

Council



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda
Date:	Tuesday 17 July 2018
Time:	7.00 pm <i>(or at the conclusion of the immediately preceding Shadow Council meeting, whichever is the later)</i>
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU
Membership:	All Councillors You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.  Ian Gallin Chief Executive 9 July 2018
The Meeting will be opened with Prayers by the Mayor's Chaplain, The Reverend Canon, Ian Finn, Rector of St Mary's Church, Haverhill. (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.)	
Interests – Declaration and Restriction on Participation:	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.
Quorum	Fifteen Members
Committee administrator:	Claire Skoyles Democratic Services Officer Tel: 01284 757176 Email: claire.skoyles@westsuffolk.gov.uk

Public Information



St Edmundsbury
BOROUGH COUNCIL

Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01284 757176 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	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.	
Attendance at meetings:	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.	
Public questions:	<p>Members of the public may ask questions of Members of the Cabinet or any Committee Chairman at ordinary meetings of the Council. 30 minutes will be set aside for persons in the public gallery who live or work in the Borough to ask questions about the work of the Council. 30 minutes will also be set aside for questions at special or extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.</p> <p>A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done online by sending the request to democratic.services@westsuffolk.gov.uk or telephoning 01284 757176 or in person by telling the committee administrator present at the 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) no later than 10.00 am on the previous working day to the meeting of the Council. Email: democratic.services@westsuffolk.gov.uk Phone: 01284 757162</p>	
Disabled access:	<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>	
Induction loop:	An Induction loop is available for meetings held in the Conference Chamber.	
Recording of meetings:	<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>	
Personal Information	<p>Any personal information processed by Forest Heath District Council or St Edmundsbury Borough Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Data Protection Officer.</p>	

Agenda

Procedural Matters

Page No

1. Minutes

1 - 24

To confirm the minutes of the meetings held on 24 April 2018 and 17 May 2018 (Annual Meeting) (copies attached).

2. Mayor's announcements

3. Apologies for Absence

To receive announcements (if any) from the officer advising the Mayor (including 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.

Part 1 – Public

5. Presentation of Long Service Awards

On 16 July 1991 (Council Minute 28 refers) (*and in addition to the statutory provision for the creation of Honorary Freemen and Honorary Aldermen*) the Council created a third award option, namely formal acknowledgement of 12 years or more cumulative service by former Members of the Council. Accordingly, the following motion in respect of Councillor Buckle who is eligible for the award will be moved by Councillor Griffiths, and upon approval of the resolution by the Council, the Mayor will present a framed copy of such resolution to Councillor Buckle:

“That, in recognition of thirteen years of dedicated public service by

TERENCE (TERRY) LEONARD BUCKLE

as an elected Member of the Council for the Moreton Hall, Bury St Edmunds Ward, and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor for 2013/2014, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation.”

In addition, former Councillor Bob Cockle, who was awarded his Long Service Award on 17 May 2018, will be presented with his award after he was unfortunately unable to attend that meeting.

6. Leader's Statement

25 - 28

Paper No: **COU/SE/18/013**

(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.

7. Public Participation

(Council Procedure Rules Section 6) Members of the public who live or work in the Borough are invited to put one question of not more than five minutes duration. A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start.*

(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) **no later than 10.00 am on Monday 16 July 2018.** The written notification should **detail the full question** to be asked at the meeting of the Council.)**

**For further information, see Public Information Sheet attached to this agenda.*

8. Decision on whether to "make" (adopt) Hargrave Neighbourhood Plan as a St Edmundsbury Borough Council Development Plan Document

29 - 54

Report No: **COU/SE/18/014**

9. Annual Scrutiny Report: 2017/2018

55 - 72

Paragraph 7.5.1 of Article 7 of the Council's Constitution requires that '*The Overview and Scrutiny Committee and the 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 No: **COU/SE/18/015**

10. Representation on Suffolk County Council's Health Overview and Scrutiny Committee

The Council is asked to nominate one Member and one substitute Member to serve on Suffolk County Council's Health Overview and Scrutiny Committee. These Members 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.

The Committee, on 6 June 2018, considered nominations for a representative and a substitute Member for 2018/2019. The current Members on this joint body are Councillor Paul Hopfensperger as the nominated representative and Councillor Margaret Marks as the nominated substitute.

It is **RECOMMENDED** that Councillor Paul Hopfensperger be nominated as the Borough Council's representative and Councillor Margaret Marks as the nominated substitute Member on the Suffolk Health Overview and Scrutiny Committee for 2018/2019.

11. Questions to Committee Chairmen

Members are invited to ask questions of committee Chairmen on business transacted by their committees since the last ordinary meeting of Council on 24 April 2018.

Committee	Chairman	Dates of meetings
Overview and Scrutiny Committee	Cllr Diane Hind	6 June 2018 11 July 2018
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	31 May 2018
Development Control Committee	Cllr Jim Thorndyke	3 May 2018 7 June 2018 5 July 2018
Licensing and Regulatory Committee	Cllr Susan Glossop	3 July 2018
West Suffolk Joint Standards Committee	<i>To be elected</i>	16 July 2018

12. Urgent Questions on Notice

The Council will consider any urgent questions on notice that were notified to the Service Manager (Democratic Services) by 11am on the day of the meeting.

13. 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.

14. 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 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

15. Exempt: Referrals Report of Recommendations from Joint Executive (Cabinet) Committee (para 3) 73 - 88

Exempt Report No: **COU/SE/18/016**

(A) Referral from Joint Executive (Cabinet) Committee: 25 June 2018

1. Exempt: Investing in our Commercial Asset Portfolio
Portfolio Holder: Cllr Alaric Pugh

Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Council** held on
Tuesday 24 April 2018 at 7.00 pm at the **Conference Chamber, West**
Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Mayor Terry Clements
Deputy Mayor Margaret Marks

Trevor Beckwith	John Griffiths	David Roach
Sarah Broughton	Wayne Hailstone	Barry Robbins
Simon Brown	Diane Hind	Richard Rout
Tony Brown	Beccy Hopfensperger	Andrew Smith
Carol Bull	Paul Hopfensperger	Andrew Speed
John Burns	Ian Houlder	Clive Springett
Mike Chester	Jane Midwood	Sarah Stamp
Patrick Chung	Sara Mildmay-White	Peter Stevens
Max Clarke	David Nettleton	Peter Thompson
Mary Evans	Clive Pollington	Jim Thorndyke
Robert Everitt	Alaric Pugh	Julia Wakelam
Paula Fox	Joanna Rayner	Frank Warby
Susan Glossop	Karen Richardson	Patricia Warby

(Contrary to information published on the agenda, the meeting was not opened with prayers as the Mayor's Chaplain was unfortunately unable to be present.)

333. **Remembrance**

A minute's silence was held in remembrance for the late former Borough Councillors Colin Muge and Derek Redhead.

334. **Introduction**

Councillor Max Clarke, newly elected Member for St Olaves Ward, was formally introduced and welcomed to his first meeting of Council.

335. **Minutes**

The minutes of the meeting held on 20 February 2018 were confirmed as a correct record and signed by the Mayor.

336. Mayor's announcements

The Mayor reported on the civic engagements and charity activities which he and the Mayoress, and the Deputy Mayor and her Consort had attended since the last ordinary meeting of Council on 20 February 2018.

337. Apologies for Absence

Apologies for absence were received from Councillors Jason Crooks and Anthony Williams.

338. Declarations of Interests

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

Whilst officers' attendance was not usually recorded in the minutes, Members noted that any officers of the Leadership Team present at the meeting would leave the room whilst Agenda Item 9, 'Senior Pay' was under consideration.

339. Leader's Statement

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as contained in Paper No: COU/SE/18/008.

Following the publication of the agenda and papers, a minor amendment had been circulated which indicated that the late former Councillor Muge had actually represented Sextons Ward in Bury St Edmunds, which later became part of Minden Ward.

In addition to his written statement, Councillor Griffiths drew attention to matters in connection with the following:

- (a) options for proposed new ward boundaries for West Suffolk; and
- (b) the review of the senior pay banding and a potential amendment to one of the recommendations in Report No: COU/SE/18/011 to align its implementation with the review of the pay structure for the entire workforce planned to take effect from 1 April 2019 (see minute 343 below).

In response to questions, Council was informed that:

- (a) it was disappointing that there had been a lack of discussion or consultation with Suffolk district/borough councils regarding Suffolk County Council's (SCC) intention of commissioning a unilateral review of the county's local government by ResPublica. It was acknowledged that SCC should be working more closely with district/borough councils to achieve better outcomes for residents. This may include SCC delegating duties to district/borough councils, such as highway issues, to assist improved delivery of services. The Suffolk Public Sector Leaders' Group was addressing this and similar matters with the Leader of Suffolk County Council.

- (b) It was agreed that it could be confusing to residents regarding different Council responsibilities for services and it was important to communicate these responsibilities in the most effective way possible.

340. **Public Participation**

The following questions were put and answered during Public Question Time:

1. **Ian Steel**, Chairman of Rushbrooke with Rougham Parish Council, asked a question in connection with the proposed options for the West Suffolk Council Electoral Review, with particular reference to the boundary options for Rougham Ward, as set out in Option A, and for Moreton Hall, as set out in Option E and F1 of Report No: COU/SE/18/010, to be considered later at agenda item 8.

Mr Steel expressed concern that the parish of Rushbrooke with Rougham would be divided into two should the proposed Option for Rougham Ward be accepted by the Council and subsequently, the Local Government Boundary Commission for England (LGBCE). This option would be a two-Member ward comprising councillors that may have an affiliation towards a mix of rural and urban or solely urban issues (emanating from the neighbouring Moreton Hall Ward); however, Mr Steel considered Rushbrooke with Rougham parish should not be divided and should retain its present status within a rural ward.

In response, Councillor John Griffiths, Leader of the Council, stated that the LGBCE encouraged the Council to submit as many options as possible, including consultation responses received from the various organisations and interested parties, which included those from Rushbrooke with Rougham Parish Council and those from within the neighbouring Moreton Hall ward, both 'sides' of which had provided strong cases. Any subsequent comments made in addition to these before the submission deadline of 4 May 2018 would be included. This was therefore the planned approach of the Council.

Emphasis was placed on the fact that the LGBCE's work to create boundaries for the new Council would not change the boundary between the Bury St Edmunds parish and the Rushbrooke with Rougham parish. Following the Borough Council's Community Governance Review undertaken in 2015/2016 which reviewed all parish boundaries, there were no plans to revisit potential changes to the parish boundary between Rushbrooke with Rougham parish and Bury St Edmunds parish. However, Councillor Griffiths explained that district warding might divide a parish, where the LGBCE considered it necessary, in order to reflect community identity and effective local government.

No supplementary question was asked.

2. **Peter Langdon**, Vice- Chairman of Rushbrooke with Rougham Parish Council, asked a question in connection with the same subject matter as Mr Steel. He firstly wished to express, in his opinion, some inaccuracies in the submissions contained in Report No: COU/SE/18/010, before questioning the option of dividing of Rushbrooke with Rougham parish set out in Option A.

