


# Council



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Tuesday 7 July 2015</b>
<b>Time:</b>	<b>7.00 pm</b>
<b>Venue:</b>	<b>Conference Chamber West Suffolk House</b> Western Way Bury St Edmunds
<b>Membership:</b>	<p><b>All Councillors</b></p> <p>You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.</p>  <p><b>Ian Gallin</b> <b>Chief Executive</b> <b>29 June 2015</b></p>
<p>The Meeting will be opened with Prayers by the Mayor's Chaplain, Reverend Canon Matthew Vernon, Sub-Dean of St Edmundsbury Cathedral. (<i>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.</i>)</p>	
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Committee administrator:</b>	<p><b>Fiona Osman</b> Service Manager (Democratic Services and Elections) <b>Tel:</b> 01284 757105 <b>Email:</b> <a href="mailto:fiona.osman@westsuffolk.gov.uk">fiona.osman@westsuffolk.gov.uk</a></p>

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# Public Information



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Venue:</b>	<b>West Suffolk House</b> Western Way Bury St Edmunds Suffolk, IP33 3YU	Tel: 01284 757105 Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Web: <a href="http://www.stedmundsbury.gov.uk">www.stedmundsbury.gov.uk</a>
<b>Access to agenda and reports before the meeting:</b>	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
<b>Attendance at meetings:</b>	The Borough Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
<b>Public questions:</b>	<p>At ordinary meetings of the Council, members of the public who live or work in the Borough may put questions about the work of the Council to members of the Cabinet or any Committee. 30 minutes will be set aside for this. 30 minutes will also be set aside for questions at extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.</p> <p>Written questions, detailing the full question to be asked, may be submitted by members of the public to the Service Manager (Democratic Services &amp; Elections) no later than 10.00 am on the previous working day to the meeting of the Council.</p>	
<b>Disabled access:</b>	<p>West Suffolk House has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons.</p> <p>Visitor parking is at the car park at the front of the building and there are a number of accessible spaces.</p>	
<b>Induction loop:</b>	An Induction loop is available for meetings held in the Conference Chamber.	
<b>Recording of meetings:</b>	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>	

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# **Agenda**

## **Procedural Matters**

### **Part 1 - Public**

**Page No**

**1. Minutes**

To confirm the minutes (copies attached) of the meetings of the Council held on:-

**(a) Council - 24 February 2015**

**1 - 10**

**(b) Special Council - 25 March 2015**

**11 - 16**

**(c) Annual Council - 19 May 2015**

**17 - 22**

**2. Mayor's announcements**

**3. Apologies for Absence**

**4. 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.

**5. Leader's Statement**

Report No. **COU/SE/15/020 TO FOLLOW**

(Council Procedure Rules 8.1 – 8.3) Members may ask the Leader questions on the content of both his introductory remarks and the written statement itself.

A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. A supplementary question arising from the reply may be asked so long as the five minute limit is not exceeded.

**6. Public Participation**

*(Section 6 of the Council Procedure Rules)* Members of the public who live or work in the Borough are invited to put one question of not more than five minutes duration.

*(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 person may ask **one** question only. A total of **five minutes will be allowed for the 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 Service Manager (Democratic Services and Elections) **no later than 10.00 am on Monday 6 July 2015.** The written notification should **detail the full question** to be asked at the meeting of the Council.)

**7. Referrals report of recommendations from Cabinet, Anglia Revenues and Benefits Partnership Joint Committee and Democratic Renewal Working Party** **23 - 42**

Report No. **COU/SE/15/021**

**(A) Referrals from Cabinet: 24 March 2015**

1. West Suffolk Safeguarding Policy – Guidelines for Working with Children, Young People and Vulnerable Adults

**Cabinet Member:** Cllr Sara Mildmay-White

**(B) Referrals from Cabinet: 28 May 2015**

1. West Suffolk Joint Pay Policy Statement 2015/2016

**Cabinet Member:** Cllr Ian Houlder

**(C) Referrals from Cabinet: 23 June 2015**

1. West Suffolk Operational Hub

**Cabinet Member:** Cllr Peter Stevens

2. Culford Park Management Plan

**Cabinet Member:** Cllr Alaric Pugh

3. Station Hill Development Area, Bury St Edmunds: Masterplan

**Cabinet Member:** Cllr Alaric Pugh

4. West Suffolk Hospital, Bury St Edmunds: Masterplan

**Cabinet Member:** Cllr Alaric Pugh

5. West Suffolk Facilities Management

**Cabinet Member:** Cllr Peter Stevens

6. Provision of Temporary Accommodation in Bury St Edmunds  
(See Exempt Appendix A at agenda item 17)

**Cabinet Member:** Cllr Sara Mildmay-White

**(D) Referrals from Anglia Revenues and Benefits Partnership Joint Committee: 10 June 2015**

1. ARP Trading Company Restructure

**Cabinet Member:** Cllr Ian Houlder

**(E) Referrals from Democratic Renewal Working Party: 17 June 2015**

1. Community Governance Review – Terms of Reference

**Chairman of the Working Party:** Cllr Patsy Warby

2. Members' Allowance Scheme and Independent Remuneration Panel

**Chairman of the Working Party:** Cllr Patsy Warby

**8. Annual Scrutiny Report: 2014/2015**

**43 - 58**

*Paragraph 7.5.1 of Article 7 of the Council's Constitution requires 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'.*

Report **COU/SE/15/022** attached.

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

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

Given the willingness of Councillor Tim Marks to sit on this joint body, the Committee has nominated him for 2015/2016.

The Council is **RECOMMENDED** that Councillor Tim Marks be nominated as the Borough Council's representative on the Suffolk Health Overview and Scrutiny Committee.

**10. Revised constitutions update** **59 - 62**

Report No: **COU/SE/15/023**

**Cabinet Member:** Cllr Ian Houlder      **Lead Officer:** Joy Bowes

Appendix 1 **TO FOLLOW**

**11. Senior Officer Employment** **63 - 70**

Report No: **COU/SE/15/024**

**Cabinet Member:** Cllr Ian Houlder      **Lead Officer:** Joy Bowes

**12. Questions to Chairmen**

<b>Committee</b>	<b>Chairman</b>	<b>Dates of meetings</b>
Overview and Scrutiny Committee	Cllr Diane Hind	10 June 2015
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	4 June 2015
Development Control Committee	Cllr Jim Thorndyke	4 June 2015 2 July 2015
Licensing Committee	Cllr Frank Warby	30 June 2015

**13. Question on Notice**

Councillor Nettleton has given notice under paragraph 8.4 of the Council Procedure Rules of the following question to Councillor Griffiths, Leader of the Council:-

*'There were no printing services at Mildenhall covering SEBC and FHDC from Tuesday 30 June to Friday 3 July. Why?'*

**Paragraph 8.5** of the Council Procedure Rules states that:-

*'Every question on notice will be answered without discussion. The member who is asked the question on notice may ask another member to answer. An answer may take the form of:-*

- (a) a direct oral answer summarised in the minutes;*
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or*
- (c) where the reply cannot conveniently be given orally at the meeting, a written answer sent by the appropriate officer and/or relevant Member to all Members within five working days of the Council meeting'.*

**Paragraph 8.7** states that:-

*'A Member asking a question on notice under paragraph*

*8.4 may ask one supplementary question, without notice, of a member to whom the first question was asked. The supplementary question must arise directly from the original question or the reply. The total time allowed for each question, including any supplementary question, to be put and answered will be ten minutes.'*

#### **14. Report on Special Urgency**

Part 4, Access to Information Procedural Rules, of the Constitution (paragraph 18.3) 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 17, 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.

#### **15. Exclusion of Press and Public**

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **Part 2 – Exempt**

#### **16. Property in Jubilee Walk, Haverhill**

**71 - 78**

Exempt Report No: **COU/SE/15/025**

Cabinet Member: Cllr Peter Stevens    Lead Officer: Michael Lindsdell

*(This exempt report is to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial and business affairs of a particular organisation.)*

**17. Provision of Temporary Accommodation in Bury St Edmunds**

**79 - 80**

Report No: **COU/SE/15/021**

Cabinet Member: Cllr Sara Mildmay-White    Lead Officer: Simon Phelan

*(This exempt report is to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial and business affairs of a particular organisation.)*



# Council



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Council** held on  
**Tuesday 24 February 2015 at 7.00 pm** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Mayor** Robert Everitt  
**Deputy Mayor** Patrick Chung

Trevor Beckwith	Beccy Hopfensperger	Karen Richardson
Sarah Broughton	Paul Hopfensperger	Marion Rushbrook
Tony Brown	Ian Houlder	Angela Rushen
Maureen Byrne	Helen Levack	Christopher Spicer
Terry Clements	Tim Marks	Clive Springett
Robert Clifton-Brown	Paul McManus	Sarah Stamp
Bob Cockle	Sara Mildmay-White	Peter Stevens
Paul Farmer	David Nettleton	Jim Thorndyke
Jeremy Farthing	Alaric Pugh	Paula Wade
Phillip French	Dave Ray	Julia Wakelam
Anne Gower	Joanna Rayner	Frank Warby
John Griffiths	Derek Redhead	Patricia Warby

## 23. **Apologies for Absence**

Apologies for absence were received from Councillors Buckle, Hind, Oliver, Simner, Adam Whittaker and Dorothy Whittaker.

The Acting Solicitor to the Councils asked members to note that there would be a special meeting of the council 25 March 2015 following the Joint Council meeting.

## 24. **Minutes**

The minutes of the meeting of Council held on 16 December 2014 were confirmed as a correct record and signed by the Mayor.

## 25. **Mayor's communications**

The Mayor reported on the civic engagements and charity activities which he, the Mayoress, Deputy Mayor and Deputy Mayoress had attended since the last meeting on 16 December 2014.

26. **Announcements (if any) from the Leader of the Council or Members of the Cabinet**

Councillor Griffiths, Leader of the Council, advised Members that the Council would be considering freezing Council Tax for the fifth consecutive year which was an amazing achievement.

27. **Public Participation**

There was no public participation.

28. **Schedule of Referrals from Cabinet and Joint Development Management Policies Committee**

The Council considered the Schedule of Referrals contained within Report No. **COU/SE/15/001** (previously circulated).

**(A) Referrals from Cabinet: 10 February 2015**

1. Annual Treasury Management and Investment Strategy 2015/2016, Treasury management Code of Practice, and April-December 2014 Performance Report

Councillor Ray, Portfolio Holder for Resources and Performance informed Members that there had been no significant changes made to the Strategy since the previous year, and that the Council must formally approve such a Strategy prior to the start of the financial year. The second recommendation allowed amendments to be made to the Strategy due to the recently announced removal of sovereign support for banks.

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

RESOLVED: That

- (1) the Annual Treasury Management and Investment Strategy Statements 2015/2016, as contained in Appendix 1 to Report TMS/SE/15/002, be adopted; and
- (2) the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance and the Chairman of Treasury Management Sub-Committee, be given delegated authority to make amendments to the Treasury Management Investment Strategy, 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.

2. Budget and Council tax Setting: 2015/2016 and Medium Term Financial Strategy

The Mayor informed members that this item would be considered at agenda item 8.

### 3. West Suffolk Homelessness Strategy

Councillor Gower, Portfolio Holder for Housing introduced this report which set out the strategy for preventing homelessness over the next three years.

In response to a question, Councillor Gower said she would provide figures to the Member detailing whether there had been an upturn in homelessness in response to the 'bedroom tax'.

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

RESOLVED:

That the West Suffolk Homelessness Strategy 2015-2018, as contained in Appendix A to Report No: CAB/SE/15/008, be adopted.

### 4. Pension Discretions Policy

The new pension regulations gave employers a number of discretionary options and the decisions had to be published in a Statement of Policy.

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

RESOLVED:

That the Pensions Discretion Policy, as contained in Appendix A to Report No: CAB/SE/15/010, be approved.

### 5. West Suffolk Shop Front and Advertisement Design Guide

Councillor Clements, Portfolio Holder for Planning and Regulation, introduced this report which sought approval of an extensive design guide for shop fronts throughout West Suffolk.

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

RESOLVED: That

- (1) the West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in Appendix A to Report SDW/SE/15/003 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 therefor; 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.

## **(B) Referrals from Cabinet: 24 February 2015 (Special Meeting)**

### 1. Suffolk Business Park Land Assembly

Recommendations emanating from this report would be considered at a special meeting of Council on 25 March 2015.

### 2. Eastern Relief Road, Bury St Edmunds: Update

Councillor Griffiths, Leader of the Council, provided an update on the Eastern Relief Road and emphasised the council's determination to continue to facilitate and accelerate this scheme.

He acknowledged that there were calculated risks but that the end result would be a sound investment. He also confirmed that there was a recognised demand for business units within West Suffolk; a number of enquiries had already been received from local businesses wanting to expand, businesses from further afield and international businesses. The Compulsory Purchase Order would be presented to Council on 25 March 2015.

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

RESOLVED: That

- (1) subject to the satisfaction of the Section 151 and Monitoring Officers, a commitment be made to the full £4,528,871 million programme of works for the provision of electricity to serve Suffolk Business Park, including an immediate financial allocation of £356,186 currently due on 27 February 2015, as detailed in Section 3 of Report No: CAB/SE/15/017;
- (2) subject to the approval of full Council and the satisfaction of the Section 151 and Monitoring Officers, delegated authority be given to the Head of Planning and Growth in consultation with the Leader of the Council to enter into an agreement or agreements to be entered into by St Edmundsbury Borough Council (SEBC) and the developer/landowner to enable the development of Suffolk Business Park and Eastern Relief Road to enable SEBC to realise a return on its investment in line with the principles approved in the Medium Term Financial Strategy; and
- (3) Council be asked to approve the financial allocation of £150,000 towards the costs of specialist advice for this project from reserves.

## **(C) Referrals from Joint Development Management Policies Committee: 11 February 2015 (Special Meeting)**

### 1. Joint Development Management Policies Document: Planning Inspector's Report and Adoption

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

RESOLVED: That

(a) 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); and

(4) St Edmundsbury Borough Policies Map and Inset Maps 1-4 (Appendix E)

(b) the following appendices attached to the Sustainability Appraisal for the Joint Development Management Policies Document (Appendix D to Report No: JDM/JT/15/001) be approved:

(1) Appendix G – Summary of Assessment of alternatives to the Joint Development Management Document Policies; and

(2) Appendix H – Assessment of reasonable alternatives to the policies set out in the Joint Development Management Policies Document.

