
Council



Forest Heath
District Council

Minutes of a meeting of the **Council** held on
Friday 27 February 2015 at **4.00 pm** at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman
Vice Chairman

Michael Anderson	Tim Huggan
Chris Barker	Michael Jefferys
Bill Bishop	Carol Lynch
John Bloodworth	Robin Millar
David Bowman	Colin Noble
Rona Burt	Nigel Roman
Simon Cole	Bill Sadler
Stephen Edwards	Tony Simmons
David Gathercole	Eddie Stewart
Warwick Hirst	James Waters
Rachel Hood	Tony Wheble

20. **Election of Chairman**

It was proposed by Councillor James Waters, seconded by Councillor Tony Wheble and with all in favour of the motion, it was

RESOLVED:

That Councillor Chris Barker be elected Chairman for this meeting of Council.

21. **Apologies for Absence**

Apologies for absence were received from Councillors Bimson, Dicker and Drummond.

Councillor McGhee was also unable to attend the meeting.

22. **Public Participation**

Agenda Item 6g – Minutes of the West Suffolk Joint Standards Committee - 15 December 2014

Sara Beckett of Newmarket spoke in relation to minute number 8, Report of Code of Conduct Investigation. The committee resolved that the Member be asked to submit a written apology to the complainant. Sara Beckett confirmed that she was the complainant but had not received a written apology.

The Chairman of the West Suffolk Joint Standards Committee agreed to provide a written response to Sara Beckett.

23. **Minutes**

The minutes of the Council meeting held on 10 December 2014 were accepted as an accurate record and signed by the Chairman.

24. **Chairman's announcements and itinerary**

The report was noted.

25. **The Leader's Statement**

The Leader presented his statement to the meeting, as set out in Report No. COU/FH/15/002. Members were then given the opportunity to ask the Leader of the Council questions on his statement.

It was moved, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the Leader's Statement be received.

26. **Minutes of other meetings**

The minutes of the following Committees were received and items the subject of formal report or proposition are detailed below.

It was moved, duly seconded and unanimously

RESOLVED:

That the minutes of the respective Committees be approved and that authority is hereby given for such action to be taken as necessary to give effect thereto.

(a) **Cabinet – 9 December 2014**

Minute No. 10 – Recommendation of the Performance and Audit Scrutiny Committee - 26 November 2014: Delivering a Sustainable

Budget 2015-2016 and Budget Consultation Results (Report No. CAB/FH/14/005)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 9).

Minute No. 11 – Recommendation of the Performance and Audit Scrutiny Committee - 26 November 2014: Accounting for a Single West Suffolk Staffing Structure and the Move to a West Suffolk Cost Sharing Model (Report No. CAB/FH/14/006)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 10).

Minute No. 12 – Local Council Tax Reduction Scheme and Technical Changes 2015/2016 (Report No. CAB/FH/14/007)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 11).

Minute No. 13 – Council Tax Base for Tax Setting Purposes 2015/2016 (Report No. CAB/FH/14/008)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 12).

Minute No. 15 – Developing Community Energy Plan (Report No. CAB/FH/14/010)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 16).

(b) Development Control Committee – 3 December 2014

There were no items that were the subject of formal report or proposition.

(c) Development Control Committee – 7 January 2015

There were no items that were the subject of formal report or proposition.

(d) Licensing Committee – 19 January 2015

There were no items that were the subject of formal report or proposition.

(e) Overview and Scrutiny Committee – 18 December 2014

Minute No. 7 – West Suffolk Homelessness Strategy 2015-18 (Report No. OAS/FH/14/001)

The Monitoring Officer requested that Members noted the recommendations listed under this item, as it was subject to a further report later on the agenda (Item 14 – Report No. COU/FH/15/010).

(f) Performance and Audit Scrutiny Committee – 26 November 2014

Minute No. 9 - West Suffolk Fees & Charges Policy (Report No. PAS/FH/14/005)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Cabinet on 9 December 2014 (Report No. CAB/FH/14/002 – Minute No. 7)

Minute No. 10 - Accounting for Single West Suffolk Staffing Structure and the Move to a West Suffolk Cost Sharing Model (Report No. PAS/FH/14/006)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 10).

Minute No. 12 – Delivering a Sustainable Budget 2015-16 and Budget Consultation Results (Report No. PAS/FH/14/008)

The Monitoring Officer confirmed that the recommendations listed under this item had been determined by Council on 10 December 2014 (Report No. COU/FH/14/004 – Minute No. 9).

