting Purposes
- (5) North-West Bury St Edmunds Masterplan
- (6) West Suffolk Sustainability Strategy
- (7) Vision 2031: Consideration of Modifications

C. Referrals from Democratic Renewal Working Party – 2 December 2013

- (1) Amendments to Terms of Reference of the Democratic Renewal Working Party
- (2) Amendments to the Constitution (1) Filming of meetings and (2) Sealing of documents

10. **Appointment of Chairman of Performance and Audit Scrutiny Committee.**

In accordance with Paragraph 1.1.2(i) of the Council Procedure Rules of the Constitution, the Council is asked to **APPOINT** a Vice Chairman to the Performance and Audit Scrutiny Committee.

11. **Review of Outside Representation - Magna Carta Trust**

Like the district councils representing the other Charter Towns (Lincoln, Canterbury, St Albans and Runnymede), the Borough Council has two trustee positions on the national Magna Carta Trust, an important national body which promotes the commemoration of the Magna Carta. It usually meets twice a year in London, although it is very busy at present preparing for the 800th anniversary.

The Trust has recently amended its 1957 Deed to allow the councils more flexibility in their representation. Previously, one the Council's primary trustee position was automatically assigned to that year's Mayor. Since all the towns' mayors have busy calendars they were often unable to attend the meetings and, since they only served for a year at a time, continuity of representation was also sometimes an issue. The Borough Council is now able to appoint any two people to act as its trustees.

The Borough Council has been fortunate insofar as its second trustee, former councillor and Mayor, Mrs Margaret Charlesworth, has been able to attend most meetings and provide continuity. Since she is also the chair of the Bury Society's organising committee for Bury St Edmunds' own 800th anniversary celebrations, it is therefore suggested that Mrs Charlesworth retains one of the nominations until the next review. Full Council is, however, able to appoint any other person, councillor or otherwise, to take the second trustee position, although it is assumed that this would normally be a serving councillor.

It is suggested that the term of office of the Council's new trustees is tied to scheduled Borough elections. This would mean that any appointments made now would run until the annual council meeting following the next Borough elections in 2015. Thereafter, appointments would be for four years.

The Council is **RECOMMENDED** to review its membership of the Magna Carta Trust on the above basis.

11. **Motion on Notice**

Councillor Nettleton has given notice under paragraph 12.1 of the Council Procedure Rules of the following motion:

'Given that the estimated increased income of c£160,000 from proposed rises in car parking charges notified to Overview and Scrutiny on 04 September 2013 (Report E84) and repeated in Report E124 presented to Performance and Audit Scrutiny on 26 September 2013 was wrongly calculated by c£112,000 – the correct estimate is c£48,000 – and that no-one in authority seemed even remotely concerned about this potential 'black hole' in the budget for 2014/15, I propose that only the 20p rise in the 3 hour tariff in the Cattle Market/arc and School Yard West car parks be implemented, raising an additional c£25,000. The proposed increase in the daily charge of

10p for Ram Meadow and Parkway Decked – from £2.20 to £2.30 – raising an estimated c£23,000, should not go ahead until such time that these two car parks reach capacity at midday on Saturdays on 8 or more occasions in a calendar year (the 85%centile formula)’.

Paragraph 12.5 of the Council Procedure Rules states:

'Any motion under paragraph 12.1 of these Rules, on being moved and seconded, will, without discussion, be referred to the appropriate forum for consideration and report except that the Mayor may, if he/she considers it appropriate, allow the motion to be dealt with at the meeting at which it is moved and seconded; provided that the motion, if carried, would not involve the Council in expenditure not included in the Council's approved revenue or capital budget.'

13. 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.

14. 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.)

	<u>Portfolio</u>	<u>Cabinet Member</u>	<u>Report No</u>	<u>Page No</u>
(i)	<i>Report from the Leader of the Council</i>	<i>Cllr John Griffiths</i>	E206 attached	29
(ii)	<i>Reports from each Member of the Cabinet, namely:-</i>			
(a)	Deputy Leader	Cllr Sara Mildmay-White	E207 attached	33
(b)	Waste and Property	Cllr Peter Stevens	E208 attached	35
(c)	Housing	Cllr Anne Gower	E209 attached	39

(d)	Resources and Performance	Cllr David Ray	E210 attached	45
(e)	Economic Growth	Cllr Alaric Pugh	E211 attached	53
(f)	Planning and Regulation	Cllr Terry Clements	E212 attached	57
(g)	Communities	Cllr Robert Everitt	E213 attached	61
(h)	Heritage, Arts and Culture	Cllr Sarah Stamp	E214 attached	63
	<u>Committee</u>	<u>Chairman</u>	<u>Report No</u>	<u>Page No</u>
(iii)	<i>Report from the Chairman of the Overview and Scrutiny Committee</i>	Cllr Ian Houlder	E215 attached	67
(iv)	<i>Report from the Chairman of the Performance and Audit Scrutiny Committee</i>	Cllr Sarah Broughton	E216 attached	69
(v)	<i>Questions to Chairmen of other Committees</i>		No reports or minutes attached	

Under this item, Members may ask the relevant Chairman question relating to meetings of the following committees on the dates indicated:-

<u>Committee</u>	<u>Chairman</u>	<u>Date of Meeting</u>
Development Control	Cllr Jim Thorndyke	3 October 2013 7 November 2013 5 December 2013
Licensing & Regulatory Committee	Cllr Frank Warby	12 November 2013