

Council



Forest Heath
District Council

Minutes of a meeting of the **Council** held on
Wednesday 24 February 2016 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Carol Lynch

Ruth Allen	Brian Harvey
Michael Anderson	Louise Marston
Andrew Appleby	Robin Millar
Chris Barker	David Palmer
John Bloodworth	Peter Ridgwell
David Bowman	Nigel Roman
Ruth Bowman	Bill Sadler
Rona Burt	Reg Silvester
Louis Busuttil	Lance Stanbury
Simon Cole	James Waters
Stephen Edwards	

126. **One Minute Silence**

Prior to the commencement of the meeting, the Chairman asked all those present to observe a one minute silence in memory of former District Councillor David Bimson who had recently passed away after a short period of ill health.

On conclusion of the one minute silence Councillors Roman and Burt jointly advised all present of the funeral arrangements and encouraged all Members to attend in honour of their former colleague.

127. **Minutes**

The minutes of the meeting held on 9 December 2015 were accepted as an accurate record and signed by the Chairman.

The Chairman drew attention to Minute No 123 and thanked Councillor Rona Burt, in her capacity as Chairman of the Development Control Committee, for arranging the meeting held in January between the Committee and Suffolk County Council.

128. **Chairman's Announcements (Report No COU/FH/16/001)**

The report was noted.

The Chairman took this opportunity to congratulate Councillor Roman Millar on his recent election to Suffolk County Council following a by-election held on 18 February 2016.

129. **Apologies for Absence**

Apologies for absence were received from Councillors Andy Drummond, James Lay, Christine Mason and Colin Noble.

130. **Declarations of Interest**

None were declared.

131. **The Leader's Report (Report No COU/FH/16/002)**

The Leader presented his statement to the meeting, as set out in Report No COU/FH/16/002. He made specific reference to the ongoing discussions surrounding devolution and updated Members on developments since the agenda had been published.

The Chairman thanked the Leader for his ongoing work with regard to devolution.

132. **Public Participation**

There were no questions or statements from members of the public.

133. **Referrals Report of Recommendations from Cabinet (Report No COU/FH/16/003)**

The Council considered the referrals report of recommendations from Cabinet as set out in Report No COU/FH/16/003:

1. Annual Treasury Management and Investment Strategy Statements 2016/2017 and Treasury Management Code of Practice (Cabinet: 10 February 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That:-

1. The Annual Treasury Management and Investment Strategy Statements 2016/2017, as contained in Appendices 1 and 2 of Report No PAS/FH/16/007, be adopted; and
2. The Treasury Management Code of Practice 2016/2017, as contained in Appendices 3 and 4 of Report No PAS/FH/16/007, be approved.

2. Budget and Council Tax Setting: 2016/2017 and Medium Term Financial Strategy
(Cabinet: 10 February 2016)

The Service Manager (Legal) explained that this item would be considered under Report No COU/FH/16/004 at Agenda Item 8.

3. Mildenhall Hub Project – Update and Next Steps
(Cabinet: 10 February 2016)

The Director was pleased to present this item to Members and outlined the context of the report which had been attached in full for their reference.

He responded to questions, outlined the proposed timetable for the project and explained that further reports would be presented to Members at each phase.

Following which, on the motion of Councillor James Waters, Cabinet Member for Planning and Growth, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That:-

1. Progress on the Mildenhall Hub project and the next steps set out in Section 1.6 of Report No CAB/FH/16/007 be noted and approved; specifically that
2. The updated 2015 business case be approved for use in the design stage of the project, alongside any adopted Development Brief;
3. The Director, in consultation with the Leader, be authorised to negotiate, prepare and sign a partnership agreement for the project, provided it is consistent with the business case and the framework set out in the report;
4. A further budget for £100,000 be approved, funded from the Delivering Strategic Priorities and MTFS Reserve, to meet Forest Heath's share of project management and development costs, and;
5. The Director be authorised to approve spending from this budget in consultation with the Leader.

134. **Budget and Council Tax Setting: 2016/2017 and Medium Term Financial Strategy (Report No COU/FH/16/004)**

Councillor Stephen Edwards, Cabinet Member for Resources and Performance, presented this report which set out the Council's proposed revenue and

capital budget for 2016/2017 and sought approval to set the level of Council Tax required to fund the budget.