(g) West Suffolk Joint Standards Committee – 15 December 2014

There were no items that were the subject of formal report or proposition.

27. Annual Treasury Management and Investment Strategy 2015/2016 and Treasury Management Code of Practice

The Cabinet Member for Resources, Governance and Performance presented this report which introduced the Annual Treasury Management and Investment Strategy for 2015/2016 and the Treasury Management Code of Practice. Councillor Stephen Edwards informed Members that there had been no changes to the Treasury Management Code of Practice since 2014/2015.

It was moved by Councillor Stephen Edwards, seconded by Councillor Rona Burt and with the vote being unanimous, it was

RESOLVED:

That:-

- (1) the Annual Treasury Management and Investment Strategy Statements 2015/16, as contained in Appendix 1 & 2 of Report COU/FH/15/003, be adopted; and
- (2) the Treasury Management Code of Practice at Appendices 3 and 4 to Report No. COU/FH/15/003 be approved
- (3) the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources, Governance and Performance, be given delegated authority to make amendments to the Treasury Management Investment Strategy 2015/2016, taking into account advice of the Council's Treasury Management Advisors in response to changes to credit ratings resulting from the implied removal of sovereign support in the Bank of England's 'bail-in' regulations.

28. **Budget and Council Tax: 2015/2016 and Council Tax Setting**

The Cabinet Member for Resources, Governance and Performance presented this report which introduced the Budget and Council Tax Setting for 2015/2016.

The Council considered Report No. COU/FH/15/004 (previously circulated) which recommended that the level of Band D Council Tax for 2015/2016 be set at the same level as for 2014/2015, at £137.43. This report also set out the details of the Council's proposed revenue and capital budgets for 2015/2016. It was confirmed that any budget gap and a decision taken on whether to freeze council tax would be considered each year.

The Council was required to consider the budget for the District Council, and set the level of Council Tax for 2015/2016 to fund this budget. The proposed 2015/2016 net revenue budget was £8.288m compared to the 2014/2015 net budget of £8.476m. It is estimated that £11.694m would be spent on the Council's capital programme during 2015/2016.

The Cabinet Member for Resources, Governance and Performance stated that the budget gap of £1.1m was in part due to the reduction in Revenue Support Grant by 49%. Attachment B to the report gave details of how these savings would be met.

The Council was required, in considering the budget, to take note of the report by the Head of Resources and Performance (S151 Officer) at Attachment C to the report. The conclusion of the Head of Resources and Performance was that, overall, the estimates were robust, taking into account known risks and mitigating strategies and the reserves were adequate for the 2014/2015 budget plans. Council were asked to have regard to this report when making their decisions on the 2015/2016 budget.

The Council had conducted a public consultation last summer by holding five public focus groups and four town/parish focus groups. The Performance and

Audit Scrutiny Committee had also been involved and contributed at an early stage in the budget setting process.

Councillor Stephen Edwards thanked all staff and members for their work in achieving this proposed budget.

Councillor Rona Burt responded to a question by confirming that pre planning charges would be introduced in June 2015.

It was moved by Councillor Stephen Edwards and seconded by Councillor Tony Wheble. Upon the motion being put to a vote, 22 Members voted for the motion, none against and no abstentions. The names of those Members voting for, against and abstaining being recorded as follows:-Members voted as follows:-

For the motion:

Chris Barker	David Gathercole	Nigel Roman
Michael Anderson	Warwick Hirst	Bill Sadler
Bill Bishop	Rachel Hood	Tony Simmons
John Bloodworth	Tim Huggan	Eddie Stewart
Dave Bowman	Michael Jefferys	James Waters
Rona Burt	Carol Lynch	Tony Wheble
Simon Cole	Robin Millar	
Stephen Edwards	Colin Noble	

Against the motion:

None

Abstention:

None

RESOLVED:

That:-

- (1) Having taken into account the information received by Cabinet on 17 February 2015 (report CAB/FH/15/006) including the Report by the Head of Resources and Performance (S151 Officer) set out in Attachment C, together with the up to date information and advice contained in this report, the level of Band D Council Tax for 2015/2016 be set at £137.43.
- (2) Subject to (1) above, the following formal Council Tax resolution be adopted:-
 - i. The revenue and capital budget for 2015/2016 attached at Attachment A, and as detailed in Attachment D, Appendix 1-5 and Attachment E, be approved;
 - ii. The MTFs projected budget position for 2016/2017 to 2018/2019, as detailed in Attachment D Appendix 1, be noted;