**29. Mayoralty 2015/2016**

The Chairman of the Mayoral Advisory Committee, Councillor Houlder, reported informally that the Committee had recommended that at the Annual Meeting of the Council, Councillor Chung be nominated for election as Mayor for the 2015/2016 civic year.

Councillor Nettleton proposed a motion to refer this nomination back to the Mayoral Advisory Committee for further consideration, this was seconded by Councillor Beckwith, and upon a vote, the motion was defeated.

Councillor Chung said he was honoured to be nominated and would do his best for St Edmundsbury and West Suffolk.

**30. Budget and Council Tax 2015/2016**

*(Councillor French left and Councillor Paul Hopfensperger arrived during the consideration of this item.)*

The Council considered Report COU/SE/15/002 (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 £175.23 (this being the fifth successive year in which the council had delivered a Council Tax freeze).

The Council was required to consider the 2015/2016 budget for the authority and to set the level of Council Tax required to fund this budget. The proposed 2015/2016 net revenue budget was £12.757m

It was estimated that £8.832m would be spent on the Council's capital programme during 2015/2016, to be funded from a combination of grants and contributions (£2.214m) earmarked revenue reserves (£3.209m) and usable capital receipts reserve (£3.409m).

Council was required, in considering the budget, to take note of the report by the Head of Resources and Performance (S151 Officer), at Attachment x to the report. The conclusion was that overall, the estimates are robust and the reserves are adequate.

Councillor Ray, Portfolio Holder for Performance and Resources, explained that the budget had been built around the council's strategic priorities and there had been a public consultation during the summer. Although the policies of a new government were not known at the time of setting the budget, it was clear that local government would rely more on local funding rather than central government funding. In addition:

- the future of the New Homes Bonus, Council Tax freeze bonuses and Business Rates Retention was not known;
- the Council had gone further with shared services and made more efficiencies in the way business was conducted but warned that there would be less opportunities to close future budget gaps;
- the Council would need to look at earlier intervention to prevent rather than cure;
- the Council needed to behave more commercially by maximising income from current initiatives and searching for other ways to generate income.

Councillor Ray thanked all of the Finance team and other council staff for their contribution in achieving his budget and producing this budget. Councillor Griffiths then thanked Councillor Ray for his tireless working and his achievements during his time on the Council.

In response to questions, Councillor Ray explained:

- £3.7m of the New Homes Bonus had gone into the strategic priorities reserve and £3m had been allocated to housing within the capital programme (see Attachment E to Report COU/SE/15/002).
- The overall budget for the Apex was covered in two separate lines in the Revenue Budget Summary: the income was shown under 'Leisure – Commercial Activities' and the expenditure under 'The Apex'.

Some concern was raised on the continued Council Tax freeze and whether an increase should be considered in future years and there should be public consultation on this matter. Some grants to other organisations had been cut when their need for funding was increasing as other services were being reduced. Supporting charities and other organisations should be considered as part of our strategic priority 'resilient families and communities that are healthy and active'.

Councillor Ray explained that the decision to freeze council tax was made annually taking all factors into consideration.

On the motion of Councillor Ray and seconded by Councillor Griffiths, the motion was then put to the vote; the votes recorded were 31 votes for the motion, one vote against and five abstentions. The name of those Members voting for, against and abstaining being recorded as follows:-

**For the motion:**

Councillors Broughton, Chung, Clements, Clifton-Brown, Everitt, Farmer, Farthing, Gower, Griffiths, Beccy Hopfensperger, Houlder, Levack, Marks, McManus, Mildmay-White, Nettleton, Pugh, Ray, Rayner, Redhead, Richardson, Rushbrook, Rushen, Spicer, Springett, Stamp, Stevens, Thorndyke, Wade, Frank Warby and Patsy Warby.

**Against the motion:**

Councillors Brown.

**Abstentions:**

Councillors Beckwith, Byrne, Cockle, Paul Hopfensperger and Wakelam.

31. **Amendments to Constitution, date of Annual Council 2015 and Programme of Meetings for 2015/2016**

*(Councillor Beccy Hopfensperger left the meeting during the consideration of this item.)*

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

RESOLVED: That

(1) the Constitution be amended at Part 4, Council Procedure Rule 1.1.1 and 1.1.2 (k) as detailed in Appendix 1 to Report No. COU/SE/15/003; and  
(2) the date for the next Annual meeting of the Council be confirmed as Tuesday 19 May 2015; and

(3) the programme of meetings for 2015/2016 as detailed in appendix 2 to Report No. COU/SE/15/003 be approved.

32. **Question on Notice**

Councillor Nettleton had given notice under paragraph 11.2 of the Council Procedure Rules of the following question to Councillor Griffiths, Leader of the Council:

*'As part of the council's 'Think Asia: Think Hong Kong' strategy, is any thought given to the 'one person, one vote' protest movement in Hong Kong as the Communist Chinese government in Beijing seeks to dictate who can or cannot stand for election to the Legislative Council?'*

The Leader of the Council responded that the Council's strategy was to help businesses to promote themselves and develop good relationships throughout Asia for the good of West Suffolk.

Councillor Nettleton then asked the Leader whether any contracts arising from this strategy would be subject to scrutiny?

In response, Councillor Griffiths explained that any contracts would be subject to the laws of the land.

**33. 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.

**34. Reports and Questions**

*(Councillor Nettleton left the meeting at the beginning of this item.)*

**35. Report from the Leader of the Council**

Councillor Griffiths informed Members that Suffolk County Council's Cabinet had today agreed to go forward to the next stage on the Operational Hub project.

**36. Report from the Deputy Leader and Portfolio Holder for Health and Communities**

Councillor Mildmay-White agreed that the Newbury Community Centre was an exciting project delivering a state of the art community centre that was community led with support from the Council. She would liaise with the Member regarding Chalkstone Community Centre

**37. Report from the Portfolio Holder for Waste and Property**

In response to questions, Councillor Stevens:

- Confirmed that technology had shown that one freighter could be taken off the road by re-designing the brown bin collection routes.
- Concerns about access to the proposed Operational Hub and capacity at the roundabout at Hollow Road would be taken into

*(Councillor Cockle left the meeting at the end of this item.)*

**38. Report from the Portfolio Holder for Housing**

No questions were raised.

**39. Report from the Portfolio Holder for Resources and Performance**

No questions were raised.



40. **Report from the Portfolio Holder for Economic Growth**

No questions were raised.

41. **Report from the Portfolio Holder for Planning and Regulation**

As mentioned in his report Councillor Clements advised Members that the new Enforcement team was taking shape.

In response to a question, Councillor Clements asked the Member to provide further information regarding cladding on properties in Cambridge Way, Haverhill so that he could investigate further.

42. **Report from the Portfolio Holder for Leisure, Culture and Heritage**

In introducing her report, Councillor Stamp reminded Members that the launch of the Bury Festival had taken place the previous week.

43. **Report from the Chairman of the Overview and Scrutiny Committee**

No questions were raised.

44. **Report from the Chairman of the Performance and Audit Scrutiny Committee**

Councillor Broughton confirmed that the Committee had decided to take Option B as detailed in paragraph 7.3 of Report No, COU/SE/15/012.

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

No questions were raised.

The Meeting concluded at 9.23 pm

**Signed by:**

**Mayor**

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# Council



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Council** held on  
**Wednesday 25 March 2015** at **6.30 pm** at the **Conference Chamber, West**  
**Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Mayor** Robert Everitt

**Deputy Mayor** Patrick Chung

Trevor Beckwith	Ian Houlder	Christopher Spicer
Sarah Broughton	Helen Levack	Clive Springett
Tony Brown	Tim Marks	Sarah Stamp
Terry Buckle	Paul McManus	Peter Stevens
Terry Clements	Sara Mildmay-White	Jim Thorndyke
Robert Clifton-Brown	David Nettleton	Paula Wade
Jeremy Farthing	Alaric Pugh	Julia Wakelam
Phillip French	Dave Ray	Frank Warby
Anne Gower	Joanna Rayner	Patricia Warby
John Griffiths	Karen Richardson	Adam Whittaker
Diane Hind	Marion Rushbrook	
Paul Hopfensperger	Angela Rushen	

45. **Apologies for Absence**

Apologies for absence were received from Councillors Byrne, Cockle, Farmer, Oliver, Redhead, Simner, Beccy Hopfensperger and Doroghty Whittaker.

46. **Public Participation**

Claire Reid of Moreton Hall, Bury St Edmunds asked Councillor Griffiths, Leader of the Council why the compulsory purchase order did not include the land where an unsafe cycle/pedestrian path meets the Eastern Relief Road. There should be a clear division between the path and the road such as a barrier.

In response Councillor Griffiths agreed that this would be looked at in details and that the Head of Planning and Regulation would review the intended cycle route and then provide a written response.

#### 47. **Review of Constitution**

In introducing this item, Joy Bowes, Service Manager (Legal), informed members that the recommendations were to approve the draft Articles and Procedure Rules as included in Appendix A subject to the amendments that were included in a revised Appendix B tabled at the meeting (and is attached to these minutes).

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

RESOLVED: That

(1) the revised sections of the Constitution set out at Appendix A, with any amendments arising from consideration of the comments in Appendix B and tabled at the meeting, as replacements for the equivalent parts of its current constitution be approved; and

(2) the Monitoring Officer be authorised to make changes or corrections to the text, numbering or layout of the adopted revised Constitution that are necessary for consistency, accuracy, grammatical correctness and sense, and to remove any parts of the existing constitution implicitly made redundant by the adoption of the revised version or which are otherwise obsolete, prior to publication; and

(3) the Monitoring Officer be authorised, in consultation with the Leader and Chief Executive, to make any interim changes to those sections of Part 3 containing functions of the Cabinet and committees that are necessary to give effect to decisions made at the Annual Meeting prior to the adoption of a revised Part 3 at the July meeting of Council.

#### 48. **Suffolk Business Park Land Assembly**

The Council considered Report No: COU/SE/15/015 (previously circulated) which sought approval for the making of a Compulsory Purchase Order (CPO) and associated issues.

Councillor Griffiths, Leader of the Council, drew relevant issues to the attention of Members. He reminded Members that Cabinet had approved in principle the making of a CPO at their meeting on 10 February 2015 as negotiations between the Council, Churchmanor Estates Company PLC and Taylor Wimpey UK Ltd had stalled. Since then, negotiations and discussions had taken place but a satisfactory resolution had not yet been found.

Cabinet had considered that if it did not seek to use its compulsory purchase powers, this would result in the Eastern Relief Road (ERR) not progressing and therefore at their meeting on 24 February 2015 had recommended that Council should approve the making of the CPO. Negotiations would continue between all parties with a view to finding a solution without the need for a CPO, but if necessary, a paper would be taken to Council before any CPO action was taken.

Some concern was raised by councillors who felt that negotiations should continue without using a CPO as this could be seen to be depriving rightful

owners of their land. The response given was that negotiations had been continuing for some time and although it was still hoped that an agreement would be reached in due course without the need for a CPO, the Council needed to provide some certainty to the timetable to avoid losing funding from other sources.

Joy Bowes, Service Manager (Legal) referred Members to sections 4.2 and 4.6 of Report No: COU/SE/15/015, which clarified the process for a CPO.

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

RESOLVED: That

(1) the St Edmundsbury Borough Council (Suffolk Business Park Infrastructure) Compulsory Purchase Order 2015 ("the Order") under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and the Acquisition of Land Act 1981 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and all other enabling powers, for the acquisition of all legal estates and interests in the land and the acquisition of rights within the areas shown hatched on the draft Order map produced as Appendix 1 to Report No: COU/SE/15/015 with such amendment to the final land take and plot boundaries and to substitute the taking of new rights as an alternative to the acquisition of title as may be considered necessary and approved by the Head of Planning and Growth, the Section 151 Officer and the Monitoring Officer, in consultation with the Leader of the Council, for the purposes of securing mixed use development including the provision of the Eastern Relief Road linking Moreton Hall/Suffolk Business Park at Lady Miriam Way to Junction 45 of the A14 Trunk Road, is made; and

(2) the draft Order map that shows areas hatched where the intention is for the acquisition of all interests in the land other than those of the acquiring authority, is noted; and

(3) following confirmation of the Order by the Secretary of State, the use of the General Vesting Declaration procedure and notice to treat, notice of entry and conveyance where necessary in accordance with the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 to implement the St Edmundsbury Borough Council (Suffolk Business Park Infrastructure) Compulsory Purchase Order 2015, is authorised; and

(4) the acquisition and appropriation of the land required for the scheme for planning purposes under the provisions of section 122 of the Local Government Act 1972 and section 237 of the Town and Country Planning Act 1990 in conjunction with (3) above to enable the Council to over-ride private rights, easements and interests (including restrictive covenants etc) affecting the land required for the scheme, is approved; and

(5) delegated authority be given to the Head of Planning and Growth and Section 151 Officer in consultation with the Leader of the Council to:

(i) take all necessary steps as soon as is reasonably practical to secure the making, submission, confirmation and implementation of the Order (and, where appropriate, amendments to the Order by way of exclusion of interests in land or the addition of interests in land including the investigation of ownership interests) including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry; and subsequent services of Notices to Treat and Notices of Entry or, at their discretion, the execution of General Vesting Declarations as the case may be if the Order be confirmed

(ii) negotiate to acquire all interests in the land and new rights within the Order and rights and interests affected by the Order either by agreement or compulsorily, including prior to the making of the Order; and, where appropriate, to agree terms for relocation; and

(iii) approve agreements and undertakings with the owners of any interest in the Order and any objectors to the confirmation of the Order setting out the terms for the withdrawal of objections to the Order including, where appropriate, seeking inclusion in and/or exclusion from the Order of land or new rights; and

(iv) in the event that the question of compensation be referred to the Upper Tribunal (Lands Chamber), to take all necessary steps in relation thereto including advising on the appropriate compensation payable and to appoint appropriate consultants if necessary to assist and advise in this regard.