In response, Councillor John Griffiths, Leader of the Council, reiterated the issues outlined to Mr Steel above, including emphasising that Mr Langdon's comments would be included as part of the Council's submission to the LGBCE.

No supplementary question was asked.

3. **Cliff Hind**, Chairman of Moreton Hall Residents' Association asked a question in connection with the proposed options for the West Suffolk Council Electoral Review, with particular reference to the boundary options for the Moreton Hall Ward. He objected to the option of splitting the existing ward into two as he considered it would lose cohesion, reasoning that it was not for Eastgate Ward to take up issues in Moreton Hall. He also felt that the new housing developments in Rougham Ward should be in Moreton Hall as transport links, education facilities, community links and other facilities for these dwellings were closer to Moreton Hall and not Rougham, the centre of which was three miles away, with no footpath or cycleway currently provided to the centre of Rougham.

In response, Councillor John Griffiths, Leader of the Council, stated that Mr Hind's comments would be taken into consideration and included as part of the Council's submission to the LGBCE.

No supplementary question was asked.

4. **James Sheen** of Bury St Edmunds, asked a question in connection with the positive influence of the mayoralty and the historical significance of borough status in St Edmundsbury.

In response, Councillor John Griffiths, Leader of the Council, agreed with Mr Sheen's sentiments regarding the work of the mayoralty in St Edmundsbury. The creation of a new Council for West Suffolk gave the opportunity to consider what Civic Leadership should be in the future, and with this in mind confirmed that having discussed with the Leader of Forest Heath District Council, it was his intention to seek to form a Civic Leadership Working Group. Terms of reference for this Group would be presented to a future meeting of the West Suffolk Shadow Council.

In his supplementary question, Mr Sheen sought assurance that a binding decision could be taken by the Shadow Council for an application to be made for borough status for West Suffolk Council.

In response, Councillor John Griffiths, Leader of the Council, stated an application to the Privy Council for borough status for the new West Suffolk Council could be made on the binding decision of the Shadow Council, should this be the course of action the Shadow Council wished to take.

5. **Mark Cordell**, Chief Executive of 'Our Bury St Edmunds' Business Improvement District, asked a question in connection with the proposed redevelopment of 17-18 Cornhill, Bury St Edmunds which included a proposal to widen Market Thoroughfare as part of the scheme.

In response, Councillor John Griffiths, Leader of the Council, stated that the Cabinet had supported the proposed ambitious redevelopment project and had recommended its approval under agenda item 7 on this Council agenda; which included the proposed widening of Market Thoroughfare which was now possible now that 17-18 Cornhill was under Council ownership, and that the redevelopment would serve as a catalyst to help improve this part of Bury St Edmunds and St Andrews Street South.

No supplementary question was asked.

6. **Kevin Hind**, of Bury St Edmunds, asked a question in connection with agenda item 9 on this Council agenda, 'Senior Pay', and whether the proposed increase in the Leadership Team's salaries could be deferred to April 2019 when the current pay agreement between unions and the Local Government Association ended in 2019/2020.

In response, Councillor John Griffiths, Leader of the Council, reiterated the comments he made during the introduction of his Leader's Statement (see minute 339 above) that an amendment would be sought to one of the recommendations in Report No: COU/SE/18/011 to align the senior pay structure with the whole review of the workforce for implementation on 1 April 2019.

In his supplementary question, Mr Hind asked why the pay banding for Service Managers were not included in the proposals. In response, Councillor Griffiths sought clarification on this technical matter from the former Assistant Director (Human Resources, Legal and Democratic Services), who stated that Council was required to consider and approve the pay banding for the Leadership Team (Chief Executive, Directors and Assistant Directors). Once these parameters had been set, the rest of the payline, which included Service Managers and other employees could be determined by the Head of Paid Service (the Chief Executive) under delegated authority.

341. **Referrals Report of Recommendations from Cabinet**

Council considered the Referrals Report of Recommendations from Cabinet contained within Report No: COU/SE/18/009.

(A) Referrals from Cabinet : 27 March 2018

1. Tackling Rogue Landlords: Civil Sanctions Policy

Approval was sought for new officer delegations associated with the Housing Standards - Civil Sanctions Policy. Approval of the policy itself was given by Cabinet on 27 March 2018.

Councillor Sara Mildmay-White, Portfolio Holder for Housing, drew relevant issues to the attention of Council, including responding to a question associated with the apparent specific behaviour of landlords in Haverhill. Whilst the concerns were noted, it was important to acknowledge that agencies and organisations must work together to rectify specific problems, as the incidences described were largely the result of anti-social behaviour rather than poor management of housing standards.

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

RESOLVED:

That the new delegations regarding the enforcement powers described within the Housing Standards – Civil Sanctions Policy contained in Appendix A to Report No: CAB/SE/18/021, be incorporated into the Scheme of Delegation, contained in Part 3 of the Constitution, to enable these housing standards civil sanctions to be enforced.

(B) Referrals from Extraordinary Cabinet : 17 April 2018

1. Investing in the Regeneration of Bury St Edmunds Town Centre: 17-18 Cornhill

Approval was sought for a preferred option and policy approach for the future of 17-18 Cornhill, Bury St Edmunds, and the necessary funding required to deliver the preferred option.

An addendum to Report No: COU/SE/18/009, which together with its recommendations on the above report which had been considered following the publication of the agenda and papers for this meeting, contained corrections to typographical errors contained within Report No: CAB/SE/18/027. Recommendation (3) was amended to read:

*Approve **£8.4m** ~~£8.24m~~ capital budget (includes £1.68m purchase and redevelopment budget), funded through the Investing in our Growth agenda fund, in line with paragraph 1.9.*

For completeness the table in paragraph 1.9.2 of the Cabinet report was also amended as shown in the addendum to Report No: COU/SE/18/009.

Members noted the background to the Council's acquisition of 17-18 Cornhill, including that the purchase had accorded with the adopted Local Plan (Vision 2031) and the aspirations of the Bury St Edmunds Town Centre Masterplan.

Since the acquisition in December 2016, the Bury St Edmunds Town Centre Masterplan Advisory Group, which comprised Members (including the Portfolio Holder for Planning and Growth), officers and stakeholders had explored and agreed objectives for the site and these informed future detailed design work. A project team was established to develop the objectives, which included appointing external expertise relative to the project, as set out in Section 1.6 of the Cabinet report.

A detailed options appraisal was undertaken and this was now presented for consideration, as summarised in Section 1.8 of the Cabinet report. The options were:

- Option 1: 'Do nothing'
- Option 2: Resell to the market (following the purchase of the site in December 2016)
- Option 3: Refurbishment of the existing site
- Option 4: Redevelopment of the site

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Council, including expressing his full support for Option (4), which was to redevelop the site, which through retaining the front elevation and demolishing the remaining buildings aimed to achieve all objectives set and maximise the potential to deliver wider community benefits. The benefits of this option were summarised in the Cabinet report.

This option would require a further capital allocation of £6.72m, which if assessed as a financial investment alone, was a breakeven option. (This option assumed the purchase costs of £1.68m which would be funded by capital receipts). However, Councillor Pugh reiterated the economic, community, social and indirect financial benefits this option would generate for the town, which were all key elements of the West Suffolk Growth Investment Strategy adopted in February 2018. The redevelopment option also linked to the forthcoming proposals for the St Andrews Street redevelopment, which was also a key feature of the aspirations of the Bury St Edmunds Town Centre masterplan.

A detailed discussion was held with support and enthusiasm demonstrated by a significant number of Members for the redevelopment Option. Issues raised included:

- (a) the intention to preserve the frontage of the building. Whilst the building was located in the Bury St Edmunds Town Centre Conservation Area, neither it nor the Victorian façade was listed. Minor modifications may be appropriate in keeping with the façade's historic status; however, recognition was given to protecting its context and impact on the street scene;
- (b) as 17-18 Cornhill was now under Council ownership, the opportunity had been presented to widen Market Thoroughfare, which had been part of the original plan for the arc development;
- (c) the positive impact the redevelopment would have on Bury St Edmunds town centre and its role in the aspirational objectives of the Bury St Edmunds Town Centre Masterplan;
- (d) a general breakdown of the capital budget required, including that contributions would be sought for other sources of funding to help deliver this scheme and the breakeven financial position was the worse case scenario;
- (e) Members commendations towards the team of officers and the input of stakeholders of the Bury St Edmunds Town Centre Masterplan Advisory Group for aiming to achieve such an exciting redevelopment scheme which fully met the objectives set for the future of this site.

On the motion of Councillor Alaric Pugh, seconded by Councillor Peter Stevens, and duly carried, it was

RESOLVED:

That:

- (1) the project objectives set out at paragraph 1.3.1 of Report No: CAB/SE/18/027 for the site, be endorsed;
- (2) as the preferred option and policy approach, the redevelopment (Option 4) of 17-18 Cornhill, be approved;
- (3) an £8.4m capital budget (includes £1.68m purchase and redevelopment budget), funded through the Investing in our Growth agenda fund, be approved in line with paragraph 1.9 of Report No: CAB/SE/18/027;
- (4) it be acknowledged that in line with Recommendations (2) and (3) above, officers will proceed in the development of the site in line with the Council's agreed Scheme of Delegation; and
- (5) the Council's Section 151 Officer will make the necessary changes to the Council's prudential indicators as a result of Recommendation (3).

342. **West Suffolk Council - Electoral Review**

Council considered Report No: COU/SE/18/010, which presented proposed options for the warding boundaries for the new West Suffolk district.

Following the distribution of the agenda and papers, the following typographical amendments were circulated:

Paragraph 2.6.2 of the above covering report, as shown in **bold**:

2.6.2 The options in Appendix A have been subject to consultation with the Future Governance Steering Group. The FGSG recommended that all options should be submitted to MHCLG for consideration, and that:

- a) The "other options" for the rural wards should include the potential of moving Icklingham to the Manor Ward, albeit recognition should be given that the current proposal – including Icklingham in a Risby Ward – follows the A1101 giving a natural community cohesion corridor;*
- b) Option **C** for Brandon should be the preferred option in light of the feedback received from local members at the Councillors drop-in session;*
- c) Option **H** for Haverhill should be a preferred option in light of feedback from the consultation;*
- d) Option **I** for Mildenhall should be a preferred option as it reflects the views of the recent Mildenhall Parish Council meeting; and*
- e) Option **K** for Newmarket should be a preferred option (reflecting the views of Newmarket Town Council)*

In addition, the following amendment to the table in Appendix A: Option A – Rural Wards, as shown in **bold**:

Ward No: 17

Risby Ward

No. of electorate: ~~1938~~ **2237**

%Away from Average: ~~minus 5.74%~~ **+ 8.80%**

Councillor Carol Bull, Chairman of the Future Governance Steering Group introduced this item and provided some background. As there were several issues and Options to consider, the Mayor then invited the Service Manager (Democratic Services) to set out how the debate would be handled, which included inviting the Director and Electoral Services Manager to speak during the item to provide background to the particular Option under consideration and assist with any questions Members may have.