- iii. A general fund balance of £2 million be agreed to be maintained, as detailed in paragraph 1.8.2;
- iv. The statutory calculations under Section 30 to 36 of the Local Government Finance Act 1992, attached as Attachment H, be noted;
- v. The Suffolk County Council and Suffolk Police Authority precepts issued to Forest Heath District Council, in accordance with Section 40 of the Local Government Finance Act 1992 and outlined at paragraphs 3.5 and 3.6 below, be noted;
- vi. In accordance with Section 30(2) of the Local Government Finance Act 1992, the amounts shown in Schedule D of Attachment G be agreed as the amount of Council Tax for the year 2015/2016 for each of the categories of dwellings shown; and

The Head of Resources and Performance be authorised to amend where necessary the amounts in Attachment G and H in accordance with any changes notified by Newmarket Town Council to the provisional precept.

- (3) The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources, Governance and Performance be authorised to transfer any surplus on the 2014/2015 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.8.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.
- (4) The use of the Council's discretionary power (S47 Local Government Finance Act) to provide the transitional relief be approved and delegated authority be given to the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, to determine the final guidelines for the operation of the transitional relief for 2015/16 and 2016/17 following the current scheme and guidance issued by Government, as set out in paragraphs 1.4.3 to 1.4.7 of Report COU/FH/15/004.

29. **Mid Year Treasury Management Monitoring Report 2014/2015**

The Cabinet Member for Resources, Governance and Performance introduced this report and reminded Members that the Council had changed bankers to Lloyds Bank Plc on 1 April 2014. Interest was now being earned on the current account (albeit a low rate of return).

Lower interest rates were expected for the next two years and the 2015/16 budget reflected this lowering of income.

The Treasury Management Monitoring Report for 2014/2015 was noted.

30. **Newmarket Market Licence Regulations**

The Cabinet Member for Economic Development and Tourism introduced this report which sought approval of the Draft Market Licence Regulations for Newmarket Market.

It was moved by Councillor Dave Bowman, seconded by Councillor Michael Anderson and with all voting for the motion and none against, it was

RESOLVED:

That:-

- (1) The Draft Market Licence Regulations (Appendix A) for implementation from 1 March 2015 on Newmarket Market be approved; and
- (2) The proposed approach to improve Newmarket Market be agreed.

31. **Joint Development Management Policies Document - Planning Inspector's Report and Adoption**

The Cabinet Member for Planning, Housing and Transport introduced this report which asked members to note the recommendations of the Local Plan Working Party and the St Edmundsbury Sustainable Development Working Party in adopting the Joint Development Management Policies Document as modified by the Inspector.

It was moved by Councillor Rona Burt, seconded by Councillor David Gathercole and with all voting for the motion, it was

RESOLVED:

That the following documents attached to Report No: JDM/JT/15/001, be adopted:

- (1) The Joint Development Management Policies Document (Appendix B);
- (2) Habitats Regulations Screening Assessments for Joint Development Management Policies Document, (Appendix C);
- (3) Sustainability Appraisal for Joint Development Management Policies Document, (Appendix D);

the Forest Heath District Policies Map, and Town Centre maps for Newmarket, Mildenhall and Brandon (Appendix E)

32. **West Suffolk Shop Front and Advertisement Design Guide: Consultation Responses and Adoption**

The Cabinet Member for Planning, Housing and Transport introduced this report in seeking to adopt as a Supplementary Planning Document, the West Suffolk Shop Front and advertisement Design Guide.

It was moved by Councillor Rona Burt, seconded by Councillor David Gathercole and with the majority voting for the motion, and with one abstention, it was

RESOLVED:

That:-

- (1) the West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in Appendix A to Report CAB/FH/15/009 be adopted as a Supplementary Planning Document, subject to it being noted in the Glossary on page 28 in respect of the second item 'Building of Local Interest', reference to 'Birmingham' be deleted and 'the areas' inserted therefore; and
- (2) the Head of Planning and Growth be given delegated authority to edit/insert appropriate images as part of the final document publishing process.