#### 49. **Schedule of Referrals**

*(Councillor Buckle left the meeting during the consideration of this item.)*

##### **(A) 1. Suffolk Business Park Land Assembly**

The recommendations emanating from the Cabinet's consideration of this report were contained within Report No: COU./SE/15/015, 'Suffolk Business Park Land Assembly', which had already been considered as Agenda Item 4 on this special full Council agenda.

##### **(B) 1. – Suffolk Business Park/Easter Relief Road, Bury St Edmunds: Update**

The report relating to this item (CAB/SE/15/021) had previously been circulated as a late item as Appendix A to Report: COU/SE/15/016.

Councillor Griffiths, Leader of the Council provided an update on the Eastern Relief Road project. Council had already committed £4.5m of funding for the works of providing electricity to serve the Suffolk Business Park at its meeting on 24 February 2015. At that time it was considered that NALEP would be able to provide a loan for the full amount but it was now clear that they would consider a loan of £1.4m instead. Therefore approval of the full amount of funding was now sought as a worst case scenario. The Council would continue to work with all partners to ensure a satisfactory conclusion.

Councillor Griffiths confirmed that proper transport plans including cycle paths would be sought from Suffolk County Council (SCC).

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

RESOLVED: That

(1) £4,528,871 from within the Council's capital programme, be allocated by the Section 151 Officer, initially financed from capital receipts, with a view to the project being funded by a combination of £1.4m from Taylor Wimpey, a £1.4m loan from New Anglia Local Enterprise Partnership (NALEP), and a loan from Suffolk County Council. Following the conclusion of the negotiations with these parties and the outcome of the NALEP application, if there is any shortfall, this would be funded by the Council and recovered through the loan repayments by Taylor Wimpey, as set out in 2.9 and 2.10 of Report No: CAB/SE/15/021; and

(2) all of the above be subject to the satisfaction of the Section 151 and Monitoring Officers, in consultation with the Leader of the Council; and

(3) subject to Recommendations (1) and (2) above, delegated authority be granted to the Head of Planning and Growth, in consultation with the Leader of the Council, to enter into a loan agreement with Taylor Wimpey to commission the electricity infrastructure works.

**(B) 2. – Transfer of land to Suffolk County Council for new High School at Moreton Hall, Bury St Edmunds**

The report relating to this item (CAB/SE/15/022) had previously been circulated as a late item as Appendix B to Report: COU/SE/15/016.

Councillor Stevens introduced this report which underlined the determination of the council to deliver infrastructure to the residents in Moreton Hall and St Edmundsbury in general, and to provide educational and leisure facilities.

A capital contribution would be made to SCC for sports provision within the site and the Council would retain the lease on site to ensure that these leisure facilities remain. The facilities would be flexible rather than aimed at specific sports. There would be a fitness suite, two studios, sports hall, and pitches available for community use in the evenings and at weekends and it was not anticipated that availability for the community would decrease as the school expanded.

On the motion of Councillor Stevens, seconded by Councillor Stamp and duly carried, it was

RESOLVED: That

(1) 11.38 acres of land be transferred to Suffolk County Council for the construction of a new upper school at Moreton Hall, Bury St Edmunds, as detailed in Section 1 of Report No: CAB/SE/15/022, for the sum of £193,460

subject to a 125 year lease back of the land forming part of the shared community sports provision and an accompanying dual use agreement, whilst ensuring the commercial advantage of the Council's ransom strip is maintained; and

(2) a capital contribution of £1,366,460 be made to Suffolk County Council towards a shared community sports provision within the site made up of the balance of:

(a) £813,000 capital allocation for Bury Town FC relocation;

(b) £360,000 anticipated future s106 contributions for sporting facilities at

(c) the capital receipt of £193,460 detailed in (1) above; and

(3) delegated authority be given to the Head of Operations, in consultation with the Portfolio Holders for Waste and Property, and Leisure, Culture and Heritage, Chief Executive, s151 Officer and Monitoring Officer, to agree the terms of all legal agreements necessary to give effect to the above.

**(B) 3. – Public Service Village Phase II: Update and next phase**

Councillor Griffiths, Leader of the Council, informed Members that as three of the four recommendations were decisions that could be taken within the Cabinet's executive powers, consideration of this referral from Cabinet was no longer required and a new report would come back to Council at a later date.

The Meeting concluded at 10.10 pm

**Signed by:**

**Mayor**

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# Council



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Council** held on  
**Tuesday 19 May 2015** at **1.00 pm** at the **Conference Chamber, West**  
**Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Mayor** Robert Everitt  
**Deputy Mayor** Patrick Chung

Sarah Broughton	Diane Hind	David Roach
Simon Brown	Beccy Hopfensperger	Barry Robbins
Tony Brown	Paul Hopfensperger*	Richard Rout
Terry Buckle	Ian Houlder	Angela Rushen
Carol Bull	Margaret Marks	Andrew Speed
John Burns	Tim Marks	Clive Springett
Terry Clements	Betty Mclatchy	Sarah Stamp
Bob Cockle	Ivor Mclatchy	Peter Stevens
Jason Crooks	Jane Midwood	Peter Thompson
Jeremy Farthing	Sara Mildmay-White	Jim Thorndyke
Paula Fox	David Nettleton*	Paula Wade*
Susan Glossop	Clive Pollington	Julia Wakelam
John Griffiths	Alaric Pugh	Frank Warby
Wayne Hailstone	Joanna Rayner	Patricia Warby

*\*for Part II Procedural Business*

50. **Apologies for Absence**

Apologies for absence were received from Councillor Richardson.

51. **Election of Mayor**

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

RESOLVED:

That Patrick Chung, a Councillor of the Borough, be and is hereby elected Mayor for the ensuing year.

The Mayor took the Chair, signed the Declaration of Acceptance of Office and acknowledged his election.

52. **Mayor's Communications**

53. **Appointment of Mayor's Chaplain**

The Mayor announced that he would be appointing as his Chaplain the Reverend Canon Matthew Vernon, Sub-Dean of St Edmundsbury Cathedral.

54. **Civic Service**

The Mayor announced that he had arranged for the Civic Service to be held at St Edmundsbury Cathedral, on Sunday, 19 July 2015 at 3.30 pm.

55. **Vote of Thanks to the Retired Mayor and Mayoress**

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

RESOLVED:

That the council, in recognising the most able and diligent manner in which the retired Mayor, Councillor Robert Dale Everitt, has carried out the duties of Mayor of the Borough during the past year, records its thanks and deep appreciation of the gracious work of the retired Mayoress, Mrs Diane Everitt.

Having been presented with his Past Mayor's badge, Councillor Everitt replied to the Vote of Thanks.

56. **Election of Deputy Mayor and Consort**

On the motion of Councillor Hind, seconded by Councillor Rushen and duly carried, it was

RESOLVED:

That Councillor Wakelam be and is hereby elected Deputy Mayor for the ensuing year.

The Deputy Mayor signed the Declaration of Acceptance of Office, and acknowledged her election.

57. **Vote of Thanks to Retired Deputy Mayor and Deputy Mayoress**

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

RESOLVED:

That the council record its sincere and deep appreciation of the services of Councillor Patrick Chung, as Deputy Mayor of the borough, and of the help and support given by the Deputy Mayoress, Mrs Anna Chung.

The retired Deputy Mayor acknowledged the Vote of Thanks.

**58. Election of Leader of the Council**

On the motion of Councillor Everitt, seconded by Councillor Marks, and duly carried, it was

RESOLVED:

That Councillor Griffiths be elected Leader of the Council.

Councillor Griffiths, Leader of the Council, welcomed the newly elected Councillors and paid tribute to those who had not been re-elected or who had chosen not to stand again.

**59. Appointment of Cabinet Members**

Councillor Griffiths, Leader of the Council, informed the Council that the Membership of the Cabinet would consist of the following Cabinet Members and their portfolios:

Councillor Mildmay-White	Housing
Councillor Pugh	Planning and Growth
Councillor Stevens	Operations
Councillor Everitt	Families and Communities
Councillor Rayner	Leisure and Culture
Councillor Houlder	Resources and Performance

Councillor Griffiths also informed the Council that Councillor Mildmay-White would act as Deputy Leader of the Council.

**60. Review of Political Balance and Appointment to Politically Balanced Bodies**

The Council considered Report COU/SE/15/017 (previously circulated) which detailed the results of a Political Balance Review as at 19 May 2015 and gave analysis of the number of Members on the Committees.

The Council was required by law to allocate seats to the following Committees based on political balance:

Development Control	16 Members
Licensing and Regulatory	13 Members
Overview and Scrutiny	16 Members
Performance and Audit Scrutiny	10 Members
Joint Officer Appointments	3 Members
Joint Officer Appeals	3 Members
Mayoral Advisory	7 Members
Treasury Management	3 Members

The total allocation of seats on the Committees was:

Conservative Group	57 seats
UK Independence Group	7 seats
Charter Group	6 seats
Independent – Councillor Paul Hopfensperger	1 seat

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

RESOLVED:

(1) the Committees, Joint Committees and Working Party listed in Sections 1.2.1 to 1.2.3 of Report No: COU/SE/15/017 continue to operate for 2015/2016 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2;

(2) the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced, as set out in paragraph 1.1.1 of Report No: COU/SE/15/017, be approved;

(3) the allocation of seats on the Committees which are required by law to be politically balanced, as indicated in Appendix 1 to Report No: COU/SE/15/017, be approved;

(4) the allocation of seats on the West Suffolk Joint Standards Committee, as indicated in Section 1.2.2 of Report No: COU/SE/15/017, be approved. This Committee is not required to be politically balanced;

(5) the allocation of seats on the Democratic Renewal Working Party, as indicated in Section 1.2.3 of Report No: COU/SE/15/017, be approved, whilst maintaining the political balance requirement;

(6) the Service Manager (Legal) be given delegated authority to appoint Members and substitute Members to those bodies set out in recommendations (3), (4) and (5) above on the basis of nominations from the relevant Group Leaders.

## 61. **Appointment of Chairmen and Vice-Chairmen of:**

### **(a) Overview and Scrutiny Committee**

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

RESOLVED:

That Councillor Hind be appointed as Chairman of the Overview and Scrutiny Committee.

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

RESOLVED:

That Councillor Farthing be appointed as Vice-Chairman of the Overview and Scrutiny Committee.

**(b) Performance and Audit Scrutiny Committee**

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

RESOLVED:

That Councillor Broughton be appointed as Chairman of the Performance and Audit Scrutiny Committee.

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

RESOLVED:

That Councillor Patsy Warby be appointed as Vice-Chairman of the Performance and Audit Scrutiny Committee.

**62. Representation on Outside Bodies**

The Council considered Report No. COU/SE/15/018 (previously circulated) which outlined previous outside body representations and sought delegated authority for the Service Manager (Legal) to appoint the Borough Council's representatives on outside bodies and in accordance with nominations put forward by the relevant Group Leaders.

Appendix B to Report No. COU/SE/15/018 referred to the Gershom Parkington Memorial Trust which should not be confused with the main Gershom Parkington bequest itself. The Council had received a request for use of the Trust funds to support a specific project and, as the Charity had been inactive for many years, it needed to reconvene to determine this. The Trust could have up to 10 members, and although there was a quorum of three members remaining, it was suggested that appointing a further three trustees at this time would meet the objective of the Charity for the Borough Council to have a majority of the total membership. It was therefore suggested that an amendment be made to the recommendation at (5) that **'up to four'** Borough Councillors be appointed.

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

RESOLVED:

(1) Where the Council may send observers to meetings of outside bodies these will be appointed by the Cabinet.

(2) If deemed appropriate, the Council to explore the passing of nominations to other organisations.

(3) Where the Council may make a nomination, but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet.

(4) The Service Manager (Legal) be given delegated authority to appoint the Borough Council's representatives on outside bodies not covered by (1), (2) and (3) above, in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed (as detailed in Appendix A to Report No: COU/SE/15/018).

(5) In relation to the appointments to the Gershom Parkington Memorial Trust (as detailed in Appendix B):-

(a) To determine whether to appoint **up to four** any Borough Councillors to the ~~four~~ vacant trustee positions, through whatever process is agreed for appointing to other outside bodies under this report.

(b) To authorise a Director, in consultation with the Portfolio Holder responsible for the heritage collection, to appoint to any remaining vacancies, before the next meeting of the Trust takes place.

**63. Temporary Appointment to Vacancies on Parish Councils**

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

RESOLVED:

(1) Council appoint those persons named in Appendix 1 to Report No: COU/SE/15/019 to Flempton cum Hengrave Parish Council temporarily until the holding of an election; and

(2) an Order to that effect be made in accordance with s91 Local Government Act 1972.

The Meeting concluded at 3.33 pm

**Signed by:**

**Mayor**

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# Council



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Referral of Recommendations from Cabinet, Anglia Revenues and Benefits Partnership Joint Committee and Democratic Renewal Working Party</b>	
<b>Report No:</b>	<b>COU/SE/15/021</b>	
<b>Report to and date:</b>	<b>Council</b>	<b>7 July 2015</b>
<b>Documents attached:</b>	<b>Exempt Appendix A:</b> (C) Referrals from Cabinet: 23 June 2015 – Provision of Temporary Accommodation in Bury St Edmunds	

## (A) Referrals from Cabinet: 24 March 2015

### 1. West Suffolk Safeguarding Policy - Guidelines for Working with Children, Young People and Vulnerable Adults

**Cabinet Member:** Cllr Sara Mildmay-White      **Report No:**  
[CAB/SE/15/026](#)

#### **RECOMMENDED:**

***That the revised Safeguarding Policy and Guidelines for working with Children, Young People and Vulnerable Adults, as set out in Appendix A to Report No: CAB/SE/15/026, be adopted.***

[Appendix A to Report No: CAB/SE/15/026](#) set out an updated and revised Safeguarding Policy and Guidelines for working with children, young people and vulnerable adults to ensure compliance with the new duties placed upon the Council by the Care Act 2014.

The revised policy will enable the West Suffolk councils to fulfil their statutory obligations under the Children Act 2004 and Care Act 2014 by establishing effective arrangements to safeguard and promote the welfare of children, young people and vulnerable adults. The features of effective arrangements as identified under the two Acts are listed in the Cabinet report, together with information on the role and responsibilities

of the independent Children's and Adult Safeguarding Boards, and internal training available on safeguarding issues.