The Service Manager (Democratic Services) duly set out the procedure to be followed and the Mayor then asked Members to turn to the Options in Appendix A, which were intended to be considered individually, starting with Option A for the Rural Wards.

The Electoral Services Manager provided background and the debate proceeded with comments made from the following Members:

- (a) **Councillor Mary Evans:** Expressed concern regarding the reduction in the overall number of West Suffolk councillors from 72 to 64 and the option presented to abolish Hundon Ward. Councillor Evans identified that community links were not established between some of the smaller villages within the draft proposals.
- (b) **Councillor Sara Mildmay-White:** Was not in agreement with Option A, but agreed with Option B, which would be considered later. She added that Rushbrooke with Rougham Parish Council would submit its own response to the Local Government Boundary Commission for England (LGBCE).
- (c) **Councillor Peter Stevens:** Agreed with this Option for Cavendish Ward for his reasons given.
- (d) **Councillor Beccy Hopfensperger:** Two of the three villages within the existing Fornham Ward had expressed concern to her regarding this Option for her reasons given. Concerns expressed over equal representation should the new two-Member ward option be accepted by the LGBCE.
- (e) **Councillor Karen Richardson:** that community links were not established between some of the smaller villages within the existing Kedington Ward and the key service centres identified. Concern expressed that two-Member wards could be ineffective with one Member wards being more productive.

The debate continued with some Members of the urban wards seeking clarity on what they were voting upon, particularly where there were conflicting

opinions between some rural ward Members that represented the residents' views of those located within their own wards. It was therefore considered not to be clear whether an Option should be accepted, amended or deleted.

As it was the LGBCE's responsibility to determine the council size and new warding pattern, it was suggested that **all** Options set out in Appendix A be submitted for its consideration. It was noted that the LGBCE would undertake its own consultation on its warding pattern proposals later in the year, therefore there would be a further opportunity to submit responses to that consultation. This was agreed to be a sensible approach.

On the motion of Councillor Andrew Speed, seconded by Councillor David Nettleton, and duly carried, it was

RESOLVED:

That, subject to the reporting of comments on them made at this meeting [24 April 2018], or submitted to officers by 27 April 2018, all of the Options set out in Appendix A of Report No: COU/SE/18/010, be adopted unchanged for submission to the Ministry of Housing, Communities and Local Government.

Consideration was then given to Recommendation (2) as printed in the report.

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

RESOLVED:

That the Chief Executive be authorised to prepare and submit the Council's representation based on the information contained in Report No: COU/SE/18/010 and its appendices and the decisions made by Council at this meeting [24 April 2018].

(At this point at 9.12pm, the Mayor adjourned the meeting for a short comfort break. During the break, Councillors Beccy Hopfensperger and Thorndyke left the meeting and did not return. The meeting resumed at 9.24 pm.)

343. **Senior Pay**

(Councillor Simon Brown declared a local non-pecuniary interest as his son was an employee of the West Suffolk Councils within a pay banding below Leadership Team level, and remained in the meeting for the consideration of this item. No officers of the West Suffolk Councils' Leadership Team were present for this item.)

Council considered Report No: COU/SE/18/011, which sought approval for the amendments to the proposed salary range for the Leadership Team, with effect from 1 April 2018.

The salary bands of the top three pay tiers (Leadership Team) of the Councils were determined by the band of the Chief Executive, calculated as a

percentage of the highest salary band. Approval would, therefore, also, increase the pay bands of the two Directors and the six Assistant Directors, who comprised the Councils' Leadership Team. The proposed pay bands to be amended were set out in paragraph 1.2.1 and it had been recommended that the new bands became effective from 1 April 2018.

The Mayor welcomed Karen Points to the meeting, former Assistant Director (Human Resources, Legal and Democratic Services), having recently left the West Suffolk Councils for employment with Abbeycroft Leisure. Mrs Points was invited to partake in the discussions to answer technical questions on behalf of the Leader of the Council.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including reiterating his intention to amend one of the recommendations to make the pay bands for the top three pay tiers effective from 1 April 2019 to align with the review of the rest of the workforce, which was intended to be implemented from that date, as alluded to earlier in the meeting (see minutes 339 and 340).

A detailed discussion was held and the majority of Members acknowledged the quality of the existing Leadership Team in post, agreed the pay banding should be reviewed and the proposed increases were justifiable to ensure the West Suffolk organisation continued to attract and retain a high calibre workforce; however the rationale for deferring the implementation date to 1 April 2019 was given as follows:

- (a) it would align with and enable a broader review of the payline for the entire workforce to be facilitated in 2018/2019; and
- (b) it was appropriate to combine implementation with the creation of West Suffolk Council.

Some Members expressed concern that other public sector workers outside the organisation, albeit below the top three tiers of management level, had not received comparable increases in their salaries and therefore the proposed changes to the Leadership Team's pay bands should not be supported.

Councillor Griffiths moved the following recommendation, as amended from the report, which was duly seconded by Councillor David Nettleton:

That Council:

- (1) *approves the proposed salary range for the Joint Chief Executive of the West Suffolk Councils and the subsequent amendment to Leadership Team pay bands, as set out in Section 1.2 of Report No: COU/SE/18/011, subject to deferring implementation until 1 April 2019; and*
- (2) *notes that the Pay Policy Statement will be revised accordingly.*

Councillor David Nettleton, leader of the Charter Group and seconder to the substantive motion, requested a recorded vote, which was duly supported by more than five other Members.

The substantive motion was then put to the vote. Of 39 Members present, the votes recorded were 29 votes for the motion, 7 against and 3 abstentions. The names of those Members voting for and against being recorded as follows:

For the motion:

Councillors Broughton, Bull, Chester, Chung, Clarke, Clements, Evans, Everitt, Glossop, Griffiths, Hailstone, Houlder, Marks, Midwood, Mildmay-White, Nettleton, Pollington, Pugh, Rayner, Richardson, Roach, Rout, Smith, Speed, Stevens, Thompson, Wakelam, Frank Warby and Patsy Warby.

Against the motion:

Councillors Beckwith, Tony Brown, Fox, Hind, Paul Hopfensperger, Robbins and Springett.

Abstentions:

Councillors Simon Brown, John Burns and Sarah Stamp.

RESOLVED:

That:

(1) the proposed salary range for the Joint Chief Executive of the West Suffolk Councils and the subsequent amendment to Leadership Team pay bands, as set out in Section 1.2 of Report No: COU/SE/18/011, subject to deferring implementation until 1 April 2019, be approved; and

(2) it be noted that the Pay Policy Statement will be revised accordingly.

(Note: There were presently two vacancies on the Borough Council and Councillors Beccy Hopfensperger and Thorndyke had left the meeting before this item was considered and the vote taken.)

344. Mayoralty: 2018/2019

The Chairman of the Mayoral Advisory Committee, Councillor Carol Bull, reported that the Committee had recommended that:

- The present Deputy Mayor, Councillor Margaret Marks be nominated for the office of Mayor of St Edmundsbury for the 2018/2019 civic year; and
- Councillor Patrick Chung be nominated for the office of Deputy Mayor of St Edmundsbury for the 2018/2019 civic year.

The elections of Mayor and Deputy Mayor for 2018/2019 would be held at the Annual Meeting of the Council on 17 May 2018.

Both Councillors Marks and Chung were delighted to accept their respective nominations and thanked Members for their support.

The present Mayor, Councillor Terry Clements, was also thanked for his valuable contribution to the mayoralty during the 2017/2018 year.

(Note: Subject to the creation of West Suffolk Council in April 2019, the Deputy Mayor for 2018/2019 is unable to be nominated for the office of Mayor of St Edmundsbury in 2019/2020.)

345. **Questions to Committee Chairmen**

Council considered a narrative item, which sought questions of Committee Chairmen on business transacted by their committees since the last ordinary meeting of Council on 20 February 2018, as outlined below:

Committee	Chairman	Dates of meetings
Overview and Scrutiny Committee	Cllr Diane Hind	7 March 2018 18 April 2018
Development Control Committee	Cllr Jim Thorndyke	12 March 2018 5 April 2018
Licensing and Regulatory Committee	Cllr Frank Warby	10 April 2018
West Suffolk Joint Standards Committee	Cllr John Burns (Vice-Chairman)	16 April 2018

No questions were asked of the above Chairmen.

346. **Urgent Questions on Notice**

No urgent questions on notice had been received.

347. **Exclusion of Press and Public**

See minute 348 below.

348. **Report on Special Urgency and Use of Chief Executive's Urgency Powers (para 3)**

Council received and noted Exempt Report No: COU/SE/18/012, which reported details of a matter where it was necessary to implement the Cabinet's Special Urgency provisions and exercise the Chief Executive's urgency powers.

As no details of a specific nature were requested to be raised, the meeting remained in public session.

The matter related to the Cabinet endorsing the exercising of the Chief Executive's urgency powers to negotiate at auction, the purchase of the freehold of 20 High Street, Haverhill, which was scheduled to be auctioned on 28 March 2018 (the day after the Cabinet meeting). A successful purchase would provide the Council with a property offering both strategic and investment potential. In the short to medium term the property would provide an income from the current tenant (Iceland Foods Ltd), whilst in the

longer term there would be the opportunity to help shape the High Street and improve pedestrian circulation and connectivity in the retail core. It also supported the aspirations of the Haverhill Town Centre Masterplan and accorded with the West Suffolk Growth Investment Strategy.

Exempt Cabinet Report No: CAB/SE/18/026 provided further details of the proposal and Exempt Report No: COU/SE/18/012 provided further details of the reporting of the implementation of the Cabinet's Special Urgency provisions and the exercising of the Chief Executive's urgency powers. As the purchase was successful within the allocated budget and the completion date had passed, both these reports were now available in the public domain as the exemption due to commercial sensitivity no longer applied.

The Meeting concluded at 10.05 pm

Signed by:

Mayor

Annual Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of the **Annual Meeting** of **Council** held on
Thursday 17 May 2018 at **12.30 pm** in the **Auditorium, The Apex**, Charter
Square, Bury St Edmunds IP33 3FD

Present: **Councillors**

Mayor Terry Clements
Deputy Mayor Margaret Marks

Sarah Broughton	Diane Hind	Richard Rout
Simon Brown(<i>for Part II only</i>)	Beccy Hopfensperger	Andrew Smith
Tony Brown	Paul Hopfensperger	Andrew Speed
Carol Bull	Ian Houlder	Clive Springett
John Burns(<i>for Part II only</i>)	McManus	Sarah Stamp
Mike Chester	Jane Midwood(<i>for Part II only</i>)	Peter Stevens
Patrick Chung	Sara Mildmay-White	Peter Thompson
Max Clarke	David Nettleton(<i>for Part II only</i>)	Jim Thorndyke
Mary Evans	Clive Pollington	Julia Wakelam
Robert Everitt	Joanna Rayner	Frank Warby
Paula Fox	Karen Richardson	Patricia Warby
John Griffiths	David Roach	
Wayne Hailstone	Barry Robbins	

By Invitation:

The Venerable Dr David Jenkins, outgoing Mayor's Chaplain (*for Part I only*)

349. Procession from The Guildhall to The Apex

At approximately 12.15 pm, headed by the Sword and Mace Bearers, the Mayor and the majority of Members present processed from the Guildhall to The Apex in Bury St Edmunds. They were accompanied by the Chief Executive and the Service Manager (Democratic Services).