The Cabinet Member spoke on the successful way the Council was operating commercially and the excellent record the Authority had achieved in reducing costs whilst maintaining and in some areas improving key services, even in the face of financial pressures brought about by the reduction in Government funding; such as the Revenue Support Grant.

He praised Officers and Members for their efforts in the production of the budget report and thanked the Performance & Audit Scrutiny Committee for their valued input.

Councillor Edwards was pleased to report that Forest Heath had been able to freeze the Council Tax for the seventh year in a row, making it the lowest Council Tax in the whole of Suffolk and the only Local Authority within the County to have frozen it for 2016/2017.

The Deputy Leader and Councillor Lance Armstrong each also spoke on this item and echoed the praise for Officers in their management of the Council's budgets. Reference was also made to the clear political leadership of the Authority which had enabled it to deliver the Conservative's promise within their manifesto to freeze the Council Tax.

Following the motion of the Cabinet Member, as seconded by the Deputy Leader, the Service Manager (Legal) explained that a recorded vote was legally required for this item.

Upon being put to the vote Members voted as follows:

Name of Member	For	Against	Abstained
Ruth Allen	X		
Michael Anderson	X		
Andrew Appleby	X		
Chris Barker	X		
John Bloodworth	X		
David Bowman	X		
Ruth Bowman	X		
Rona Burt	X		
Louis Busuttil	X		
Simon Cole	X		
Stephen Edwards	X		
Brian Harvey	X		
Carol Lynch	X		
Robin Millar	X		
David Palmer	X		
Peter Ridgwell	X		
Nigel Roman	X		
Bill Sadler	X		
Reg Silvester	X		
Lance Stanbury	X		
James Waters	X		
TOTAL	21	0	0

With the vote being unanimous, it was

RESOLVED:

That:-

1. Having taken into account the information received by Cabinet on 10 February 2016 (Report No CAB/FH/16/005) 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 2016/2017 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 2016/2017 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 2017/2018 to 2019/2020, 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 1.9.2;
 - iv. The statutory calculations under Section 30 to 36 of the Local Government Finance Act 1992, attached as Attachment G, 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 2.5 and 2.6 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 F be agreed as the amount of Council Tax for the year 2016/17 for each of the categories of dwellings shown; and
 - vii. The Head of Resources and Performance be authorised to amend where necessary the amounts in Attachment F and G 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 and Performance, be authorised to transfer any surplus on the 2015/2016 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.9.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.
4. 100% disregard of War Pensions, War Widower's Pensions and Armed Forces Compensation Payments or any other successor

scheme, be approved in the calculation of Housing Benefit, as set out in paragraphs 1.4.3 to 1.4.5 below;

5. The revised Minimum Revenue Provision (MRP) policy, as set out in section 1.8 and Attachment D Appendix 4, is adopted; and
6. Where the Council has usable capital receipts that are not needed for other purposes, delegated authority be given for the Section 151 Officer to apply, where prudent to do so, some or all of it to meet capital expenditure incurred in the current year or previous years under paragraph 23 of the 2003 Regulations to reduce or eliminate any MRP that might need to be set aside. Subject to the year-end outturn, unallocated usable capital receipts are used to meet the full Capital Financing Requirement (CFR) value during 2015/2016, thus eliminating the need for an MRP charge in 2016/2017 and until such time that the CFR calculation requires one.

Councillor Louise Marston left the meeting at 6.33pm during the discussion of this item and prior to the voting thereon.

135. Right to Challenge Parking Policies (Report No COU/FH/16/005)

The Cabinet Member for Operations presented this report which set out changes to the Council's Petition Scheme to reflect a duty which gave local residents and businesses the right to challenge parking policies set out in Traffic Regulation Orders (TROs).

On the motion of the Cabinet Member, seconded by Councillor Stephen Edwards and with the vote being unanimous, it was

RESOLVED:

That the Petition Scheme for Forest Heath District Council, as set out in Appendix A of Report No COU/FH/16/005, be approved.