**(B) Referrals from Cabinet: 28 May 2015**

**1. West Suffolk Joint Pay Policy Statement 2015/2016**

**Cabinet Member:** Cllr Ian Houlder

**Report No:**  
[CAB/SE/15/033](#)

**RECOMMENDED:**

***That the West Suffolk Joint Pay Policy Statement for 2015/2016 contained in Appendix 1 to Report No: CAB/SE/15/033, be approved.***

Section 38/11 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement annually. A joint Pay Policy Statement for 2015/2016, attached as [Appendix 1 to Report CAB/SE/15/033](#), has been produced for St Edmundsbury Borough and Forest Heath District Councils, which reflects the shared workforce, and the single Pay and Reward Strategy in place for the two West Suffolk councils. The Statement also incorporates the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

**(C) Referrals from Cabinet: 23 June 2015**

**1. West Suffolk Operational Hub**

**Cabinet Member:** Cllr Peter Stevens

**Report No:**  
[CAB/SE/15/040](#)

**RECOMMENDED:**

***That funding of £180,000, as detailed in Section 4 of Report No: CAB/SE/15/040, be approved (£98,000 FHDC and £82,000 SEBC). To be funded from each authority's Strategic Priorities and Medium Term Financial Strategy reserve.***

To date, all costs during the feasibility and deliverability phases of the West Suffolk Operational Hub project have been shared equally with Suffolk County Council and St Edmundsbury Borough Council. St Edmundsbury provided initial funding of £100,000 (Report F51 dated 30 June 2014 refers). A further £20,000 of funding has been made available through the Cabinet Office under the One Public Estate Programme (OPEP) which aims to support projects to co-locate public sector assets.

In order for the project to progress, funding will be required to potentially finalise business case in the autumn. Estimates elements of further cost required are:



Project Management / Concertus	£40,000
Planning advice	£15,000
BREEAM advisors	£4,000
Images and visual impact studies	£6,000
Planning application and land option	£52,000
Legal advice	£13,000
Direct costs	£30,000
Communications	£20,000
Consulting engineers (surveys / design)	£130,000
Other / contingency	£50,000
Total	£360,000

The anticipated share of these costs for West Suffolk is anticipated to be £180,000. Appropriate arrangements need to be made to share these costs between Forest Heath District Council and St Edmundsbury Borough Council. An accurate basis on which to share these costs between the West Suffolk Councils will be made for the business case. Until then it is recommended that they be shared on the standard 35:65 ratio and reconciled at a later date.

In order to reflect a 35:65 cost share between the West Suffolk authorities on both the current and future expenditure for this project, Forest Heath DC will be requested to make budget provision for £98,000 (35% of West Suffolk's £280,000 share – net of £20,000 OPEP funding) and St Edmundsbury will be requested to make a further budget provision of £82,000 (65% of West Suffolk's £280,000 share – net of £20,000 OPEP funding, minus the £100,000 already approved Report F51). Both amounts to be funded from each authority's Strategic Priorities and Medium Term Financial Strategy reserve.

A separate report that seeks financial approval for the funding of a number of major projects will come forward separately.

For information, the Cabinet also resolved on 23 June 2015 that:

- (1) *the contents of this report [Report No: CAB/SE/15/040] and the summarised feedback from pre-application consultation be noted; and*
- (2) *further pre-application consultation to include the site selection be approved.*

Further detail on the above can be found in Report No: [CAB/SE/14/040](#).

## **2. Culford Park Management Plan**

**Cabinet Member:** Cllr Alaric Pugh

**Report No:**  
[CAB/SE/15/043](#)  
**(Sustainable  
Development Working  
Party Report No:**  
[SDW/SE/15/004](#)

### **RECOMMENDED:**

***That the Culford Park Management Plan, as contained in Appendices 1 and 2 to Report No: SDW/SE/15/004, be adopted as a Supplementary Planning Document.***

The replacement Culford Park Management Plan is an updated version of the original document adopted in 2004. It reflects the complex nature of the site, comprising the educational function of Culford School, numerous historic buildings and extensive historic parkland, and the many, sometimes conflicting, priorities involved in protecting and managing the site. It also demonstrates their careful approach and commitment to the management and protection of the site as a whole.

The purpose of the Management Plan is to identify potential areas of future development within the site based on the school's anticipated operational needs, the required maintenance/repair/restoration of both the buildings and parkland, and to help identify priorities. Proposals are made based on a thorough understanding of the significance of the site.

The adoption of the Culford Park Management Plan as a Supplementary Planning Document (SPD) would provide the school with a degree of certainty when forward-planning. It would form the basis for planning and listed building consent applications, putting proposals into a wider context which would aid the Council and consultees in understanding and considering such applications.

## **3. Station Hill Development Area, Bury St Edmunds: Masterplan**

**Cabinet Member:** Cllr Alaric Pugh

**Report No:**  
[CAB/SE/15/043](#)  
**(Sustainable  
Development Working  
Party Report No:**  
[SDW/SE/15/005](#)

### **RECOMMENDED:**

***That the Masterplan for the Station Hill Development Area, Bury St Edmunds land allocation, as contained in Appendix A to Report Ref: SDW/SE/15/005, be adopted as non-statutory planning guidance, subject to amendments being made to the document to:***

- (i) provide greater clarity about the intended illustrative nature of the plans contained therein;**
- (ii) include relevant references to the Joint Development Management Policies document adopted in February 2015; and**
- (iii) delegated authority be given to the Head of Planning and Growth, in consultation with the Chairman of the Sustainable Development Working Party and the Ward Members for the Station Hill Development Area, to satisfactorily resolve the issues raised by Pigeon Investment Management Ltd in their letter of objection received immediately prior to the meeting of the Working Party held on 18 June 2015.**

The draft Masterplan, which has been prepared in accordance with the Council's adopted protocol and has been the subject of public consultation, follows the principles of the extant and emerging policy land allocations and the adopted Concept Statement but provides a level of detail which will inform any subsequent applications for planning permission. The draft document considers site topography, built form, landscape features, ecology, heritage assets, flood risk, key views and vistas, access and social context and uses these to evaluate opportunities and constraints to development, explores site capacity and develops some key design principles for development of the site.

The Masterplan proposes 'a high quality residential scheme which relates to the railway station, conversion of the locally listed Burlingham Mill, along with new public realm and open spaces across the site which link via new cycle and pedestrian routes to the surrounding neighbourhoods with a number of key features as set out in Report No: [SDW/SE/15/005](#).

The draft Masterplan identifies that development of the site is likely to be carried out in four distinct phases, predominantly influenced by land ownership constraints and the on-going railway sidings use which policy dictates will need to be re-located.

At the meeting of the Sustainable Development Working Party, officers reported receipt of a letter of objection from Pigeon Investment Management Ltd. This had been lodged with the Council shortly before the meeting and officers had not had the opportunity as a consequence to formulate advice on the points raised for the Working Party.

Members of the Working Party commented that the Masterplan made no reference to the provision of affordable housing, health and well-being issues and energy efficiency. Officers advised that relevant references to the Joint Development Management Policies covered such points and that they would be addressed in more detail at the planning application stage. It was requested that such references contain brief description of the ramifications of the policies referred to.

The recommendations put forward by the Working Party and Cabinet address these issues highlighted above.

#### **4. West Suffolk Hospital, Bury St Edmunds: Masterplan**

**Cabinet Member:** Cllr Alaric Pugh

**Report No:**  
[CAB/SE/15/043](#)  
**(Sustainable  
Development Working  
Party Report No:**  
[SDW/SE/15/006](#)

#### **RECOMMENDED:**

***That the Masterplan for the West Suffolk Hospital, as contained in Appendix A to Report No: SDW/SE/15/006, be adopted as non-statutory planning guidance.***

The Bury St Edmunds Vision 2031 document states that should there be major development proposals at the West Suffolk Hospital site a Masterplan would need to be prepared which takes account of increased demand for parking, traffic generation and environmental impacts on the site.

The draft Masterplan, which has been prepared in accordance with the Council's adopted protocol and has been the subject of public consultation, sets out five main areas for development which are shown on the plan that supports the Masterplan, as provided in Report No: [SDW/SE/15/006](#).

Outside of these five areas it also indicates that the main vehicular access would be widened and improved to ensure that emergency vehicles can access the site if a large vehicle broke down on the current vehicular entrance.

The draft Masterplan is limited in what it is seeking to set out. The Trust are currently doing a strategic piece of work to understand the cost and advantages of either moving to the western side of Bury St Edmunds or redeveloping their current site. The results of this will be known in early 2016. If they decide to stay on their current site any major redevelopment would require a new Masterplan which the Trust are fully aware.

Regardless of what option the Trust take the adoption of this Masterplan will enable them to bring forward planning applications in order to develop the current site in an interim way and continue to operate an effective and functional hospital.

## **5. West Suffolk Facilities Management**

**Cabinet Member:** Cllr Peter Stevens

**Report No:**  
**[CAB/SE/15/045](#)**

### **RECOMMENDED: That**

- (1) the contents of Report No: CAB/SE/15/045 be noted;**
- (2) approval is given to establish a Joint Venture Company with Eastern Facilities Management Services (EFMS) Ltd for the delivery of Facilities Management services at Forest Heath District Council and St Edmundsbury Borough Council; and**
- (3) delegated authority be given to the Head of Operations, in consultation with the Head of Resources and Performance, the Service Manager (Legal) and respective Portfolio Holders for Operations to finalise and confirm the outstanding legal and governance matters outlined herein at 3.11 to 3.15 and 3.21 of Report No: CAB/SE/15/045, before signing contracts to establish the new Joint Venture company with EFMS.**

Facilities Management (FM) services at Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) (the West Suffolk councils) are currently delivered through a range of different methods. The bulk of the FM services at SEBC are contracted out to a company called Ocean Integrated Services Ltd. This contract is ending which provides an opportunity to bring together FM services across West Suffolk into a single arrangement. FHDC FM services are currently predominantly in-house with Ocean covering some sites in Newmarket. SEBC has some FM arrangements that fall outside of the Ocean contract and are provided by other contractors (e.g. cleaning at public halls).

Along with the rest of the public sector, Local Government has entered a period of significant change. There can be little doubt that in the next few years rationalising the public estate through co-location will become far more prevalent in response to financial pressures and Central Government initiatives like the One Public Estate Programme. Our arrangements for FM services therefore need to offer maximum flexibility along with value for money, high performance and perhaps offer the potential for commercial business growth and income to the councils.

With this review we have the opportunity to standardise FM services into a single arrangement across West Suffolk. This will make managing future arrangements more consistent and effective and we will also seek to reduce the day-to-day client involvement in operational matters and the time spent on contract management.

In reviewing our options it is also important to consider the shifting landscape in which these services will be delivered. Any future

arrangements should provide flexibility for the reasons outlined above. We need to cut the cost of these services and have the ability to continually review and improve them to make them more cost effective with the passage of time. It is also recognised that at the main SEBC offices, Suffolk County Council (SCC) are taking an increasing financial stake in the cost and delivery of these services as their occupancy of these buildings surpasses that of SEBC. Finally, there is an opportunity to consider whether any future arrangement can deliver a more commercial solution with the ability to grow it through adding other services (e.g. print, security, grounds maintenance) or securing sales revenue through providing work of a similar nature to other organisations in the locality.

In seeking to bring the arrangements for FM services together, four options were considered. It was concluded that Option 4 offers the greatest potential and this option has been explored further in more detail. Option 4 is to enter into a Joint Venture (JV) with a publically owned FM company, specifically, to form a JV Partnership with SCC's arms-length company Eastern Facilities Management Services (EFMS) Ltd.

A JV is a business agreement in which the parties agree to develop a new entity and new assets by contributing equity. They exercise control over the enterprise and consequently share revenues, expenses and assets.

Appendix B attached to Report No: [CAB/SE/15/045](#) contains a more detailed summary of the potential advantages and disadvantages of each of the options, with a summary of the costs identified and agreed by EFMS and West Suffolk contained in Exempt Appendix D.

The Cabinet report also provides details on who and what EFMS are, together with addressing issues on due diligence, legal and governance, negotiations on terms and conditions, human resources, JV company values and the proposed timeline for implementation.

## **6. Provision of Temporary Accommodation in Bury St Edmunds**

***Cabinet Member:*** Cllr Sara Mildmay-White      ***Exempt Report No:***  
***CAB/SE/15/046***

The recommendations emanating from Exempt Report No: CAB/SE/15/046 are contained in Exempt Appendix A attached.

**(D) Referral from Anglia Revenues and Benefits Partnership Joint Committee : 10 June 2015**

**1. ARP Trading Company Restructure**

**Cabinet Member:** *Cllr Ian Houlder*

**Report No:** *Agenda Item 12*

**RECOMMENDED: That**

- (1) *St Edmundsbury Borough Council buys shares valued at £1 each in the new ARP Trading Company Limited in accordance with Section 1.5 of the report on the ARP Trading Company Restructure submitted to the Anglia Revenues and Benefits Partnership Joint Committee on 10 June 2015, alongside an identical purchase by Waveney DC, Suffolk Coastal DC, and Fenland DC;***
- (2) *Should East Cambs DC wish to buy shares in the new ARP Trading Company Limited, and should it inform the JC partner councils prior to the next JC meeting (in September), this request is approved;***
- (3) *The number of shares each authority holds in the reconstituted ARP to be confirmed once East Cambs DC position is known, but to add up to a total number of shares of 1,750.***
- (4) *A loan of £10,000 from St Edmundsbury and each of the other partner authorities involved with establishing the trading company be approved, to cover initial working capital requirements (with approval to amend the Council's Treasury Management policies if required); this loan to be funded from underspend in ARP's 14/15 budget;***
- (5) *agreement of the revised company constitution and shareholder agreement be delegated to the Operational Improvement Board to complete; and***
- (6) *a person or persons be nominated from each of the six partner authorities involved to represent the respective authority's interests at shareholder meetings.***

ARP Trading Limited is a private company limited by shares which was established in 2006. It has share capital of £100, with Breckland Council holding 66 shares and Forest Heath holding 34 shares. It traded successfully for a number of years. In recent years company turnover has reduced as efforts have concentrated on the expansion of the Joint Committee arrangement. The expansion of the Joint Committee has also made it unequitable to utilise the trading company to deploy resources at other sites. Retained profits amount to around £100,000, subject to final audit.