At 12.28 pm, the procession entered the auditorium of The Apex and the Mayor invited his Chaplain to open the meeting with prayers.

350. **Presentation of Retiring Mayor's Charities' Cheques**

The retiring Mayor, Councillor Terry Clements, invited representatives of his chosen charities for the 2017/2018 civic year to be presented with cheques, namely:

- (a) Suffolk Mind
- (b) My WiSH – Wish Upon a Star Children’s Appeal
- (c) Gatehouse Dementia Hub
- (d) TS St Edmund (Mayor’s Own) Sea Cadet Corps
- (e) Lift the Cloud, Bury St Edmunds

Each recipient was then photographed with the retiring Mayor.

351. **Election of Mayor**

On the motion of Councillor Julia Wakelam and seconded by Councillor Diane Hind, and duly carried, it was

RESOLVED:

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

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

352. **Apologies for Absence**

Apologies for absence were received from the following Councillors for the parts of the meeting as indicated:

- **Part I (Ceremonial Business) only:** Councillors Simon Brown, John Burns (as he was filming the proceedings), Jane Midwood and David Nettleton
- **Both Parts I (Ceremonial Business) and II (Procedural Business):** Councillors Trevor Beckwith, Jason Crooks, Susan Glossop, Robin Pilley, Alaric Pugh and Anthony Williams

353. **Mayor's announcements**

(a) Appointment of Mayor's Chaplain

The Mayor formally announced that she would be appointing as her Chaplain the Reverend Canon Ian Finn, Rector for St Mary’s Church, Haverhill.

(b) Civic Service

The Mayor reported that she had arranged for the Civic Service this year to be held at St Mary’s Church, Haverhill on Sunday 24 June 2018 at 3.00 pm.

354. Vote of Thanks to the Retired Mayor and Mayoress

On the motion of Councillor Paul Hopfensperger, seconded by Councillor Frank Warby, and duly carried, it was

RESOLVED:

That the Council, in recognising the most able and diligent manner in which the retired Mayor, Councillor Terry Clements, has carried out the duties of Mayor of the Borough during the past year, record its thanks and deep appreciation of his services as Mayor, and the Council further record its appreciation of the gracious work of the retired Mayoress, Mrs Vivienne Clements.

The retiring Mayor acknowledged his year in office.

355. Election of Deputy Mayor and Mayoress

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

RESOLVED:

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

The Deputy Mayor signed his Declaration of Acceptance of Office and acknowledged his election.

356. Presentations

The Mayor announced presentations to Mrs Elaine McManus, the Mayor's Consort; Mrs Vivienne Clements, the retiring Mayoress; and Mrs Anna Chung, the Deputy Mayoress.

(At 1.20pm, the Mayor then announced the conclusion of the ceremonial business of the Council and an adjournment for a civic reception. The procedural business in Part II of the Agenda commenced at 2.05 pm.)

(Councillors Simon Brown, John Burns, Jane Midwood and David Nettleton arrived during the adjournment for the start of Part II (Procedural Business) of the meeting.)

357. Presentation of Long Service Award

On 16 July 1991 and in addition to the statutory provision for the creation of Honorary Freeman and Honorary Alderman, the Council created a third award option, namely formal acknowledgement of 12 years or more cumulative service by former Members of the Council. Accordingly, the following motion in respect of former Councillor Cockle who was eligible for the award was duly carried.

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

RESOLVED:

That, in recognition of twenty-one years of dedicated public service by Robert (Bob) John Cockle as an elected Member of the Council for the Fornham and St Olaves Wards, and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor in 2008/2009, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation.

Unfortunately, former Councillor Cockle was unable to attend the meeting to accept a framed copy of the above resolution and alternative arrangements would be made accordingly. Members of the Council wished to record their best wishes to former Councillor Cockle.

358. **Appointment of Cabinet Members**

Councillor John Griffiths, Leader of the Council, firstly welcomed Councillors Elaine McManus and Robin Pilley to St Edmundsbury Borough Council. Both had been recently elected in by-elections for the Haverhill North and Haverhill East Wards respectively.

He then announced that he would not be making any changes to the membership of the Cabinet nor the portfolios at the present time, and therefore the Cabinet would comprise the following:

<u>Councillor</u>	<u>Portfolio</u>
Carol Bull	Future Governance
Robert Everitt	Families and Communities
Sara Mildmay-White	Housing
John Griffiths	Leader
Ian Houlder	Resources and Performance
Alaric Pugh	Planning and Growth
Joanna Rayner	Leisure and Culture
Peter Stevens	Operations

Councillor Griffiths also announced that Councillor Sara Mildmay-White would continue in her role as Deputy Leader of the Council.

Acknowledgement was then given to Cabinet Members, and to other Members, for their contributions in 2017/2018, which had been particularly challenging given the decisions taken to move towards creating a new council for West Suffolk.

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

Council considered Report No: AGM/SE/18/001, which detailed the outcome of the Political Balance Review as at 17 May 2018 and provided an analysis of the number of seats on the various committees required to be allocated to

the Council's political groups, based on the rules of proportionality where applicable.

The table at Appendix 1 showed those bodies that were required to be politically balanced and provided the exact entitlement to places of each Group.

Council then considered that the allocation of seats to political groups in accordance with the political balance rules, and the re-appointment of the existing membership or appointment of new membership, as applicable, to the various bodies listed in the report, would be made under delegated authority on the nominations of Group Leaders. Proposals for the allocation of seats to non-grouped Members were also set out in this Appendix, as provisionally agreed by Group Leaders.

Appendix 2 showed the entitlement and proposed allocation of substitutes on the politically balanced committees. It was suggested that the Council continued its precedence of ensuring that each Group had a substitute if they were represented on a committee, and, once this was achieved, if there were additional substitute places on a committee, they were distributed by political balance, as indicated.

Council agreed this was a sensible approach.

Council then noted that approval was sought to disband the Democratic Renewal Working Party due to its work largely being superseded by the Future Governance Steering Group and the Joint Constitution Review Group, as detailed in Section 1.2.5 of the report. This was agreed.

Appendix 3 contained the Terms of Reference (ToR) for the various bodies listed in the report, which were required by the Constitution to be reviewed at the Annual Meeting.

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

RESOLVED: That

- (1) the Committees and Joint Committees listed in Sections 1.2.1 and 1.2.4 of Report No: AGM/SE/18/001 continue to operate for 2018/2019 in accordance with their existing number of seats and terms of reference (ToR), as contained in Appendix 3;
- (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, be approved;
- (3) the allocation of seats (and seats for substitute Members) on the Committees which are required by law to be politically balanced, as indicated in Appendices 1 and 2 to Report No: AGM/SE/18/001, be approved;

- (4) the allocation of full member and substitute seats on the West Suffolk Joint Standards Committee, as indicated in Section 1.2.4, be approved. This Committee is not required to be politically balanced;
- (5) as the work of the Democratic Renewal Working Party has been superseded by the informal Joint Constitution Review Group and the Cabinet's informal Future Governance Steering Group, as outlined in Section 1.2.5, this Working Party be disbanded; and
- (6) the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and substitute Members to those bodies set out in recommendations (2) and (3) above on the basis of nominations from the relevant Group Leaders.

360. **Proposals to form a Joint Executive (Cabinet) Committee**

Council considered Report No: AGM/SE/18/002, which sought approval for the establishment of a Joint Executive (Cabinet) Committee.

Council noted that the proposed Joint Executive (Cabinet) Committee, would comprise all current Members of Forest Heath District Council's and St Edmundsbury Borough Council's Cabinets and would have executive decision making powers. Historically, where decisions were required of both Cabinets on the same subject matter, informal joint discussions were held on the common item, and as constitutionally required, these were immediately followed by individual Cabinet meetings to vote on the matter, which was often confusing. Executive decisions could now be made by the Joint Executive (Cabinet) Committee, thus avoiding the need for separate Cabinet meetings.

As the two Cabinets were proposed to come together, it was proposed to increase the Key Decision threshold from £50,000 to £100,000 for the individual Cabinets and the Joint Executive (Cabinet) Committee. Decisions below the £100,000 level would be made by officers or portfolio holders, but would still be referred to Cabinet where it was considered they had a significant impact on the local areas or officers / portfolio holders did not wish to exercise their delegation.

Councillor Carol Bull, Portfolio Holder for Future Governance, drew relevant issues to the attention of Council, including that whilst residents would still be able to identify separate Forest Heath and St Edmundsbury issues listed on the agenda, the collective decision making of a Joint Executive (Cabinet) Committee would assist with the transition towards creating a single council for West Suffolk.

Whilst it was in the Leaders' gift to form such a committee, the necessary revisions to the Constitution that were required as a consequence of establishing the new Joint Executive (Cabinet) Committee were required by Council, and these were contained in Appendix A attached to the report.

Recognition was given to Councillor David Nettleton, Chairman of the Joint Constitution Review Group, for the Group's work in reviewing the proposals and the respective constitutional amendments that would be required.

On the motion of Councillor Carol Bull, seconded by Councillor David Nettleton, and duly carried, it was

RESOLVED:

That the constitutional amendments required as a consequence of establishing a new Joint Executive (Cabinet) Committee, as contained in Appendix A to Report No: AGM/SE/18/002, be approved.

361. Appointment of Chairmen and Vice-Chairmen of Committees

(a) Chairman of Overview and Scrutiny Committee

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

RESOLVED:

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

(b) Vice-Chairman of Overview and Scrutiny Committee

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

RESOLVED:

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

(c) Chairman of Performance and Audit Scrutiny Committee

On the motion of Councillor John Griffiths, seconded by Councillor Julia Wakelam, and duly carried, it was

RESOLVED:

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

(d) Vice-Chairman of Performance and Audit Scrutiny Committee

On the motion of Councillor John Griffiths, seconded by Councillor Diane Hind, and duly carried, it was

RESOLVED:

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

362. Review and Re-appointment of Representation on Outside Bodies

Council considered Report No: AGM/SE/18/003, which sought approval for the appointment and re-appointment (where applicable) of Member representation on outside bodies.

At each Annual Meeting, the Council was required to receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment was required.

Attached as Appendix A to the report was the list of outside bodies for the last civic year, 2017/2018. This list provided the name of the organisations and the number of representatives in that year.