33. Regulation of Cosmetic Piercing and Skin Colouring Businesses

The Cabinet Member for Environment and Waste introduced this report seeking to adopt modern bye-laws to protect consumers and provide a consistent approach with St Edmundsbury Borough Council to facilitate enforcement.

It was moved by Councillor Nigel Roman, seconded by Councillor James Waters and with all in favour of the motion, it was

RESOLVED:

That the proposed byelaws, as found at Appendices 1 and 2 to Report COU/FH/15/009, for the control of cosmetic piercing and skin colouring, be approved.

34. West Suffolk Homelessness Strategy

The Cabinet Member for Planning, Housing and Transport introduced this report which sets out the strategy for the West Suffolk Councils in addressing and preventing homelessness. The Council were required to produce such a strategy at least every five years.

It was moved by Councillor Rona Burt, seconded by Councillor Nigel Roman and with all in favour of the motion, it was

RESOLVED:

That the West Suffolk Homelessness Strategy 2015-2018 as contained in Appendix A to COU/FH/15/010 be adopted.

35. Queensbury Lodge, Cottage and Stables, Newmarket

The Cabinet Member for Planning, Housing and Transport introduced this report seeking approval for appropriate action to preserve Queensbury Lodge. This site had a long planning history and members were pleased that action was now being taken to resolve this issue.

It was moved by Councillor Rona Burt, seconded by Councillor Nigel Roman and with all in favour of the motion, it was

RESOLVED:

That the Head of Planning and Growth, subject to approval of costs and regular reports, be given delegated authority to:

- (1) Continue to negotiate with the owners with the aim of securing the preservation of the buildings and an acceptable end use for the site.
- (2) Commence action under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, to secure the preservation of the buildings.
- (3) Take action under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, to secure the preservation of the buildings.
- (4) Appoint consultants to undertake a feasibility study and development brief for the site (after a tender process) in order to establish a viable use which meets the Council's objectives.
- (5) Begin compulsory purchase proceedings, if necessary, to secure the preservation of the buildings.
- (6) Serve a Notice to require tidying of the site under Section 215 of the Town and Country Planning Act 1990.

36. **Anglia Community Leisure - Changes to Governance**

The Cabinet Member for Health, Leisure and Culture introduced this report seeking approval for the novation of current legal agreements between the Council and Anglia Community Leisure.

In response to questions, Councillor Warwick Hirst confirmed that there would be no changes to the leisure centres themselves and that usage at all leisure centres had increased.

It was moved by Councillor Warwick Hirst, seconded by Councillor Tony Wheble and with the majority in favour of the motion, and two abstentions, it was

RESOLVED:

That:-

- (1) the existing management and funding agreements between Forest Heath District Council and Anglia Community Leisure be novated on 1 April 2015 to Abbeycroft Leisure to allow the formation of a single merged trust; and
- (2) Forest Heath District Council agrees to act as guarantor for the pension scheme applicable only to its own former employees who transferred to Anglia Community Leisure.

37. Pensions Discretions Policy

The Cabinet Member for Resources, Governance and Performance introduced this report which sought approval by Council of a number of discretionary options within the new pension regulations.

It was moved by Councillor Stephen Edwards, seconded by Councillor Rona Burt, and with all in favour of the motion, it was

RESOLVED:

That:-

the Pension Discretions Policy, attached as Appendix A to Report COU/FH/15/013, be approved

38. Constitution Review - clarification on Referrals Report and questions and motions on notice

The Cabinet Member for Resources, Governance and Performance introduced this report which sought to clarify two of the principles discussed at the last Council meeting, these being the introduction of a Referrals Report and Questions on Notice.

Members discussed the proposed principle of allowing each member to be able to ask only one question on notice, and, in general, agreed that this was reasonable.

It was moved by Councillor Stephen Edwards, seconded by Councillor Rona Burt, and with the majority in favour of the motion, and one against, it was

RESOLVED:

That the two principles deferred from last meeting be approved.

39. Calendar of Meetings for 2015/2016

The Leader of the Council introduced this report seeking approval of the Calendar of Meetings for 2015/2016.

It was moved by Councillor James Waters, seconded by Councillor Bill Sadler, and with all in favour of the motion, it was

RESOLVED:

That the Calendar of Meetings for 2015/2016, as detailed in Appendix A to Report No. COU/FH/15/015, be approved.

40. **Questions**

There were no questions.

41. **Urgent business**

There was no urgent business.

The Meeting concluded at 5.37 pm

Signed by:

Chairman