The Joint Committee has reviewed the strategic direction of the partnership, recognising the growing partnership and changing environment in which the revenues and benefits service operates. On 19 March 2015 the Joint Committee agreed that a positive way forward for the partnership would be to utilise the trading company as the means to trade some of ARP's sellable services where appropriate. This would involve the company (with the approval of the two existing shareholder authorities) distributing its retained profit and extending the shareholding to the other five full partners to allow them to participate in the company.

Recognising that the company has retained profits which will need to be distributed before any company reconstruction could take place, the company board would need to declare a dividend to allow this cash to be released. The current shareholders, Forest Heath and Breckland, would also need to approve the dividend payment, as set out in a recommendation to both of these authorities, which asks that:

*'To Breckland and Forest Heath Councils, that amendments to the company constitution and shareholder agreement be made to allow the expansion of the ARP Trading Company Limited to include all seven [amended to six, less East Cambs DC] full partner councils of the ARP Joint Committee'*

The company would need to retain sufficient funds to maintain a very basic level of operation and cashflow and remain solvent while business cases are developed and implemented to grow the business. This core level of funding could be achieved through a combination of raising more share capital and borrowing from the shareholders.

It is assumed that £1,750 is considered sufficient to cover a years' audit and bank fees with no trading activity taking place. The company already has share capital of £100 from Breckland and Forest Heath. Therefore it will need to issue 184 shares to Breckland, 216 shares to Forest Heath and the remaining shares were to be divided equally between the other five partner authorities, all at £1 per share. This would give each authority equal ownership in the company. However, at the Joint Committee meeting on 10 June 2015, one of the partners, East Cambs District Council, decided it would not wish to make the investment, therefore the remaining shares would be divided equally between the remaining four partner authorities, St Edmundsbury being one of them. The authorities would each need to approve this share purchase to bring the total share capital up to £1,750, as set out in Recommendation (1) above.

At the Joint Committee meeting on 19 March 2015, Members expressed the view that, for the company to be effective, it should be set up with sufficient funds so that it does not need to constantly ask Joint Committee (and the authorities) for additional funds to cover the costs of setting up new operations and initiatives. It is therefore proposed that the partners provide additional funds to cover start-up of trading activities. It is envisaged that services initially traded by the company will cover the same type of activities currently delivered through the Joint Committee partnership arrangement including new activities such as enforcement. The company would not need a great deal of set up capital as it would buy in systems, staff, and management from the ARP. Not only will this keep down the set up costs for



the company, but it will also reduce running costs for the partnership, as systems and overheads are spread over a wider base. However the company would need to be able to pay ARP for these services and directly employ or contract its own resources when required. In the absence of a detailed business case at this stage, a £10,000 contribution from each partner (funded from 2014/2015 savings in the partnership budgets) will provide working capital to ensure the company can operate as a going concern.

The working capital injection would be in the form of loans to allow the repayment to the councils at a future date when company finances allow. This would also allow the councils to earn market interest rates from their investments and to help mitigate corporation tax charges to the company. It is anticipated that this is a treasury management loan and that each authority will need to check that the scope of its own Treasury Management policies cover this type of transaction and to amend them if they don't.

The company's memorandum and articles of association will need to be amended to recognise the reconstruction, and the shareholders' agreement will also need revision, although there may be an opportunity to adopt the new form of model articles introduced by the Companies Acts if this is more efficient for the legal teams. The articles of association is a document which, along with the memorandum of association (if used) form the company's constitution, defines the responsibilities of the directors, the kind of business to be undertaken, and the means by which the shareholders exert control over the board of directors. It is proposed that the details contained in these documents are delegated to the Operational Improvement Board for final approval to ensure that each authority is appropriately represented, although the company is ultimately responsible for approving these company documents.

Company business (such as approval of annual accounts, appointment of auditors) often requires approval by its shareholders. It is proposed that each authority nominates an officer who is able to represent the authority's interests at shareholder meetings. This would avoid the need for shareholder decisions having to be referred back to each authority for formal reporting and decision making.

For further information, see [ARP Trading Company Restructure](#) report considered by the Joint Committee on 10 June 2015.

## **(D) Referrals from Democratic Renewal Working Party: 17 June 2015**

### **1. Community Governance Review – Terms of Reference**

**Chairman of the Working Party:**  
*Cllr Patsy Warby*

**Report No:**  
**[DEM/SE/15/001](#)**

**RECOMMENDED: That**

**(1) in accordance with the process agreed by full Council in December 2014, the terms of reference for the Community**

**Governance Review as set out in Appendix B to Report No. COU/SE/15/021 be approved and published.**

The Working Party considered [Appendix A to DEM/SE/15/001](#) which listed the suggestions for inclusion in the Community Governance Review (CGR). The Working Party widened and merged two of the suggestions; one of the boundary suggestions in the original paper was not supported by the Working Party on the basis that the Council had already examined and consulted on the issue in a previous CGR; and another was already covered by the need to carry out a consequential review of the impact on parish and borough wards and county divisions. As a result of these changes, a revised table with new numbering (see Appendix B to COU/SE/15/021) is attached to reflect a final set of proposals from the Working Party.

**2. Review of Members' Allowance Scheme and Appointment of Independent Remuneration Panel**

**Chairman of the Working Party:**  
Cllr Patsy Warby

**Report No:**  
[DEM/SE/15/002](#)

**RECOMMENDED: That**

- (1) the Council undertake a recruitment process as outlined in Section 2 of Report DEM/SE/15/002**
- (2) the Council appoint a Selection Panel of three Members, plus a substitute Member, to advise the Service Manager (Legal Services) on the appointment of Members of the Independent Remuneration Panel (IRP) and the terms and conditions of appointment.**
- (3) the Service Manager (Legal Services) be authorised to seek candidates for an Independent Remuneration Panel to determine its terms and conditions.**

**(If Forest Heath District Council, at their meeting on 15 July 2015, agree to end their Members' Allowance Scheme on 30 November 2015, the Selection Panel in Recommendation (2) and the Independent Remuneration Panel in Recommendation (3) would both be joint and the number of Members to be appointed to the Selection Panel would be two Members plus a substitute Member.)**

The current Members' Allowance Scheme for St Edmundsbury Borough Council expires on 30 November 2015. Members of an Independent Remuneration Panel (IRP) must be appointed in order to review the current scheme and make any recommendations for change.

The equivalent scheme for Forest Heath District Council (FHDC) expires on 30 March 2017. At their Council meeting on 15 July 2015, Members of FHDC will be asked to consider ending their Allowance Scheme early to allow a review of both authorities' schemes to be carried out by a Joint Independent Remuneration Panel. If FHDC members agree to end their scheme early, the

number of members to be appointed to the Selection Panel will be two members plus one substitute for each authority.

If FHDC do not wish to end their Scheme early, the appointed IRP will review only the St Edmundsbury scheme for a period to expire on 30 March 2017, at which time a Joint Independent Remuneration Panel would be appointed to review both schemes.

The process would involve the following steps:

- (a) appoint a three Member Selection Panel (SEBC only) or a four Member Selection Panel (joint);
- (b) advertise for Members of the IRP in the Bury Free Press and Haverhill Echo;
- (c) contact local representative groups for nominations, e.g. Chamber of Commerce;
- (d) carry out an application process; and
- (e) select and call candidates for interview.

The reappointment of the existing Panel Members, if making an application, will be determined by the Selection Panel as part of the appointment process.

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## Appendix B – Terms of Reference for Community Governance Review

*\* Already approved for inclusion at Full Council in December 2014*

No.	Area or Properties Under Review	Parishes Directly Affected	Borough Wards Directly Affected	Matters on which CGR will or could focus
A	B	C	D	E
1*	Vision 2031 Strategic Site "North-West Bury St Edmunds"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Fornham All Saints</li> </ul>	<ul style="list-style-type: none"> <li>•Fornham</li> <li>•St Olaves</li> </ul>	Whether or not existing parish governance arrangements should be amended in respect of new homes and/or employment land included in the strategic growth site. If amendments are needed, this could be through changes to existing parish boundaries or wards and/or the creation of new parish(es).
2*	Vision 2031 Strategic Site "West Bury St Edmunds"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Westley</li> </ul>	<ul style="list-style-type: none"> <li>•Barrow</li> <li>•Minden</li> </ul>	As per 1. above
3*	Vision 2031 Strategic Site "North-East Bury St Edmunds"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Great Barton</li> </ul>	<ul style="list-style-type: none"> <li>•Great Barton</li> <li>•Moreton Hall</li> </ul>	As per 1. above
4*	Vision 2031 Strategic Site "Moreton Hall"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Great Barton</li> <li>•Rushbrooke with Rougham</li> </ul>	<ul style="list-style-type: none"> <li>•Great Barton</li> <li>•Moreton Hall</li> <li>•Rougham</li> </ul>	As per 1. above
5*	Vision 2031 Strategic Site "South-East Bury St Edmunds"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Nowton</li> <li>•Rushbrooke with Rougham</li> </ul>	<ul style="list-style-type: none"> <li>•Horringer and Whelnetham</li> <li>•Rougham</li> <li>•Southgate</li> </ul>	As per 1. above
6	Vision 2031 Strategic Site "Suffolk Business Park"	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Rushbrooke with Rougham</li> </ul>	<ul style="list-style-type: none"> <li>•Moreton Hall</li> <li>•Rougham</li> </ul>	As per 1. above

No.	Area or Properties Under Review	Parishes Directly Affected	Borough Wards Directly Affected	Matters on which CGR will or could focus
A	B	C	D	E
7*	Moreton Hall area of Bury St Edmunds	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Great Barton</li> <li>•Rushbrooke with Rougham</li> </ul>	<ul style="list-style-type: none"> <li>•Eastgate</li> <li>•Great Barton</li> <li>•Moreton Hall</li> <li>•Rougham</li> </ul>	The CGR will look at the proposal of Cllr Beckwith to create an entirely new parish of Moreton Hall (by removing these properties from existing parished areas). The initial consultation for the review will seek views on potential boundaries as well as electoral arrangements. Since this element of the review will need to link with issues 4, 6 and 8, it will potentially affect Great Barton and/or Rushbrooke with Rougham parishes.
8	29 Primack Road 67 Mortimer Road 87 Mortimer Road 89 Mortimer Road 91 Mortimer Road 93 Mortimer Road 95 Mortimer Road	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Rushbrooke with Rougham</li> </ul>	<ul style="list-style-type: none"> <li>•Moreton Hall</li> <li>•Rougham</li> </ul>	<p>The parish boundary between Bury St Edmunds and Rushbrooke with Rougham in the vicinity of Mortimer and Primack Roads.</p> <p>This matter will be considered alongside issues 4, 6 and 7.</p>
9	71, 73 and 75 Home Farm Lane	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Nowton</li> </ul>	<ul style="list-style-type: none"> <li>•Southgate</li> <li>•Horringer and Whelnetham</li> </ul>	The parish boundary between Bury St Edmunds and Nowton to the rear of 71, 73 and 75 Home Farm Lane
10	School Bungalow, Hardwick Middle School, Mayfield Road	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Nowton</li> </ul>	<ul style="list-style-type: none"> <li>•Southgate</li> <li>•Horringer and Whelnetham</li> </ul>	The parish boundary between Bury St Edmunds and Nowton in relation to Hardwick Middle School.
11	136 Newmarket Road	<ul style="list-style-type: none"> <li>•Bury St Edmunds</li> <li>•Westley</li> </ul>	<ul style="list-style-type: none"> <li>•Minden</li> <li>•Barrow</li> </ul>	<p>The parish boundary between Bury St Edmunds and Westley</p> <p>This matter will be considered alongside issue 2.</p>
12*	Vision 2031 Strategic Site "North-West Haverhill"	<ul style="list-style-type: none"> <li>•Haverhill</li> <li>•Little Wratting</li> <li>•Withersfield</li> </ul>	<ul style="list-style-type: none"> <li>•Haverhill North</li> <li>•Withersfield</li> </ul>	As per 1. above

No.	Area or Properties Under Review	Parishes Directly Affected	Borough Wards Directly Affected	Matters on which CGR will or could focus
A	B	C	D	E
13*	Vision 2031 Strategic Site "North-East Haverhill"	<ul style="list-style-type: none"> <li>•Haverhill</li> <li>•Kedington</li> <li>•Little Wratting</li> </ul>	<ul style="list-style-type: none"> <li>•Haverhill East</li> <li>•Haverhill North</li> <li>•Kedington</li> <li>•Withersfield</li> </ul>	As per 1. above
14	Vision 2031 Strategic Site "Hanchett End" (Haverhill Research Park)  <i>(All of the area bounded by the A1017, A1307 and Hanchett End)</i>	<ul style="list-style-type: none"> <li>•Haverhill</li> <li>•Withersfield</li> </ul>	<ul style="list-style-type: none"> <li>•Haverhill West</li> <li>•Withersfield</li> </ul>	As per 1. above
15	County boundary between Suffolk and Essex adjacent to Haverhill	<ul style="list-style-type: none"> <li>•Haverhill</li> <li>•Withersfield</li> <li>•Kedington</li> </ul>	<ul style="list-style-type: none"> <li>•Haverhill East</li> <li>•Haverhill South</li> <li>•Haverhill West</li> <li>•Kedington</li> <li>•Withersfield</li> </ul>	The boundary between Essex and Suffolk around Haverhill. <i>The Borough Council does not have the ability to make changes to county boundaries as part of this CGR but could consult on this issue and raise these concerns with the Local Government Boundary Commission and ask them to carry out a Principal Area Boundary Review.</i>
16	Hermitage Farmhouse, Snow Hill, Clare (CO10 8QE)	<ul style="list-style-type: none"> <li>•Clare</li> <li>•Poslingford</li> </ul>	<ul style="list-style-type: none"> <li>•Cavendish</li> <li>•Clare</li> </ul>	Boundary between Clare and Poslingford in vicinity of Hermitage Farm
17	Oak Lodge, Mill Road, Hengrave (IP28 6LP)	<ul style="list-style-type: none"> <li>•Culford</li> <li>•Fornham St Martin cum St Genevieve</li> <li>•Hengrave</li> </ul>	<ul style="list-style-type: none"> <li>•Fornham</li> <li>•Risby</li> </ul>	Boundary between Culford, Fornham St Martin cum St Genevieve and Hengrave in vicinity of Mill Road