The Council considered the existing and newly nominated representatives on outside bodies listed at Appendix A and agreed that the existing delegated authority of the Service Manager (Democratic Services) and Monitoring Officer should be exercised to appoint or re-appoint, as applicable, the Borough Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) for 2018/2019.

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

RESOLVED: That

- (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 (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to:
 - (a) re-appoint the existing Borough Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) above for 2018/2019, as detailed in Appendix A to Report No: AGM/SE/18/003; and
 - (b) make new appointments to outside bodies, as applicable, in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed.

The Meeting concluded at 2.20 pm

Signed by:

Mayor

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Council



St Edmundsbury
BOROUGH COUNCIL

Title:	Leader's Statement	
Paper No:	COU/SE/18/013	
Paper to and date:	Council	17 July 2018
Documents attached:	None	

1. As we approach a milestone in transforming our local authority, I am delighted to acknowledge the long service of two former councillors who have helped build the foundations of our future.
2. I pay tribute to past councillor Terry Buckle for his service to the borough. He diligently represented Moreton Hall ward where he was elected in 2003 and his warmth and wisdom have been much valued by his colleagues and constituents.
3. And I again congratulate former mayor Bob Cockle, on his 21 years' service, which began in Fornham ward in 1995, which he represented until 1999, before being re-elected in 2001 for St Olave's ward until his recent resignation.
4. I am sure you will join me in expressing our appreciation for all they have done for their constituents and the borough.
5. I also thank Ian Playle, who has served as Mayor's Officer for 14 years and attended countless civic engagements in the borough, across the county and in our twinned communities of Compiègne and Kevelaer. He has brought both gravitas and common sense to ceremonial duties, ensuring they are carried as they should be, and bringing us together with a purpose.
6. Our agenda tonight reflects just some of the enormous amount of work going on in our communities and the Council, and I thank in particular the Chairmen and Members of the Overview and Scrutiny and Performance and Audit Scrutiny Committees for the work they do to help ensure we keep on track.

7. I attended the Overview and Scrutiny Committee meeting on 6 June 2018 for a lively discussion on the draft Annual Report for 2017/ 2018, which perfectly illustrates their commitment to enhancing services and making life better for people living, visiting and working in St Edmundsbury. (I recommend the Annual Report as well worth reading.) Members expressed their strong sense of the importance of our rural areas, in defining our quality of life, in supporting the local economy and attracting visitors, something I know we all feel passionately about.
8. The Performance and Audit Scrutiny Committee leads on improvement planning and risk management, as well as monitoring the Council's budget, and approving our Annual Statement of Accounts. This invaluable scrutiny cannot be under estimated in ensuring that our ambitions can be delivered.
9. The Growth Investment Fund is now being employed to deliver some of the differences we want to make. Our designs for the former post office site have received warm praise for capturing many of the aspirations expressed by the public in Bury masterplan engagement. This project highlights the blended outcomes we seek to achieve, equally present in our recently approved energy framework. As well as being an investment opportunity, energy is a cost borne by our businesses, our residents, and in CO₂ terms, future generations. The West Suffolk Energy Framework sets out how the Council will work with our diverse communities to reduce expense and environmental impact and build resilience. For example, home insulation and greener business schemes are already available, and working with our partners we are launching a new household solar energy scheme, as well as leading by example through our own operations and partnerships.
10. West Suffolk hosted the Armed Forces Day celebrations this year on behalf of the whole of Suffolk, and I think we can all agree that we did the county and our military friends and neighbours proud. Thousands of people attended the various events during the week including the moving raising of the flag ceremony, the inspiring Sunset Ceremony which included eight Apache helicopters flypast, the family fun day with historic re-enactors in Abbey Gardens as well as the Suffolk Philharmonic Orchestra playing at the Apex in the evening. Our friends from HMS Vengeance were also in the town not only to march at the Sunset Ceremony but also to volunteer with local groups and organisations. British and US army, navy and air force personnel were involved and local traders, including our market, offered discounts to veterans and serving personnel.
11. And the celebrations continued across West Suffolk with our own towns and villages showing their support in their own way with other successful events. We are active partners in the Suffolk Military Covenant which helps supports the armed forces community. I know how much hard work went into all these activities and on your behalf I'd like to thank Councillor Everitt for leading the group that delivered these events and everyone involved in making this such a success. I would also like to thank all the partners, including HMS Vengeance, USAFE, 6 Regiment Army Air Corp, 3

Regiment Army Air Corp, RAF Honington, Bury St Edmunds Town Council, the BID, British Legion, The Apex, and the Suffolk Regiment, to name but a few.

12. One compliment we received from a local charity following the family event I think sums things up:

"....from our point of view it was seamless from start to finish, we know from experience to achieve that, actually represents a lot of hard work, clear thinking, forward planning together with the ability to think on your feet, something that you all managed with apparent ease"

Councillor John Griffiths
Leader of the Council

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Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Decision on whether to “make” (adopt) Hargrave Neighbourhood Plan as a St Edmundsbury Borough Council Development Plan Document	
Report No:	COU/SE/18/014	
Report to and date:	Council	17 July 2018
Portfolio holder:	Alaric Pugh Portfolio Holder for Planning and Growth Tel: 01787 279024 Email: alaric.pugh@stedsbc.gov.uk	
Lead officers:	Julie Baird Assistant Director (Growth) Tel: 01284 757613 Email: julie.baird@westsuffolk.gov.uk	
	Marie Smith Service Manager – Strategic Housing Tel: 01638 719260 Email: marie.smith@westsuffolk.gov.uk	
Purpose of report:	To explain the background to the Hargrave Neighbourhood Plan and to inform Members of their powers and duties in relation to the outcome of the Referendum on whether the Neighbourhood Plan should be “made” (adopted).	

<p>Recommendation:</p>	<p>It is <u>RECOMMENDED</u> that:</p> <p>(1) if residents within the parish of Hargrave <u>vote in favour</u> of the Local Referendum question:</p> <p>(a) St Edmundsbury Borough Council, “makes” (adopts) the Hargrave Neighbourhood Plan (Referendum version) so that it becomes part of the statutory development plan, and the Plan will become a material consideration within the parish of Hargrave for planning application purposes; and</p> <p>(b) gives delegated authority to the Assistant Director (Growth) and the Service Manager (Strategic Planning), to exercise all of the Council’s functions and responsibilities in relation to making the Hargrave Neighbourhood Plan.</p> <p><u>OR</u></p> <p>(2) If residents within the parish of Hargrave <u>vote against</u> the Local Referendum question, St Edmundsbury Borough Council shall note the outcome of the vote.</p> <p>After the close of poll for the Referendum on 12 July 2018, the votes will be counted and the formal ‘Declaration of Result’ will be published on the Council’s ‘Elections, referendums and vacancies’ webpage on 13 July 2018.</p> <p>The result of the referendum will be reported to Council prior to meeting on 17 July 2018.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that <u>do not</u> apply.)</i></p>	<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> <p>As it’s a decision of full Council.</p>
<p>Consultation:</p>	<ul style="list-style-type: none"> • See paragraph 2.3 below
<p>Alternative option(s):</p>	<p>Not applicable: If the Referendum on the Hargrave Neighbourhood Plan results in more than 50% of those voting being in favour of the Neighbourhood Plan being made, the Council is legally obliged to “make” the plan unless to do so would conflict with European Union</p>

	<p>obligations or Convention Rights (as defined by the Human Rights Act 1998).</p> <p>The production of a Neighbourhood Plan follows statutory guidance and legislative requirements as enabled by the Government's Localism agenda. If a Parish Council wishes to designate an Area, and produce a Neighbourhood Plan for their Area, then the Local Planning Authority is required to assist it through the key production stages of the Neighbourhood Plan, to the "making" of the Plan subject to a favourable referendum result being achieved. This is in accordance with paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The LPA also ensures that the proper process is followed, including an assessment of the Neighbourhood Plan against the legislative requirements/ basic conditions, and the appointment of an independent Examiner to consider the Neighbourhood Plan.</p>
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Implications:

<i>Are there any financial implications? If yes, please give details</i>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If the Hargrave Neighbourhood Plan is 'made' (adopted), and St Edmundsbury Borough Council, (West Suffolk Councils after April 2019) decides to later implement Community Infrastructure Levy (CIL), then the making of the Neighbourhood Plan will enable Hargrave Parish Council to receive 25% of any CIL receipts from development in its area from that date onwards.</p>
<i>Are there any staffing implications? If yes, please give details</i>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>No major implications</p>
<i>Are there any ICT implications? If yes, please give details</i>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<i>Are there any legal and/or policy implications? If yes, please give details</i>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If "made" (adopted), the Hargrave Neighbourhood Plan will become part of St Edmundsbury Borough Council's statutory Development Plan and, where relevant, be used to determine planning applications in the parish of Hargrave.</p>

<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
<p>Legal challenge to the content of the neighbourhood development plan or order and/or judicial review of the Borough Council's decisions.</p> <p>If such a challenge was successful all or part of the neighbourhood planning process would have to be repeated. Any costs of defending a legal challenge would have to be met by the Borough Council.</p>	Low	<p>Ensuring that the relevant legislative requirements are met and that the decision-making processes are clear and transparent. The Borough Council has confirmed this, which is discussed elsewhere in this report.</p> <p>Ensuring compliance with the Independent Examiner's recommendations. The Borough Council concurred with the Examiner's recommendations, and the Neighbourhood Plan has been accordingly amended in accordance with the Examiner's recommendations.</p>	Low
Public opposition	Medium	Development plan documents have the potential to be highly contentious. The Parish Council has consulted and made every effort to build cross-community consensus, there is a small risk of public opposition.	Low
Ward(s) affected:		Wickhambrook	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		<p>SEBC Cabinet: 17 October 2017 Report No: CAB/SE/17/053 Appendix Appendix A Response to Hargrave Neighbourhood Plan Pre-Submission Version 2017 <i>(Note the Plan has been revised since this report was considered)</i></p> <p>SEBC Portfolio Holder Decision: Report No: CAB/SE/18/033 Hargrave Neighbourhood Plan - Proposal to Proceed to Referendum: Decision published 31 May 2018</p>	

Documents attached:

Appendix A - The St Edmundsbury Borough Council's Legislative Compliance check, May 2018.

Appendix B - St Edmundsbury Borough Council's Post-Examination decision statement (Regulation 18 stage) on the amended Hargrave Neighbourhood Plan (referendum version).

Appendix C - Letter from MHCLG Chief Planner dated 30/05/18.

1. Background

- 1.1 The National Planning Practice Guidance states: "*Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.*" (Paragraph: 001 Reference ID: 41-001-20140306 Revision date: 06 03 2014)
- 1.2 A Neighbourhood Plan must meet a set of basic conditions. In summary they are that it must:
1. Have regard to national policies and advice;
 2. Contribute to the achievement of sustainable development;
 3. Be in general conformity with the strategic policies of the development plan; and
 4. Not breach, and be otherwise compatible with, European Union and European Convention on Human Rights obligations.
- 1.3 In order for a Neighbourhood Plan to become part of the St Edmundsbury Borough Council (or West Suffolk after April 2019) statutory development plan, it needs a designated area, and is required to progress through Pre-submission, Submission, Examination and Referendum stages.