136. Newmarket Business Improvement District (BID) (Report No COU/FH/16/006)

Councillor James Waters, Cabinet Member for Planning and Growth, presented this item which advised the Council of the current status of the prospective Newmarket Business Improvement District (BID); the upcoming ballot that could see it come into effect and the implications that would have for the District Council.

The Cabinet Member explained that the intention was to develop both Brandon and Mildenhall as prospective BID areas in the future.

Members asked a number of questions with regard to this report and these were responded to by the Principal Growth Officer. The Officer explained that professional consultants had assisted with the development of the BID Business Plan and he would advise them of the comments made.

On the motion of the Cabinet Member, seconded by Councillor Robin Millar and with the vote being unanimous, it was

RESOLVED:

That:-

1. The campaign to establish the Newmarket Business Improvement District be supported;
2. Responsibility for exercising all of the Council's votes in the prospective BID Ballot be delegated to the Leader of the Council;
3. An annual budget for the Council's levy payment as defined in Paragraph 2.2 of Report No COU/FH/16/006 be allocated (subject to a successful ballot); and
4. Continued financial support during the establishment of the new BID Company be agreed in principle, repayable from the BID levy once collected (subject to a successful ballot).

137. Recommendations of the Joint Constitution Review Group (Report No COU/FH/16/007)

Councillor Stephen Edwards, Cabinet Member for Resources and Performance, presented this item which sought Member approval for amendments to the Forest Heath District Council constitution.

Members were advised that the amendments set out in Report No COU/FH/16/007 did not include fundamental changes and were rather housekeeping elements which sought to clarify particular matters.

On the motion of the Cabinet Member, seconded by Councillor Robin Millar and with the vote being unanimous, it was

RESOLVED:

That:-

1. Part 3 - Functions and Responsibilities; Section 2 - Responsibility for Council Functions; C. Other Committees; C.4 - West Suffolk Joint Emergency Planning Panel; C.6 - West Suffolk Joint Health and Safety Panel; C.7 - West Suffolk Joint Staff Consultative Panel
 - (a) Sections C.4, C.6 and C.7 be amended, for reasons of clarity, to reflect the position with regard to the public access to these meetings and that the following wording be incorporated within these Sections:
"These meetings are not governed by the normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in both Councils.

(b) Additional wording be included on the agenda papers for these Panels to confirm that these meetings are not open to the public and that any recommendations which arise from these meetings will be reported onto Cabinet/Council, where required to do so.

2. Part 4 - Rules of Procedure – Council Procedure Rules; Section 6 – Public Question Time

An additional new paragraph 6.2 be added to Section 6 - Public Question Time as follows:

6.2 *A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done online by sending the request to democratic.services@westsuffolk.gov.uk or telephoning 01284 757120/01638 719363 or in person by telling the committee administrator present at the meeting.*

3. Part 4 - Rules of Procedure – Committee Procedure Rules; Section 11 – Public Speaking

Additional paragraphs 11.5 and 11.6 be added to Section 11 – Public Speaking, as follows:

11.5 *These public speaking rules do not apply to meetings of the Development Control Committee, as the Committee has its own authority to determine from time to time, its own arrangements for public speaking on applications, and which matters are to be included within those arrangements (see Part 3 – Functions and Responsibilities; Section 2 – Responsibility for Council functions; A - Development Control; paragraph 4.2 and as set out in the '[Guide to Having a Say on Planning Applications](#)')*

11.6 *These public speaking rules do not apply to meetings of the Licensing and Regulatory Committee, when the Committee sits as a hearing, in which case the Hearing Procedure Rules will apply (Part 3 – Functions and Responsibility; Section 2 – Responsibility for Council Functions; B-Licensing; paragraph 4.1 and Appendix A).*

138. **Calendar of Meetings 2016/2017 (Report No COU/FH/16/008)**

The Leader of the Council presented this report and moved that the Calendar of Meetings for 2016/2017 be approved. This was duly seconded by the Chairman and with the vote being unanimous, it was

RESOLVED:

That the Calendar of Meetings for 2016/2017, as set out in Appendix A of Report No COU/FH/16/008, be approved.

139. **Questions to Chairmen of other Committees**

There were no questions to Chairman of other Committees.

140. **Urgent Questions on Notice**

There were no urgent questions on notice.

The meeting concluded at 7.00 pm

Signed by:

Chairman