No.	Area or Properties Under Review	Parishes Directly Affected	Borough Wards Directly Affected	Matters on which CGR will or could focus
A	B	C	D	E
18	Lodge Farmhouse, Lodge Farm, Seven Hills, Ingham (IP31 1PT)	<ul style="list-style-type: none"> <li>•Culford</li> <li>•Ingham</li> </ul>	Risby	Boundary between Culford and Ingham Parish in vicinity of Lodge Farm
19	Elm Farm and associated cottages, Assington Green, Stansfield (CO10 8LY)	<ul style="list-style-type: none"> <li>•Denston</li> <li>•Stansfield</li> </ul>	Cavendish	Boundary between the parishes of Denston and Stansfield in vicinity of Elm Farm
20	Area between Fornham Lock Bridge and the Sheepwash Bridge, adjacent to the sewage works entrance, Fornham St Martin.	<ul style="list-style-type: none"> <li>•Fornham All Saints</li> <li>•Fornham St Martin cum St Genevieve</li> </ul>	Fornham	Boundary between the parishes of Fornham All Saints and Fornham St Martin cum St Genevieve along the B1106.
21	RAF Honington	<ul style="list-style-type: none"> <li>•Honington cum Sapiston</li> <li>•Troston</li> </ul>	<ul style="list-style-type: none"> <li>•Bardwell</li> <li>•Pakenham</li> </ul>	Parish boundaries and ward arrangements in respect of RAF Honington (and their consequential impact upon Borough, County and Parliamentary representation).
22	Weathercock House, New Common Road, Market Weston (IP22 2PG)	<ul style="list-style-type: none"> <li>•Market Weston</li> <li>•Thelnetham</li> </ul>	Barningham	Boundary between Market Weston and Thelnetham in the vicinity of Weathercock House.
24	Properties on Dunstall Green Road between Ousden and Dalham	<ul style="list-style-type: none"> <li>•Dalham (FHDC)</li> <li>•Ousden</li> </ul>	<ul style="list-style-type: none"> <li>•Wickham-brook</li> <li>•South Ward (FHDC)</li> </ul>	The boundary between St Edmundsbury and Forest Heath Districts in the vicinity of Dalham and Ousden. <i>The Borough Council does not have the ability to make changes to district boundaries as part of this CGR but could consult on this issue and raise these concerns with the Local Government Boundary Commission and ask them to carry out a Principal Area Boundary Review.</i>



<b>No.</b>	<b>Area or Properties Under Review</b>	<b>Parishes Directly Affected</b>	<b>Borough Wards Directly Affected</b>	<b>Matters on which CGR will or could focus</b>
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
25	Stansfield Parish Council	Stansfield	Cavendish	Number of councillors for Stansfield Parish Council
26	Great and Little Thurlow	<ul style="list-style-type: none"> <li>•Great Thurlow</li> <li>•Little Thurlow</li> </ul>	Withersfield	Whether or not to combine the parish councils of Great and Little Thurlow.
27	The whole Borough (consequential impact of CGR)	•All	•All	Consequential impacts and changes to Parish and Borough Council wards and County Council divisions representing the Borough associated with any proposed changes to parish boundaries or wards arising from the CGR. Changes may be in the form of ward/division boundaries and numbers of councillors.

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**COU/SE/15/022**



*St Edmundsbury*  
BOROUGH COUNCIL

Forest Heath & St Edmundsbury councils

**West Suffolk**  
working together

# **ANNUAL SCRUTINY REPORT**



**2014-2015**

# St Edmundsbury Borough Council Annual Scrutiny Report 2014-2015

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## Introduction



**Councillor Ian Houlder**

**Chairman of the  
Overview and Scrutiny Committee  
2014-2015**



**Councillor Sarah Broughton**

**Chairman of the Performance and  
Audit Scrutiny Committee  
2014-2015**

Welcome to the thirteenth Annual Report on the overview and scrutiny function at St Edmundsbury Borough Council.

Scrutiny is central to the decision-making process of the Council, and this Annual Report sets out the work of the two scrutiny committees during 2014-2015. The report is not intended to cover all the work of the committees in great detail, but to present some examples of where and how scrutiny has contributed to change, challenge and service improvements, and to give you a flavour of the work undertaken, in the hope that you will be encouraged to play more of a role in the scrutiny process in the coming year.

2014-2015 was another busy year for the committee, with the Overview and Scrutiny Committee carrying out several policy and scrutiny reviews. We also held informal joint scrutiny meetings with members of Forest Heath District Council's Overview and Scrutiny Committee to discuss key issues for West Suffolk.

The Performance and Audit Scrutiny Committee, in its eighth year of operation, continued to increase the scope of its internal and external audit monitoring role, and oversaw significant savings in the 2015-2016 budget, which will be good news for the Council Tax payers of the Borough. A new dimension to this year's work programme saw the implementation of Informal Joint Performance and Audit Scrutiny meetings with Forest Heath's Performance and Audit Scrutiny Committee.

2014-2015 was also another strong year for external involvement in our scrutiny reviews, with representatives from partner organisations attending meetings or taking part in consultations to help the committees with their investigations.

We hope you find this Annual Report both informative and interesting, and that you will continue to follow the progress of the scrutiny function at St Edmundsbury Borough Council.

May 2015

## What does Scrutiny do?

The scrutiny function of this and other councils was introduced under the Local Government Act 2000, which required councils to set up new structures to replace the old committee system. The aim of the Government's programme for modernising local government was for local people to know more about how their local council works and get more involved, and for Councillors to have more interesting and rewarding work. As part of this, councils were required to establish at least one "overview and scrutiny committee" to monitor decisions made and, where appropriate, to advise the Council on matters of policy or service delivery.

St Edmundsbury has two such committees. The Overview and Scrutiny Committee looks back at how and why decisions were made, how services are functioning and where improvements can be made, but in its role as community leader also looks at wider issues. It also examines new and evolving policies.

The Performance and Audit Scrutiny Committee has particular responsibility for monitoring the performance of services, as well as internal audit, risk management and procurement, and has responsibility for scrutinising the Council's budget, including any proposals for cost reductions.

### Overview and Scrutiny Committee

#### Responsibilities:

- Community leadership
- Reviews
- Pre-decision scrutiny
- Post implementation review
- Policy development and review
- External and joint scrutiny
- Call-ins and Councillor Calls for Action
- Holding the Cabinet to account
- Holding Portfolio Members to account
- Scrutiny improvement

As the Council's critical friend, the Overview and Scrutiny Committee holds the Cabinet, full Council and staff to account by monitoring the decision making process and testing existing practices to check they are working properly. It can also call in Cabinet decisions to check them before they are put into practice. The Overview and Scrutiny Committee is able to stand back from the decision making process, look at the outcomes for the people of St Edmundsbury and West Suffolk and contribute to ensuring improved performance.

The Committee also looks at the impact on the community of key plans and strategies within the Council's policy framework, investigating why things are as they are, researching options, challenging assumptions and suggesting improvements. When looking at a new policy, the Committee ensures it would contribute to the Council's priorities as set out in the West Suffolk Strategic Plan 2014-2016, and that any links to other Council policies demonstrate continuity. When reviewing existing policies, the Committee investigates how successful it has been, whether it achieved its objectives within budget and to timescale, and what needs to change. In all its policy development, the Committee aims to enhance services and make life better for people living and working in St Edmundsbury, as well as those visiting us.

The Committee has up to eight scheduled meetings per year.

## **Performance and Audit Scrutiny Committee**

- Performance management
- Internal and external audit responsibilities
- Strategic risk management
- Budget monitoring and budget development
- Capital programme monitoring and review
- Procurement

Scrutiny also has an important role to play in monitoring the performance of services. The Performance and Audit Scrutiny Committee looks at how well the Council's services are performing by considering a range of information such as performance indicators and reports from external inspectors, and by monitoring action plans. It does not carry out reviews, but may recommend that a review is carried out by the Overview and Scrutiny Committee or another appropriate committee or working group where a need has been identified.

This Committee also leads on improvement planning and risk management, as well as monitoring the Council's budget, and approving the Council's Annual Statement of Accounts in accordance with the powers delegated to it under the Council's Constitution. It also leads on achieving a sustainable forward budget. In 2014-2015 it held four informal joint quarterly monitoring meetings with Forest Heath's Performance and Audit Scrutiny Committee, plus a special individual meeting to consider the annual accounts.

## **How does Scrutiny work?**

The Overview and Scrutiny Committee has a rolling work programme which prioritises the investigations it will carry out over the coming months. The Performance and Audit Scrutiny Committee sets its work around the quarterly budget and corporate planning cycle. The committee gathers evidence from a variety of sources including the Council's own information, other local authorities, partner organisations, service users, expert witnesses or research carried out by the committees themselves.

Once they have their evidence the committees make their reports, complete with recommendations, usually to the Cabinet. The committees' work programmes include time to check progress on the actions that have been taken following acceptance of scrutiny reports.

### **Call-in**

Any decision by the Cabinet, or a key decision taken by an officer with delegated authority from the Cabinet, may be "called in" by at least five members of the Council, or the Leader of any political group on the Council which has five or more members (with the support of a further three members of that group).

Call-in is used where Councillors have evidence which suggests that a decision was not taken in accordance with the principles of good decision making set out in the Constitution, or in the context of the Council's policy or budget framework, and is only used in exceptional circumstances.

The Council sees an average of one call-in per year, however, none were considered during 2014-2015.

## **Councillor Call for Action**

Councillor Call for Action (CCfA) came into force on 1 April 2009, which enables any Member of the Council to refer to the Overview and Scrutiny Committee any local government matter or any crime and disorder matter which affects their ward/division, within certain limitations. These limitations are set out in the Councillor Call for Action Protocol, which is available as part of the Council's Constitution, on our website.

## **Training and Development**

We recognise the importance of training and development for both Councillors and officers who support the scrutiny role at St Edmundsbury. Regular targeted training, both internally and externally, has facilitated the development of a successful scrutiny function

## **Meetings**

Meetings of both scrutiny committees are held in public (except when exempt or confidential material is being discussed), and in order to prevent whole meetings being taken up by a single topic, "Task and Finish" groups are often set up to carry out major reviews and report back to the main committee with their recommendations.

## **Engaging the Public and Stakeholders**

The scrutiny committees work hard to develop and improve the scrutiny process at St Edmundsbury, and continually aim to increase the involvement of stakeholders and public engagement. To this end committees often gather evidence with the involvement of external witnesses, and over the past year, in addition to extensive targeted consultations carried out as part of reviews, the committees have formally invited several people to attend meetings and assist in investigations, including:

- Members from Forest Heath District Council
- Representatives from Ernst and Young (External Audit)

Organisations and individuals contacted as part of a review included:

- Members of the public
- Forest Heath District Council
- Suffolk County Council (Highways)

For further information or answers to any queries relating to the Council's scrutiny functions or activities, please contact Christine Brain, Scrutiny Officer on (01638) 719729 or email [Christine.brain@westsuffolk.gov.uk](mailto:Christine.brain@westsuffolk.gov.uk)



## Review of Past Year Overview and Scrutiny Committee



**Councillor Ian Houlder**  
Committee Chairman

**Committee Members**  
 Cllr Terry Buckle  
 Cllr Ms Maureen Byrne  
 Cllr Patrick Chung  
 Cllr Phillip French  
 Cllr Paul Hopfensperger  
 Cllr Mrs Helen Levack  
 Cllr Tim Marks  
 Cllr Stefan Oliver  
 Cllr Mrs Joanna Rayner  
 Cllr Mrs Marion Rushbrook  
 Cllr Mrs Angela Rushen  
 Cllr Clive Springett  
 Cllr Jim Thorndyke  
 Cllr Frank Warby  
**Substitute Members**  
 Cllr Trevor Beckwith  
 Cllr Bob Cockle  
 Cllr Jeremy Farthing  
 Cllr Paul Simner  
 Cllr Mrs Patsy Warby  
 Cllr Adam Whittaker  
 Cllr Mrs Dorothy Whittaker  
 Vacancy



**Councillor Diane Hind**  
Committee Vice Chairman

### **Scrutiny Reviews completed during 2014-2015**

This section describes some of the key scrutiny topics covered during the year (May 2014 to April 2015), and their associated outcomes.

### **Reviews carried out in Informal Joint Committee**

#### **Draft West Suffolk Housing Strategy**

On 23 July 2014, informal joint discussions took place to enable members to provide input as a consultee on the **Draft West Suffolk Housing Strategy**. The Draft Strategy set out the strategic direction and the actions that West Suffolk could take to deliver the Strategy for current and future residents. These actions would directly contribute to the overall sense of community and wellbeing of West Suffolk. The aim was to enable the supply of new housing; making the best use of existing housing; and offering support for specialist housing to those who required it.

Members scrutinised the Draft Strategy in detail and asked a number of questions of the respective councils Portfolio Holders responsible for Housing.

The Committee recommended to Cabinet the approval of the contents of the West Suffolk Housing Strategy 2015-2018, subject to comments made during the informal joint discussions and other stakeholder comments received as part of the consultation process.

Members were advised that once the West Suffolk Housing Strategy was approved, it would be monitored and an annual report produced to track progress in delivering the Actions.

### **Western Suffolk Community Safety Partnership**

The Informal Joint Committee on 23 July 2014 received its annual report on the work of the **Western Suffolk Community Safety Partnership** (WSCSP). This was in line with the statutory provisions contained within Section 19-21 of the Police and Justice Act 2006 which extended the remit of Local Authorities to scrutinise the functioning of the local Community Safety Partnership.

The Cabinet Members with responsibilities for Families and Communities updated the Committee on the progress of the Western Suffolk Community Safety Partnership from April 2013 to March 2014. The report highlighted a number of individual projects the Community Safety Partnership had commissioned during 2013-2014 and the change to the future funding mechanisms. The report represented then final monitoring / close-out report to the WSCSP as a commissioning body.