2. Hargrave Neighbourhood Plan

- 2.1 The Hargrave Neighbourhood Plan has reached referendum stage. In accordance with the Government's Localism agenda, the Referendum version Neighbourhood Plan is a document prepared by a working group of Hargrave Parish Council.
- 2.2 The Plan covers the whole of Hargrave parish and contains both land use policies, (which will become part of the St Edmundsbury Borough Council's (and West Suffolk Councils' after April 2019), statutory development plan (if the Referendum result is favourable), and a material consideration when determining relevant planning applications; in addition to Community Actions which address other aspirations of the Parish Council but were not appropriate as planning policies.
- 2.3 Officers worked with the Parish Council in its preparation of the Hargrave Neighbourhood Plan and when the Plan was submitted to the Council as the Local Planning Authority, the draft was publicised for six weeks under the Regulation 16 requirements. The LPA invited comments, notified any consultation body referred to in the Consultation statement, and sent the draft Neighbourhood Plan to independent examination. The Consultation Statement is a document submitted by Hargrave Parish Council alongside their Submission version Neighbourhood Plan to demonstrate that their consultation on their Plan's proposals was adequate.

- 2.4 The main planning policy change introduced by the Hargrave Neighbourhood Plan is the reintroduction of a settlement boundary for Hargrave. This means the main part of the village will no-longer be considered “countryside”, and this will enable limited infill development (subject to compliance with other planning policies) and also the potential for rural exception sites to be developed.
- 2.5 There are 10 Neighbourhood Plan policies in total including matters such as: Policy HAR1 a spatial strategy, Policy HAR2 settlement boundary, Policy HAR3 housing mix, Policy HAR4 communications technology, Policy HAR5 protecting and maintaining features of landscape and biodiversity value, Policy HAR6 protecting the landscape setting of Hargrave, Policy HAR7 local green spaces, Policy HAR8 village playing field, Policy HAR9 local heritage assets and buildings of local significance, and Policy HAR10 village character.
- 2.6 The full Hargrave Neighbourhood Plan (referendum version) can be viewed online at www.westsuffolk.gov.uk/hargraveplan

3. Supporting Documents and Legislative Requirements

- 3.1 The Submission version Hargrave Neighbourhood Plan was accompanied by a Basic conditions statement that demonstrated that the Hargrave Neighbourhood Plan met the requirements of paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 as amended.
- 3.2 The Borough Council has produced a Legislative Compliance Check, which constitutes one of the “designated documents” of the Referendum Statement. This concluded that St Edmundsbury Borough Council found that the Referendum version Hargrave Neighbourhood Plan has been prepared in accordance with the provisions of Schedule 4B of the Town and Country Planning Act 1990 (as varied by s38A & 38C of the Town and Country Planning Act) as amended. (The Legislative Compliance Check is Appendix A).
- 3.3 The Plan has been submitted with a statement of reasons for a determination under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the proposal is unlikely to have significant environmental effects.
- 3.4 A Strategic Environmental Assessment/ Habitat Regulations Assessment Screening Report was issued by Hargrave Parish Council in January 2018. It was submitted alongside the Submission Neighbourhood Plan, and was subject to public consultation. The SEA/ HRA Screening Report was made available at the same time as the draft plan, as an integral part of the consultation process, and the relationship between the two documents clearly indicated.
- 3.5 Prior to this, in January 2018, St Edmundsbury Borough Council issued its screening opinion that a Strategic Environmental Assessment was not required to accompany the Neighbourhood Plan. This screening opinion was underpinned by a report, and the opinions of the three statutory bodies (the Environment Agency, Natural England and Historic England). Consultation on the draft Strategic Environmental Assessment Screening Report for the Hargrave Neighbourhood Plan, took place from 3 November 2017 until 4 December 2017.

The consultation responses received are available online. The consultation bodies all agreed with the conclusion reached.

- 3.6 The Conservation of Habitats and Species Regulations 2017, regulations 105 and 106. Regulation 106(1) requires the qualifying body to provide 'such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 to enable it to determine whether that assessment is required.' In January 2018 St Edmundsbury Borough Council issued its screening opinion concerning the need for a Habitats Regulations Assessment (HRA) in relation to the Neighbourhood Plan. This screening opinion was underpinned by a report and the opinions of the three statutory bodies (the Environment Agency, Natural England and Historic England). The screening process undertaken concluded that the Neighbourhood Plan would not need to be subject to an HRA. The consultation bodies have all agreed with the conclusion reached. The Plan has not significantly changed since this screening opinion was issued, and nor has there been a long delay between the issue of the opinion and the submission of the Hargrave Neighbourhood Plan (Referendum Version).
- 3.7 Furthermore, a Strategic Environmental Assessment/ Habitat Regulations Assessment Screening Report was issued by Hargrave Parish Council in January 2018 and it was submitted alongside the Submission Neighbourhood Plan, and was subject to public consultation. The SEA/ HRA Screening Report by Hargrave Parish Council, (which followed on from the St Edmundsbury Borough Council's screening opinion), was made available at the same time as the draft plan, as an integral part of the consultation process, and the relationship between the two documents clearly indicated.
- 3.8 Following independent Examination, the Council determined that the plan was ready for a public Referendum as set out within Schedule 4B of the Town and Country Planning Act 1990 (as applied by s38A & 38C of the Planning and Compulsory Purchase Act 2003) as amended. On 24 May 2018 St Edmundsbury Borough Council issued a Post-Examination decision statement (Regulation 18 stage) on the amended Hargrave Neighbourhood Plan (Referendum version). This confirmed that the plan as modified was ready for Referendum. (Appendix B). On 7 June 2018 a Statement of Referendum was issued by the Borough Council. The following "specified documents" are set out on the Council's website: the Examiner's Report and a summary of the representations submitted to the independent Examiner (the Regulation 16 Submission consultation responses). All the above documents can be viewed online at www.westsuffolk.gov.uk/hargraveplan

4. Hargrave Neighbourhood Plan Referendum

- 4.1 A Referendum for the parish of Hargrave in relation to the Neighbourhood Plan is scheduled for 12 July 2018.
- 4.2 The Referendum question to residents within the parish of Hargrave is: *"Do you want St Edmundsbury Borough Council to use the Neighbourhood Plan for Hargrave to help it decide planning applications in the neighbourhood area?"*

- 4.3 If the Referendum results in more than half those voting (i.e. 50% + 1) in favour of the proposal, then legally the Council must formally "make" (adopt) the Plan within six weeks of the Referendum date.
- 4.4 **This report has been prepared in advance of the Hargrave Neighbourhood Plan's Referendum result being known. It makes provision for Council to be formally notified of the Referendum result at the 17 July 2018 meeting, and an addendum to this report will be provided at the meeting. This will inform Council of the result of the Referendum, and confirm the recommendation as either recommendation (1) or (2) set out above. However, it should be noted that by 17 July, the vote count will have taken place and the Referendum's 'Declaration of Results' will already be published on the Council's 'Elections, referendums and vacancies' webpage.**
- 4.5 The Legislative Compliance check undertaken by St Edmundsbury Borough Council in May 2018 (Appendix A) considered that the Plan proposal met the legislative requirements; and furthermore the Plan proposal met the basic conditions of neighbourhood planning. The Borough Council is therefore only able to exercise further discretion at this point if it considers that the Plan would be in breach of any EU Obligations or any of the Convention Rights (within the meaning of the Human Rights Act 1998).
- 4.6 The Borough Council's Elections service run the referendum on the Referendum question. Any staffing costs associated with this will be covered by the LPA's funding application on behalf of the Borough Council. This has recently been submitted to the Ministry for Housing Communities and Local Government (MHCLG) for Hargrave Neighbourhood Plan (see Appendix C).
- 4.7 In summary, in accordance with the findings of the St Edmundsbury Borough Council Post-Examination Decision Statement dated 24 May 2018 (Appendix B), and following the required legislative process, if residents within the parish of Hargrave vote in favour of the Referendum question, the Hargrave Neighbourhood Plan should be duly "made" by Council. An Addendum report will provide an update on 17 July 2018.

5. Other matters

- 5.1 St Edmundsbury Borough Council has a five year supply of deliverable housing. The latest St Edmundsbury assessment of a five year supply of housing land was published in September 2017. This confirms that the Council is able to demonstrate 5.3 year supply of housing land. The Council's housing land supply policies are up to date and in accordance with the National Planning Policy Framework. Therefore, if the Referendum result is favourable, full weight may be given to policies within the Hargrave Neighbourhood Plan unless material circumstances indicate otherwise. It should be noted that weight is a matter of planning judgement for the decision maker and that the Hargrave Neighbourhood Plan does not propose any housing allocation sites.
- 5.2 For development management purposes, once a Neighbourhood Plan has passed the Examination Report (Regulation 18 stage), then the LPA is required to notify the relevant Neighbourhood Planning group (in this case Hargrave Parish Council's Neighbourhood Planning Group Chair), of any planning

applications that the LPA receives within the designated area – in addition to the standard parish council notification that is usually sent out. This is an electronic notification and the database contact has already been established and updated for the parish of Hargrave.

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
<p>The body submitting the neighbourhood plan is authorised to act. (Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011 s38A(1,2), S38C(2)(a) and 1990 Act schedule 4B, 6(2), as it applies 61F). (In a designated neighbourhood area which contains all or part of the administrative area of a town or parish council, the town or parish council is responsible for neighbourhood planning. The relationship between any steering group and the town or parish council should be transparent to the wider public. For example it should be clear whether a steering group or other body is a formal sub-committee of the parish or town council. The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public.)</p>	<p>The qualifying body is Hargrave Parish Council.</p> <p>The neighbourhood area was designated on 20 November 2015.</p> <p>As explained in paragraph 2.1.3 of the Consultation Statement and paragraph 1.7.4 of the Referendum version Plan, a Neighbourhood Plan working group for Hargrave was formed in May 2014 and endorsed by the Parish Council.</p>	Yes
<p>Section 38A of the Town and Country Planning Act 1990 as amended (by the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011) defines a neighbourhood development plan as “a plan which sets out policies (however expressed) in relation to the</p>	<p>The Referendum version of the Hargrave Neighbourhood Plan meets this definition of a neighbourhood plan.</p>	Yes

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”		
<p>SI 2012/637 The Neighbourhood Planning (General) Regulations 2012, Regulation 15 – <i>A qualifying body is required to submit:</i></p> <p><i>(a) A map or statement which identifies the area to which the proposed neighbourhood development plan relates</i></p>	<p>The designated neighbourhood area is shown on page 8 of the Referendum version Hargrave Neighbourhood Plan.</p>	<p>Yes</p>
<p><i>(b) A consultation statement;</i> (the statement should contain details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered, and where relevant, addressed in the proposed Neighbourhood Plan).</p>	<p>A Consultation Statement accompanied the Submission Neighbourhood Plan. The Consultation Statement includes:</p> <ul style="list-style-type: none"> • Information on how the community have been kept informed throughout the production of the neighbourhood plan. • the details of those consulted and how they were consulted. • a summary of the issues and concerns raised. • details on how the issues and concerns have been considered and where relevant, addressed. 	<p>Yes</p>
<p><i>(c) The proposed neighbourhood development plan;</i></p>	<p>The Local Planning Authority received the Referendum Neighbourhood Plan on 14 May 2018.</p>	<p>Yes</p>

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
<p><i>d) A Statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act as revised by s38C of the Planning and Compulsory Purchase Act 2004, (as amended).</i> The local planning authority has to be satisfied that a basic condition statement has been submitted.</p>	<p>A Basic Conditions Statement accompanied the Submission Neighbourhood Plan. The Statement clearly demonstrates how the Neighbourhood Planning Working Group considers that 8(1) and each of the conditions set out by 8(2) of Schedule 4B as amended have been met. Moreover, the Hargrave Basic Conditions Statement also demonstrates compliance with Sections 38A and 38B of the 2004 Act as required by the varied Paragraph 8. The legislation referred to in the statement is correct at the time of submission; it is noted that changes to the Neighbourhood Planning regime made by the Neighbourhood Planning Act 2017 were either not yet in force or not relevant to this stage in a non-adopted plan at the time of assessment of the Submission Plan.</p>	<p>Yes</p>
<p><i>e) The Plan needs to be submitted with one of the following i) a statement of reasons for a determination under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the proposal is unlikely to have significant environmental effects OR ii) an environmental</i></p>	<p>In January 2018, St Edmundsbury Borough Council issued its screening opinion that a Strategic Environmental Assessment was not required to accompany the Neighbourhood Plan. This screening opinion was underpinned by a report, and the opinions of the three statutory bodies (the Environment Agency, Natural England and Historic England). Consultation on the draft Strategic Environmental Assessment Screening Report for the Hargrave Neighbourhood Plan took place</p>	<p>Yes</p>

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
<p><i>report in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 (as set out in the Neighbourhood Planning (General Amendment) Regulations 2015, (which amends Regulation 15 of the Neighbourhood Planning (General) Regulations 2012)).</i></p> <p>If an Environmental Report is required, then this needs to have been subject to the required level of consultation, and should comply with the government's SEA guidance.</p> <p>In terms of consultation, the 'consultation bodies' (EA, NE and HE) must have been consulted at scoping stage (for 5 weeks). There is no requirement for public consultation on the scoping report. The draft Environmental Report on the pre-submission neighbourhood plan will need to be subject to public consultation for 6 weeks. The draft Environmental Report must be made available at the same time as the draft plan, as an integral part of the consultation process, and the relationship between the two documents clearly indicated.</p>	<p>from 3 November 2017 until 4 December 2017. The consultation responses received are included in Appendix 3. The consultation bodies have all agreed with the conclusion reached.</p> <p>A Strategic Environmental Assessment Screening Report was issued by Hargrave Parish Council in January 2018 and it accompanied the Submission Neighbourhood Plan.</p>	
<p>The Hargrave Neighbourhood Plan and accompanying documents meet the scope of neighbourhood plan provisions.</p>	<p>The Referendum version of the Hargrave Neighbourhood Plan and its accompanying documents is compliant with</p>	<p>Yes</p>

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
<p>i.e. specifies the period for which it covers, does not include provision about development that is 'excluded development' (as set out in section 61K of the 1990 Act - s38B(6) PCPA,) and does not relate to more than one neighbourhood area. (2004 Act s 38B (1 & 2) (4)).</p>	<p>the provisions as evidenced by the Basic Conditions Statement.</p> <p>The Referendum version Neighbourhood Plan covers the period 2017-2031, mirroring the St Edmundsbury Core Strategy and Vision 2031.</p> <p>The Referendum Neighbourhood Plan does not contain policies relating to 'excluded development'.</p> <p>It does not relate to more than one neighbourhood area.</p> <p>There is not more than one NDP in existence in Hargrave.</p>	
<p>The Hargrave Parish Council has undertaken the correct procedures in relation to consultation and publicity.</p>	<p>The Parish Council has submitted a Consultation Statement that demonstrates compliance with SI 2012/637 The Neighbourhood Planning (General) Regulations 2012, Regulation s15(2).</p>	<p>Yes</p>
<p>The draft neighbourhood Plan should be checked to ensure it is not a 'repeat' proposal. If so, the LPA can decline to consider the plan (Town and Country Planning Act 1990 Act Schedule 4B s5 and s18 as varied by s38C of the Planning and Compulsory Purchase Act 2004).</p>	<p>The Referendum version Hargrave Neighbourhood Plan is not a repeat proposal.</p>	<p>Yes</p>

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
<p>The pre-submission consultation requirements need to have been satisfied. Before submission to the LPA the qualifying body should:</p> <ol style="list-style-type: none"> 1. publicise (but this does not have to be on a web site) in a way that is likely to bring to the attention of people who live work or carry on business in the area details of: <ol style="list-style-type: none"> a. the proposals b. when and where they can be inspected c. how to make representations, and d. the deadline for making representations – not less than 6 weeks from first publicised. 2. consult any consultation body whose interests they consider may be affected by the proposals for a NDP. 3. send a copy of the NDP to the LPA. <p>(Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.</p>	<p>Hargrave Parish Council has complied with the requirements of the regulations in respect of the scope of their pre-submission consultation and this is evidenced within Section 3 of their submitted Consultation Statement. The consultation period for the Pre-Submission Neighbourhood Plan was 14 September to 31 October 2017.</p> <p>The consultation bodies consulted are listed in Appendix C of the Consultation Statement.</p> <p>A copy of the Pre-Submission Neighbourhood Plan was provided to the LPA.</p>	Yes
<p>Are there any conflicts in the NDP between policies and other statements or information? (s38B(3) Planning and Compulsory Purchase Act 2004.)</p>	No, there are no conflicts.	Yes
<p>The Conservation of Habitats and Species Regulations 2017, regulations 105 and 106.</p>	<p>In January 2018 St Edmundsbury Borough Council issued its screening opinion concerning the need for a</p>	Yes

Hargrave Neighbourhood Plan (Referendum version) – Compliance Check (May 2018)

Requirements and relevant legislation* and/or guidance	LPA Comments	Legally compliant?
Regulation 106(1) requires the qualifying body to provide 'such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 to enable it to determine whether that assessment is required'	Habitats Regulations Assessment (HRA) in relation to the Neighbourhood Plan. This screening opinion was been underpinned by a report and the opinions of the three statutory bodies (the Environment Agency, Natural England and Historic England). The screening process undertaken concluded that the Neighbourhood Plan would not need to be subject to an HRA. The consultation bodies have all agreed with the conclusion reached. The Plan has not significantly changed since this screening opinion was issued, and nor has there been a long delay between the issue of the opinion and the submission of the Hargrave Neighbourhood Plan (Referendum Version).	

CONCLUSION: St Edmundsbury Borough Council has issued a confirmation that the Referendum version Hargrave Neighbourhood Plan meets the legislative requirements.

The draft neighbourhood plan submitted to a local planning authority meets the requirements in the legislation, and the Local Planning Authority has publicised the neighbourhood plan for a minimum of 6 weeks, invited comments, notified any consultation body referred to in the consultation statement and sent the draft neighbourhood plan to independent examination. Following examination, the Council determined that the plan is ready for a public referendum. (Schedule 4B of the Town and Country Planning Act 1990 (as varied by s38A & 38C of the Town and Country Planning Act)).

*Please note that all references to primary and secondary legislation are to those enactments as amended.

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Forest Heath & St Edmundsbury councils



**Town & Country Planning Act 1990 Schedule 4B (as varied by s38A & 38C of the Town and Country Planning Act)
Neighbourhood Planning Regulations (General) Regulations 2012 (as amended)**

**POST EXAMINATION DECISION STATEMENT –
HARGRAVE NEIGHBOURHOOD PLAN
Regulation 18 Neighbourhood Planning (General) Regulations 2012**

On 8 May 2018 St Edmundsbury Borough Council (the Council) received the independent Examiner's report into the Hargrave Neighbourhood Plan under Paragraph 10 of Schedule 4B to the 1990 Act.

In accordance with Paragraph 12 of Schedule 4B to the 1990 Act and Regulation 18(1) of the 2012 Regulations, the Council fully accepts all of the recommended modifications of the Examiner in relation to the Hargrave neighbourhood development plan (the Plan) and adopts the Examiner's reasons for making the modifications. The Council has modified the Plan in conjunction with Hargrave Parish Council in line with the Examiner's endorsed recommendations. The modified plan proposal (The Referendum version) is available online, and is considered by St Edmundsbury Borough Council to comply with the basic conditions and other statutory requirements.

The Council has therefore approved the "Referendum version" of the plan proposal to proceed to Referendum. The referendum area is to be limited to the parish of Hargrave, in accordance with the Neighbourhood Plan area and the Examiner's recommendations.

This decision statement, the Council's assessment of the Referendum version of the plan proposal, and the independent Examiner's report is available online: www.westsuffolk.gov.uk/hargraveplan

A Referendum statement will be available online and in the local press closer to the Referendum date.

Alaric Pugh
Portfolio Holder for Planning and Growth
St Edmundsbury Borough Council
24 May 2018

Please note that all references to primary and secondary legislation are to those enactments as amended.

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Ministry of Housing,
Communities &
Local Government

30 May 2018

By email only

The Chief Planning Officer

Update on financial support for neighbourhood planning in 2018/19

Neighbourhood planning remains an essential part of the Government's reforms to help local communities play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals.

To support the vital role of local authorities in the neighbourhood planning process, the Department is today announcing arrangements for funding local planning authorities from the financial year beginning April 2018. Confirmation of this funding, and details of the arrangements for claiming it, are set out in Annex A of this letter. Updates to the scheme from previous financial years' arrangements include amended rates for claiming neighbourhood planning grant where a made plan has been modified. This reflects changes in types of modification that have been introduced through the Neighbourhood Planning Act 2017.

This letter will be available online at:

<https://www.gov.uk/guidance/planning-guidance-letters-to-chief-planning-officers>.

Local planning authorities should enter claims for neighbourhood planning support relating to activity undertaken in the current 2018/19 financial year only. If you have queries relating to claims that might have been made relating to previous years, please contact the neighbourhood planning team via <http://forms.communities.gov.uk/>

We are continuing to provide support for communities who choose to prepare neighbourhood plans. Information on how groups can apply for funding and support is available at <http://neighbourhoodplanning.org> alongside other neighbourhood planning tools for communities.