The Committee was advised that as from April 2014, the WSCSP would no longer be a commissioning body, but would have an enabling and supportive role in the voluntary and community sector who could deliver against the priorities as well as a small number of statutory functions. The WSCSP was currently discussion how it would discharge these functions and a report on the future developments of the WSCSP would be presented to the Committee in due course.

On 12 March 2015, the Informal Joint Committee received an update on progress of the **WSCSP** from April 2014 to February 2015. In light of no funding being awarded to the WSCSP, the partnership ceased operating as a commissioning body and undertook a review of its role. A review workshop took place in April 2014 to enable partners to consider a new way of working. At the workshop it was agreed that elected members who represented the four councils at strategic level, would have a key role in ensuring that the partnership focused on community led issues, which reflected the West Suffolk Families and Communities Strategy and the strategic priorities of Mid Suffolk and Babergh councils.

### **Overview and Update of Planning Enforcement Service**

The Informal Joint Committee on 12 March 2015 received a report on the **Planning Enforcement Service**, which had been raised by a member of the Committee as a work programme suggestion. The report updated Members on the newly formed Enforcement Team, including caseloads and forward work programme.

The Enforcement Team in 2015 would be consulting on producing a Local Enforcement Plan. The Plan will be in accordance with the National Planning Policy Framework, and gives Councils the opportunity to state what work they will do, how they will do it and what will be given priority. One area of consideration was the attention to issues within Conservation Areas where additional resources or monitoring may be appropriate. A declaration of intent within a published plan would go some way to providing clarity to all parties concerned. Work was also being undertaken on making the Enforcement Registers available online and also on producing a periodic update to ward members and parishes so that they knew what enforcement cases were being looked at in their area.

## **Follow-up reviews**

### **Skyliner Way, Bury St Edmunds**

The Committee received on 3 September 2014, an update which reminded Members of a Councillor Call for Action request brought to the Committee on 3 March 2010, highlighting on-street parking problems in Skyliner Way, Bury St Edmunds. The solution provided at that time was to provide additional off-street parking at the commercial premises or to create a full-length layby along Skyliner Way.

The update provided an analysis of the problem of vehicles parking in Skyliner Way, Bury St Edmunds and confirmed that the appropriate parking standards had been applied to the development in the area at the time permissions were granted. It was acknowledged that Skyliner Way was suffering parking pressures but it was hoped that under the future development of the Eastern Relief Road this might provide an opportunity to improve off-street parking in the area.

The Committee considered the report in detail and recommended a number of potential solutions, such as looking into accessing funds from the Suffolk County Council On-Street Parking Account for a layby in Skyliner Way; persuading businesses to lease out any free parking spaces they had to other businesses; looking into land availability for a future car park in the area, which would generate revenue and quarterly updates on progress to be presented to the Committee.

## **Single-meeting reviews / presentation**

### **Car Park Tariffs 2015-2016**

The Committee received on 17 December 2014, an update which referred to Cabinet Report D190 (21 September 2012, section 5(b)) which recommended that the Overview and Scrutiny Committee receive a report each September outlining any recommendations from officers for changes to car park tariffs, including supporting evidence and justification for changes. The resulting recommendations would be considered by the Performance and Audit Scrutiny Committee as part of the budget setting process.

Members considered the proposed recommendations and the justifications, which were in line with the Committee's review carried out in 2012. The Committee subsequently noted the proposed recommendations, which would be presented to the Performance and Audit Scrutiny Committee on 29 January 2015, as part of the budget setting process for 2015-16.

## **Follow-up Work and Post Implementation Review**

### **External Joint Scrutiny**

A Member of the Committee, Councillor Beckwith, was reappointed to the **Suffolk Health Overview and Scrutiny Committee**, which is responsible for the scrutiny of health provision across the County. Nominations to other joint county scrutiny committees are made by Annual Council alongside other outside bodies.

## **Cabinet Liaison**

At an Extraordinary Informal Joint meeting held on 13 May 2014, the Committee jointly discussed the **West Suffolk Annual Report (2013-2014)** with the Leaders of both Councils. The report highlighted the key activities and developments which had been achieved over the financial year 2013-2014, with regards to the priorities set out in the Forest Heath Strategic Plan 2012-2016 and the St Edmundsbury Corporate Plan 2012-2016.

The draft report reflected the fact that a great deal of the work our services carried out in the 2013-2014 financial year was on behalf of both Councils and for the benefit of all residents, visitors and businesses in West Suffolk; whilst allowing for the distinctive needs, activities and characters of the two councils' areas to be captured.

On the 12 March 2015, informal joint discussions with Forest Heath District Council took place on the **West Suffolk Annual Report (2014-2015)** with the Leaders of both Councils. The report highlighted the key activities and developments which had been achieved against the Council's priorities as detailed in the West Suffolk Strategic Plan 2014-2016.

The draft plan contained a number of case studies and examples from West Suffolk to illustrate the achievements described. These outline the work that is undertaken across West Suffolk highlighting the range of activities and services provided across our diverse localities.

The Committee also discussed the **Cabinet's Decisions Plan** at each meeting, and requested further information or involvement as necessary.

## **Call-ins and Councillor Calls for Action**



This year no Councillor Call for Actions (CCfAs) were submitted, and there were also no call-ins.

## **Other**

From June 2010, the Committee was given responsibility for scrutinising the Authority's use of its **surveillance powers** under the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010, and received quarterly reports on the use of these powers. During 2014-2015, no such surveillance had been authorised.

The Committee during the year considered three work programme suggestions submitted by Members and were subsequently included into the Committee's work programme.

## Review of Past Year Performance and Audit Scrutiny Committee

 <p><b>Councillor Sarah Broughton</b> Committee Chairman</p>	<p><b>Committee Members</b>            Cllr Bob Cockle            Cllr Paul Farmer            Cllr Mrs Rebecca Hopfensperger            Cllr Derek Redhead            Cllr Mrs Karen Richardson            Cllr Paul Simner            Cllr Mrs Paula Wade            Cllr Mrs Patsy Warby            Vacancy</p> <p><b>Substitute Members</b>            Cllr Jeremy Farthing            Cllr Mrs Diane Hind            Cllr David Nettleton            Cllr Marion Rushbrook            Cllr Adam Whittaker</p>	 <p><b>Councillor Patricia Warby</b> Committee Vice Chairman</p>
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This section describes some of the key scrutiny topics covered during the year (May 2014 to January 2015) by the Performance and Audit Scrutiny Committee, and their associated outcomes.

### **Joint working with Forest Heath District Council's Performance and Audit Scrutiny Committee**

A new dimension to the 2014-2015 work programme was the implementation of Informal Joint Performance and Audit Scrutiny meetings with Forest Heath's respective Performance and Audit Scrutiny Committee, following the successful joint work that was taking place in West Suffolk through the Informal Joint Overview and Scrutiny meetings. In total three informal joint meetings were held at alternate venues. In September, the Committee meet separately to scrutinise and approve the Council's 2013-2014 Annual Statement of Accounts.

### **Scrutiny of Budget Savings**

The Performance and Audit Scrutiny Committee plays an integral role in delivering a sustainable budget for the Council. There were again significant levels of savings to be achieved, and the Committee scrutinised all proposals for growth and savings in the 2015-2016 budget before making recommendations to Cabinet.

This work commenced at the meeting in November 2014 with a report setting out the context of the 2015-2016 budget and budget consultation results, including details of savings targets for 2015-2016 to 2017-2018. The key strategy to deliver savings over the coming years is to expand the work on shared services with Forest Heath District Council to streamline supplies, services and income, together with a range of other local savings initiatives. The Committee, taking into account the budget consultation results scrutinised a number of proposals for savings both through shared

services and local savings, all of which were incorporated into the Budget and Council Tax Setting report considered by Cabinet on 10 February 2015.

### **Performance Management**

The Committee continued to monitor the Council's **Key Performance Indicators**. Additionally, at its 31 July 2014 meeting, the Committee received the **Annual Performance Report for The Apex**.

The Committee received a **Biannual Corporate Complaints and Compliments Digest**, which enabled it to monitor the Council's effectiveness at responding to complaints and learning from any mistakes which may have been made. Throughout the year the level of corporate complaints was outweighed by the number of compliments received.

### **Audit Responsibilities**

The Committee scrutinised the work of the **Internal Audit Team** towards achieving the 2014-2015 audit plan, with updates during the year at which the results of completed audits were discussed. At its 21 May 2014 meeting, the Committee approved an **Internal Audit Plan for 2014-2015**.

The Accounts and Audit (England) Regulations 2011 require a **review of the effectiveness of internal audit** once a year. The review forms part of the review of the overall system of internal control required for the **Annual Governance Statement**. The Committee noted the report's conclusion, that internal audit was operating effectively and could be relied upon as a key source of evidence in the Annual Governance Statement.

The Council is required to produce and publish an **Annual Governance Statement (AGS)**, which covers six core governance principles, and is approved by the Committee, and signed by the Leader of the Council and the Chief Executive Officer. This year the Annual Governance Statement had been prepared by the Joint Governance Officer Group as a joint statement for St Edmundsbury Borough Council and Forest Heath District Council to reflect both councils working together and sharing services across West Suffolk. The Committee approved the AGS for signing by the Chief Executive and the Leader of the Council.

Various reports from **Ernst and Young (EY)** were considered over the year. In May 2014 the **External Audit Plan and Fees 2013-2014 and 2014-2015 Indicative Fees** was received from EY which covered the work they planned to perform in order to provide the Council with an audit opinion on the Council's financial statements, and a statutory conclusion on its arrangements to secure economy, efficiency and effectiveness. The report summarised EY's proposed audit approach and scope for the 2013-2014 audit along with the planned fees to complete the work for 2013-2014 and included indicative fees for 2014-2015. At the same meeting the **Annual Certification Report 2012-2013** was considered, which summarised the results of the certification work which had been undertaken as part of the annual audit of grant claims to government departments.

In September 2014 EY presented the **2013-2014 ISA 260 Annual Governance Report** to the Committee, which set out the key messages arising from the audit of

the Council's financial statements, and included an assessment of the Council's arrangements for securing value for money in its use of resources.

At the meeting held on 26 November 2014, EY presented the **2013-2014 Annual Audit Letter**, which confirmed the completion of the audit of the 2013-2014 financial statements.

### **Budget and Risk Management**

The Committee received quarterly **West Suffolk Strategic Risk Register** monitoring reports and focussed its attention on those risks showing higher residual risks (the risk levels remaining after certain actions had been put in place to reduce them). Various changes were made to the Register across the year.

**Budget Monitoring** reports were also brought to the Committee quarterly, in order for it to flag up any areas of concern to the Cabinet. The Committee received the **Financial Outturn Report (Revenue and Capital) 2013-2014** at its meeting on 31 July 2014, following the 30 June deadline for production of the draft accounts for audit. The report included a financial commentary on the year, details of revenue and expenditure including budgeted and actual expenditure and an explanation of the main variances, and details of how services were paid for. Capital income and expenditure was also discussed, as well as reserves and treasury management.

The Committee scrutinised and approved the Council's **2013-2014 Annual Statement of Accounts** at its meeting on 24 September 2014. At the same meeting it scrutinised the External Auditors **Draft 2013-2014 ISA 260 Annual Governance Report** to those charged with governance and recommended delegating the sign-off of this report, including approval of the Council's letter of representation, to the Chairman or the Vice Chairman of the Committee.

The Committee is responsible for monitoring the Council's procurement activities, and on 21 May 2014, members considered a revised **West Suffolk Procurement Strategy**. Forest Heath District Council and St Edmundsbury Borough Council had individual Procurement Strategies and it was desirable that these be replaced by a West Suffolk Procurement Strategy that addressed the issues of procuring services, supplies and work across West Suffolk. The Committee recommended to Cabinet that the West Suffolk Procurement Strategy be approved. At the same meeting, the Committee considered the **West Suffolk Anti-Fraud and Anti-Corruption Policy**. The council's previous Strategy was last revised in 2011. The main changes to the Strategy were to include a section on Social Housing Fraud, including reference to the Prevention of Social Housing Fraud Act 2013. Minor adjustments were also made to the document to reflect it is now a joint West Suffolk Policy between St Edmundsbury Borough Council and Forest Heath District Council. The Strategy was also renamed as a Policy. The Committee recommended to Cabinet that the revised draft Policy be adopted.

The **Treasury Management Sub-Committee** of three Members, who fulfil the enhanced monitoring and scrutiny requirements of treasury management, held 3 meetings, at which scrutiny of the **Investment Activity and Performance and Monitoring Reports (2014/15)** and the **Annual Treasury Management and Investment Strategy Statements 2015/16** took place. In addition to these reports, the Sub-Committee also received an update on the **Procurement Exercise for External Fund Manager to Support Treasury Management Activities**.

Officers continue to find this specialised scrutiny of the Council's treasury management activity extremely useful, and value being able to obtain Members' views on this important area of work.

## **Work Programmes for 2015-2016**

The Overview and Scrutiny Committee carries out some of its work in "Task and Finish" groups, which carry out investigations and reviews and report back to the main Committee. This enables a greater number of Councillors to engage in scrutiny, as well as ensuring a Councillor lead on, often, controversial issues, right from the beginning of their review. The Performance and Audit Scrutiny Committee works differently in that the bulk of its work is set around its quarterly budget and performance monitoring responsibilities.

The Committee has access to resources, to assist it in carrying out its work programme, which can be used, for example, in engaging specialist assistance, obtaining evidence, carrying out site visits, and paying for meeting accommodation, training and development.

### **Overview and Scrutiny Committee**

The Overview and Scrutiny Committee has a rolling work programme, set a few meetings ahead, to enable it to be more reactive to changing priorities. In addition to any call-ins or Councillor Calls for Action which may arise, and additions to the rolling work programme through submitted work programme suggestions, the Overview and Scrutiny Committee will consider the following issues during the year:

- Directed Surveillance (Quarterly updates)
- Car Park Tariffs 2016-2017
- Annual Report 2015-2016
- Skyliner Way, Bury St Edmunds, (Quarterly progress report)
- Cabinet Decisions Plan

In addition to the above items, Extraordinary Informal Joint Scrutiny Sessions will be called, as necessary, with members of Forest Heath District Council's Overview and Scrutiny Committee to enable common issues to be scrutinised jointly.

### **Performance and Audit Scrutiny Committee**

The Performance and Audit Scrutiny Committee will have the following responsibilities and will consider quarterly monitoring reports along these lines, jointly with Forest Heath District Council's Performance and Audit Scrutiny Committee, as well as scrutinising the Council's annual accounts, and making recommendations on delivering a sustainable budget for 2016-2017.

- Performance Management
- Budget Monitoring and Budget Development
- Internal and external audit
- West Suffolk Strategic Risk Management
- Capital programme monitoring and review
- Procurement

**For more information about how scrutiny works at St Edmundsbury Borough Council, please contact the Scrutiny Officer on (01638) 719729.**



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*St Edmundsbury*  
**BOROUGH COUNCIL**

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Forest Heath & St Edmundsbury councils

**West Suffolk**  
working together

**Produced: May 2015**  
**Approved by Council: Insert Date July 2015**

**For more information please contact the Scrutiny Officer on  
(01638) 719729 or email: [christine.brain@westsuffolk.gov.uk](mailto:christine.brain@westsuffolk.gov.uk)**

# Council



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Revised constitutions update</b>	
<b>Report No:</b>	<b>COU/SE/15/023</b> [to be completed by Democratic Services]	
<b>Report to and date/s:</b>	<b>Council</b>	7 May 2015
<b>Portfolio holder:</b>	Ian Houlder Portfolio Holder for Resources and Performance <b>Tel:</b> 01284 810074 <b>Email:</b> <a href="mailto:ian.houlder@stedsbc.gov.uk">ian.houlder@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Joy Bowes Service Manager (Legal Services) <b>Tel:</b> 01284 757141 <b>Email:</b> <a href="mailto:joy.bowes@westsuffolk.gov.uk">joy.bowes@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	To update members on progress with the review of the constitution and propose the next steps.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that:</b></p> <ul style="list-style-type: none"> <li><b>(1) the current position with regard to the review of the constitutions be noted;</b></li> <li><b>(2) a Constitution Joint Review Group comprising four members each of Forest Heath and St Edmundsbury councils, as nominated to the Monitoring Officer, be set up for the purposes in section 1.2.4 below;</b></li> <li><b>(3) the proposed format for Part 3 of the constitution as set out in section 1.2.1 below be approved; and</b></li> <li><b>(4) the changes to the Contract Procedure Rules set out in Appendix 1 be approved.</b></li> </ul>	
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b><u>do not</u></b> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	

<b>Consultation:</b>				•
<b>Alternative option(s):</b>				•
<b>Implications:</b>				
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>		
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)	
Constitution does not adequately reflect current practice or support efficient working		Constitution is dynamically reviewed and updated	Low	
<b>Ward(s) affected:</b>		N/A		
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		Part 3 of existing St Edmundsbury Constitution		
<b>Documents attached:</b>		Appendix 1 – proposed revisions to the Contract Procedure Rules <b>TO FOLLOW</b>		

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

- 1.1.1 In July 2014 the West Suffolk councils resolved to begin the process of reviewing their constitutions, with the aim of producing a format that would be consistent across both authorities.
- 1.1.2 A Joint Working Group comprising four members of each council was set up to work with the Monitoring Officer and (then) Democratic Services Manager on this project. All members were involved in the process by means of forums and by being consulted on the drafting as it progressed.
- 1.1.3 Both Councils met on 25 March 2015 to approve the new versions of the Articles and the Procedure rules. All approved changes have now been made to the text, together with any consequential amendments required for consistency, and the new versions are now available on the website.

### **1.2 Next Steps**

- 1.2.1 Part 3 of the constitution is the next to be reviewed. This currently comprises:
  - 1. List of local choice functions – allocated to Cabinet or Council.
  - 2. Responsibility for Council functions – a table of delegations from Council setting out the functions and procedures of committees.
  - 3. Responsibility for Executive functions – the contents of each portfolio.
  - 4. List of powers delegated to officers.

It is proposed to retain this format and to add to it a fifth section containing revised and updated member Job Descriptions. For consistency, this format will also be recommended for adoption by Forest Heath.

- 1.2.2 In February this year the government consulted on new regulations that would update and consolidate the provisions on local choice functions. The consultation closed in March and although no date has been given for the new regulations to come into force this may well happen in time for their adoption at the September Council meeting, in which case appropriate recommendations will be brought forward.
- 1.2.3 Work is underway on the list of delegations to officers to reflect current service structures and the complete revised version will be presented for adoption in September. The Monitoring Officer has authority to make any changes to the current scheme that are necessary to enable staff to do their jobs in the meantime.
- 1.2.4 The support and input of a member working group was invaluable during the first part of the constitution review and it is proposed that a new Constitution Joint Working Group be set up again. The remit of the Working Group would be to advise and assist with the review of Part 3 and make recommendations for the adoption of a new version to the autumn Council meetings. As before, it is recommended that there be four members from each authority, to be appointed on receipt of nominations by the Monitoring Officer. As this is a Working Group, political balance requirements do not apply.

**2. Changes to the Contract Procedure Rules**

- 2.1 Revised Contract Procedure Rules were adopted by both West Suffolk Councils in 2014.
- 2.2 It is proposed that they now be amended as shown in Appendix 1 in order to streamline procedures and avoid double reporting of exceptions.

# Council



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Changes to the constitution – appointment and dismissal of statutory officers</b>	
<b>Report No:</b>	<b>COU/SE/15/024</b> [to be completed by Democratic Services]	
<b>Report to and date/s:</b>	<b>Council</b>	7 July 2015
<b>Portfolio holder:</b>	Ian Houlder Portfolio Holder for Resources and Performance <b>Tel:</b> 01284 810074 <b>Email:</b> <a href="mailto:ian.houlder@stedsbc.gov.uk">ian.houlder@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Joy Bowes Service Manager (Legal Services) <b>Tel:</b> 01284 757141 <b>Email:</b> <a href="mailto:joy.bowes@westsuffolk.gov.uk">joy.bowes@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	To approve changes to the constitution which are required by new regulations relating to the appointment of the Head of Paid Service (the Chief Executive) and the disciplinary process for the Head of Paid Service, Chief Finance (s151) Officer and Monitoring Officer.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that:</b>  <b>(1) members note the contents of this report; and</b>  <b>(2) approve the changes to the Employment Procedure Rules set out in Appendix 1.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i>		
<b>Consultation:</b>	•	
<b>Alternative option(s):</b>	• None, as this is a statutory requirement	

<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • These are as set out in the report	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Failure to amend standing orders in accordance with the Regulations	Low	Paper brought forward for decision at correct time	Low
<b>Ward(s) affected:</b>		N/A	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		New Regulations, explanatory memorandum and letter	
<b>Documents attached:</b>		<i>(Please list any appendices.)</i> Appendix 1 – Officer Employment Rules with proposed amendments.	



## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

1.1.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the Regulations") came into force on 11 May 2015. The Regulations require the Council, no later than its first ordinary meeting after its Annual Meeting, to amend its standing orders to give effect to the provisions they contain. The relevant section of the constitution is the Officer Employment Procedure Rules.

1.1.2 The letter from the DCLG announcing these changes includes the following:

*"These Regulations, which apply to all principal councils in England, simplify and localise the disciplinary process for the most senior officers of a council i.e. the Head of Paid Service, the monitoring officer and the chief finance officer. They remove the requirement that a Designated Independent Person (DIP) be appointed to investigate and make a binding recommendation on disciplinary action against these senior staff.*

*The Regulations provide that, in place of the DIP process, the decision will be taken transparently by full council, who must consider any advice, views or recommendations from an independent panel, the conclusions of any investigation into the proposed dismissal, and any representations from the officer concerned.*

*In the case of a proposed disciplinary action against one of these most senior officers, the council is required to invite independent persons who have been appointed for the purposes of the members' conduct regime under section 28 (7) of the Localism Act 2011 to form an independent panel, and must include in that invitation any of its independent persons who are electors for that council's area."*

### **1.2 Proposals**

1.2.1 The proposals contained within this paper are intended to ensure that the Council meets the legal requirements of the new Regulations by building on the arrangements already in place. Chief Executives are employed under JNC conditions of service which will need to be reviewed to bring them in line with the new Regulations.

1.2.2 As is the procedure now, the appointment of a new Chief Executive will still require a recommendation from the Joint Officer Appointments Committee (appointed for that purpose) to Council. The difference is that Council will now need to agree the offer before it is formally made, rather than simply being asked to confirm the appointment. This will require the timing of any appointment process to align to Council dates, or for an extraordinary Council to be called.

1.2.3 Only the Council can approve the dismissal for disciplinary reasons of the Head of Paid Service, Chief Finance Officer or Monitoring Officer following the recommendation of such action by the Joint Officer Appointments Committee which may be specifically appointed for that purpose. This Committee will be the standing committee which serves as the 'Panel' referred to in the legislation and will include at least one Member of the Cabinet.

- 1.2.4 Having considered all of the information provided, the Joint Officer Appointments Committee would make any recommendation to Council to dismiss as part of a disciplinary process any of the three postholders. For the avoidance of doubt, the legislation does not allow any decision to dismiss to be delegated from Council to the Joint Officer Appointments Committee.
- In future, when considering dismissal as detailed above, the Joint Officer Appointments Committee will need to include the participation of two Independent Persons appointed by the Council for the purposes of advising the Monitoring Officer in the consideration of complaints about the conduct of councillors. They will not be voting members. However, the opinion of the Independent Persons must be recorded in any report to Full Council.
- 1.2.5
- 1.2.6 As there are only two Independent Persons appointed to serve West Suffolk at present, if either or both is unable or unwilling to participate then the provisions of the Regulations will be followed and Independent Persons sought from another local authority.
- 1.2.7 There is no reference to an appeal stage for dismissals of the statutory officers. As it would be a Council decision then a further independent panel from a suitable organisation would be the final course of action.

## **OFFICER EMPLOYMENT PROCEDURE RULES**

*All procedures in this Section shall be subject to the provisions of the Local Authorities (Standing Orders) (England) Regulations 20~~150~~ or any legislation that amends or replaces them, and all other relevant Regulations.*

### **1. RECRUITMENT AND APPOINTMENT**

#### **1.1 Declarations**

(a) The Council will require any candidate for appointment as an employee to state in writing whether they are related to or closely connected with an existing councillor or employee of the Council; or of the spouse or partner of such persons.

(b) A candidate who does not disclose such a relationship may be disqualified from consideration, and if appointed, may be liable to dismissal.

(c) Every member and officer of the Council will inform the Head of Service concerned when they become aware of an application by a relative.

(d) No candidate so related or connected to a councillor or an officer will be appointed without the authority of the Head of Paid Service or an officer nominated by him/her.

#### **1.2 Seeking support for appointment.**

The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.

### **2. RECRUITMENT OF CHIEF EXECUTIVE AND DIRECTORS**

For the purposes of these rules and of Article 11, the term "chief officers" shall mean the Chief Executive and the Directors.

Where the Council proposes to appoint a Chief Officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:-

- (a) draw up a statement specifying:-
- (i) the duties of the officer concerned; and
  - (ii) any qualifications or qualities to be sought in the person to be appointed; and
  - (iii) the requirement in 1.1 (a) above;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

### 3. APPOINTMENT OF CHIEF EXECUTIVE

[Before an offer of appointment is made,](#) the full Council will approve the appointment of the Chief Executive following the recommendation of such an appointment by a Joint Committee of the West Suffolk councils specifically appointed for that purpose. That Joint Committee must include at least one Member of each Cabinet.

### 4. APPOINTMENT OF CHIEF OFFICERS

(a) The Joint Officer Appointments Committee will appoint all Directors.

(b) An offer of employment as a Chief Officer shall only be made where no well-founded objections from any Member of the Cabinet has been received.

### 5. OTHER APPOINTMENTS

(a) **Officers below Chief Officer level.** Appointment of officers below Chief Officer level is the responsibility of the Chief Executive or his/her nominee, and may not be made by councillors.

(b) **Assistants to political Groups.** Appointment of an assistant to a political Group shall be made in accordance with the wishes of that political Group.

### 6. DISCIPLINARY ACTION

[Disciplinary action for the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer shall take place in accordance with Schedule 3 of the Local Authorities \(Standing Orders\) \(England\) Regulations 2015. The Joint Officer Appointment Committee shall be the "Panel" referred to in Schedule 3.](#)

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(a) **Suspension.** The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months unless the [Independent Person Investigator](#) recommends the suspension should continue beyond that point.

~~(b) **Independent Person.** No other disciplinary action may be taken in respect of any of those officers listed in paragraph (a) except in accordance with a recommendation in a report made by a designated independent person.~~

(c) Councillors will not be involved in disciplinary action against any officer below Chief Officer level except where such involvement is

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necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an officer nominated by him/her.

(d) The Joint Officer Appointments Committee will [make recommendations to Council for the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer and Council must approve that dismissal before notice is given to that person.](#)

[\(e\) The Joint Officer Appointments Committee shall](#) approve any disciplinary action [short of dismissal against the Head of Paid Service, Chief Finance Officer or Monitoring Officer.](#)~~a Chief Officer.~~

~~(ef)~~ Subject to the provisions of The Local Authorities (Standing Orders) (England) Regulations 20~~1501~~ all actions will be in accordance with both the JNC Conditions of Service for Chief Executives/Chief Officers and the Council's employment policies.

## **~~7. DISMISSAL~~**

~~(a) Only the full Council can approve the dismissal of the Chief Executive following the recommendation of such action by a Committee of the Council specifically appointed for that purpose. That Committee must include at least one Member of the Cabinet.~~

~~(bg)~~ The Joint Officer Appointments Committee will approve the dismissal of a Director.

~~(eh)~~ Notice of the dismissal of the Chief Executive or any Director or assistant to a political group must be given [to Cabinet](#) in accordance with paragraph 6 of Part II to Schedule I of the Local Authorities (Standing Orders) (England) Regulations 2001.

~~(dj)~~ Councillors will not be involved in the dismissal of any officer below Director level except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Any dismissal procedure will be undertaken by the Head of Paid Service or by an officer nominated by him/her.

~~(ej)~~ Directors [and the Head of Paid Service](#) have a right of appeal against dismissal to a Joint Chief Officer Appeal Committee specifically appointed for that purpose.

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