STEVE QUARTERMAIN CBE
Chief Planner

Financial support for neighbourhood planning in 2018/19

1. The arrangements for claiming financial support for neighbourhood planning have been confirmed for 2018/19. From April 2018, local planning authorities (LPAs) will be able to claim as follows:

For all areas: LPAs can claim **£20,000** once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area.

Additional funding is available in certain circumstances as follows:

Area designation: LPAs can claim **£5,000 for the first five neighbourhood areas designated** only. The limit of five areas applies to the total number of areas designated in the LPA (i.e. it includes past claims made in previous years) and includes the re-designation of areas.

Forum designation: LPAs can claim **£5,000 for the first five neighbourhood forums** they designate only. The limit of five forums applies to the total number of areas designated in the LPA (i.e. it includes claims made in the past for forums designated) and includes the re-designation of forums.

Business areas: LPAs can claim a further **£10,000** once they have set a date for a referendum following a successful examination.

Neighbourhood Development Orders (NDO) and Community Right to Build Orders (CRtBOs): LPAs can claim **£20,000 in relation to NDOs and/or CRtBOs for each neighbourhood planning area per year**. The claim can be made once the date for the referendum on an Order has been set.

Modification of a neighbourhood plan that is in force:

Sums available vary according to the scale of modifications proposed, in line with the new neighbourhood plan modification procedures introduced through the Neighbourhood Planning Act 2017. Neighbourhood Planning Practice Guidance has been updated to provide more detail on the new processes:

<https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>

Minor (non – material) modifications (no new examination or referendum required): Not eligible to claim for neighbourhood planning grant.

More substantive modifications (requiring an examination but no new referendum because the nature of the plan has not changed): LPAs will be eligible to claim **£10,000** after the revised plan comes into force following examination. Once such a claim is made, claims for further updates to that specific neighbourhood plan will be restricted to one every 5 years.

More Substantive Modifications (requiring an examination **and** new referendum because the nature of the plan **has** changed) will be eligible for a claim of **£20,000** by LPAs, after a successful examination with the setting of a new referendum date by the LPA. Once a claim for a modified neighbourhood plan has been submitted, further claims for revisions to that specific neighbourhood plan will be restricted to one every 5 years.

More Substantive Modifications (requiring an examination **and** a referendum because the nature of the plan has changed) **in Business Areas:** LPAs will be eligible to claim an

additional **£10,000** after the setting of a referendum date. Once such a claim is made, claims for further updates to that specific neighbourhood plan will be restricted to one every 5 years.

2. In order to help local planning authorities and MHCLG manage this in a simple way, we invite you to submit aggregate claims for grant during **June and November 2018 and March 2019**. All claims need to be submitted via the LOGASNET grant administration system. Please email logasnet.helpdesk@communities.gsi.gov.uk to be set up on the system in order to submit claims. Users will be contacted regarding claims windows and system upgrades.

3. Payments will be made under section 31 of the Local Government Act 2003 (and in respect of National Parks Authorities under section 72 of the Environment Act 1995 and in respect of the Broads Authority under section 15 of the Norfolk and Suffolk Broads Act 1988¹).

4. The Q&A at Annex B covers many frequently asked questions. Any other questions should be submitted to <http://forms.communities.gov.uk/>.

¹ In making these payments, we will ask the national parks authority or the Broads authority to make a payment to the local authority for the work in relation to the referendum it will undertake on behalf of the National Parks Authority or Broads Authority.

Frequently Asked Questions on neighbourhood planning funding for Local Planning Authorities

Q1. What is this funding for?

A. This money is to help Local Planning Authorities (LPAs) meet their legislative duties in relation to neighbourhood planning. Specifically, it covers **the neighbourhood planning duties introduced by the Localism Act 2011 which are to provide advice or assistance; to hold an examination; and to make arrangements for a referendum.**

Q2. What does “advice or assistance” mean?

A. The extent of advice and assistance will be different in each area. The legislation requires local planning authorities to provide such advice or assistance to qualifying bodies as, in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the making of proposals for neighbourhood development plans orders. Planning guidance states that a local authority should:

- Be proactive in providing information to communities about neighbourhood planning.
- Fulfil its duties and take decisions as soon as possible, and within statutory time periods where these apply.
- Set out a clear and transparent decision making timetable and share this with those wishing to prepare a neighbourhood plan or an Order.
- Constructively engage with the community throughout the process including when considering the recommendations of the independent examiner of a neighbourhood development plan or Order proposal.

Q3. How do I apply for this funding?

A. Any LPA supporting neighbourhood planning will be able to claim using LOGASNET.

Q4. When and how can I submit a claim?

A. There will be **three** opportunities to submit claims using LOGASNET each year. There will be claims windows in **June** and **November 2018** and **March 2019**. Payments are expected to be made in September 2018, February and June 2019 respectively.

Q5. Why is this money being paid to LPAs and not direct to communities?

A. LPAs have a duty to support and advise parish councils, neighbourhood forums and community right to build organisations and pay examination and referendum costs. We want to ensure that LPAs receive the appropriate funding to enable the fulfilment of this duty in line with Government’s new burdens doctrine. Information about support available for communities considering or undertaking neighbourhood planning can be found here:

<http://neighbourhoodplanning.org>.

Q6. What about National Parks Authorities and the Broads Authority that are supporting neighbourhood plans?

A. National Parks Authorities and the Broads Authority may make claims as above. Payments to National Park Authorities are made under section 72 of the Environment Act 1995 and the Broads Authority under section 15 of the Norfolk and Suffolk Broads Act 1988. In making these payments we will ask the National Park Authority or the Broads Authority to make a payment to the local authority in relation to the referendum it will undertake on behalf of the National Park Authority or Broads Authority.

Q7. What happens where a designated area crosses the boundary of two local planning authority areas?

A. Where a neighbourhood area falls within the area of more than one local planning authority, including a National Park Authority or the Broads Authority, it will be for each authority to decide on who to make the claim and how to share the payment locally. We would expect it normally to be the area with the largest proportion of the neighbourhood area or whichever authority has agreed to lead. However, this may not necessarily be the case if both parties agree otherwise. We would expect the lead authority to share the payment, in such proportions as may be locally agreed, with the other authorities working on the scheme.

Q8. What about the re-designation of an established neighbourhood forum, and the re-designation of a neighbourhood planning area?

A. Where a designated neighbourhood forum has reached the end of its five year life span, the re-designation of a forum can be claimed for by the Local Planning Authority. A limit of 5 claims for forum designations will still apply per LPA, including previous claims made. The re-designation of a neighbourhood planning area can also be included, again allowing for the existing cap of 5 claims for area designations per LPA.

Q9. How much will LPA's be able to claim if it has to hold a business referendum?

A. Where a neighbourhood area is considered to be wholly or predominantly business in nature the legislation enables the local planning authority to designate this as a 'business area'. In these areas an additional referendum must take place in which non-domestic rate payers can vote. Where a responsible authority must run two referendums we will make an **additional payment of £10,000**. This can be claimed at the same time as the £20,000 payment on setting a date for a referendum following a successful examination. Later, if a made business neighbourhood plan undergoes modification requiring a new examination and referendum, a further £10,000 can be claimed again at the same time a claim for the revised modified neighbourhood plan referendum is made.

Q10. How much can LPAs claim for a Neighbourhood Development Order or Community Right to Build Order?

A. Where there are successful NDOs or CRtBOs, LPAs can claim **£20,000 for each neighbourhood planning area per year**. This means that where a parish, neighbourhood forum or community organisation (in the case of CRtB) prepares one or more NDO or CRtBO, the LPA can make a single claim for that area in each year. As with neighbourhood plans, the claim can be made once a referendum date is set.

Q11. How much can be claimed where a neighbourhood plan is modified and how is this affected by the Neighbourhood Planning Act?

A. A neighbourhood plan that is modified (other than for the purpose of correcting errors) will now be eligible for one or another of two possible payments, depending on the level of modification that was undertaken. The Neighbourhood Planning Act 2017 introduced three different levels of update to made neighbourhood plans that will be recognised. A non-material modification will be where there is no new examination or referendum held. As such, **non-material modifications will not be eligible for a claim under the 2018/19 neighbourhood planning grant arrangements**.

The Act also introduced two other types of modification.

- i) A **more substantive modification** will require a new examination, but no referendum because the nature of the plan has not changed). In such circumstances LPAs can claim **£10,000** following the successful examination and its adoption by the LPA.
- ii) Where a made plan has a **more substantive modification**, (requiring an examination **and** new referendum because the nature of the plan has changed). In these circumstances, plans undergoing 'major' modification will be eligible to claim **£20,000** following a successful examination with a new referendum date being set. A business neighbourhood plan requiring a more substantive material modification can claim an additional **£10000** in recognition of the additional referendum to be held for non-domestic rate payers. Claims

for both types of modified plan will be limited to 1 claim per neighbourhood planning area every five years.

Q12. What is the limit on the number of claims that can be made for a revision to a made plan?

A. LPAs can claim for a modification to a specific plan once every five years. This limit reflects the expected frequency of revisions to other statutory planning documents. Only one claim for examination and/or referendum can be made per plan in 2018/19.

Q13. What about activity in previous years?

A: Claims must relate to the 2018/19 financial year only.

Q14. How do LPAs enter claims for neighbourhood planning grant?

A. Local Planning Authorities will need to register officials to enter and certify claims on the LOGASNET grants administration system. The Chief Executive (or the acting Chief Executive) or the officer with responsibility for financial affairs under section 151 of the Local Government Act 1972 of each authority must certify the data entered on LOGASNET, before a claim will be considered by the Department.

LPAs wishing to register officials on the LOGASNET system should contact the LOGASNET helpdesk on LOGASNET.HELPDESK@communities.gsi.gov.uk or telephone 0303 444 2444 for queries on using the system.

Q15. What about changes to the LOGASNET system?

A. The LOGASNET system is due to be replaced during 2018. Registered users will be contacted by administrators of the new DELTA system when this happens. Please see <https://logasnet.communities.gov.uk/logasnet> for updates.

COU/SE/18/015



St Edmundsbury
BOROUGH COUNCIL

Forest Heath & St Edmundsbury councils

West Suffolk
working together

ANNUAL SCRUTINY REPORT



2017-2018

St Edmundsbury Borough Council Annual Scrutiny Report 2017-2018

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Introduction



Councillor Diane Hind

**Chairman of the
Overview and Scrutiny Committee
2017-2018**



Councillor Sarah Broughton

**Chairman of the Performance and
Audit Scrutiny Committee
2017-2018**

Welcome to the Annual Report of 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 2017-2018. 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.

2017-2018 was another busy year for the committee, with the Overview and Scrutiny Committee carrying out several policy and scrutiny reviews alongside our usual workload.

The Performance and Audit Scrutiny Committee continued to increase the scope of its internal and external audit monitoring role.

2017-2018 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.

June 2018

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 previous 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. 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 and approving the Council's Annual Statement of Accounts.

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 to account for its actions by monitoring the decision making process and testing existing practices to check they are working properly. It can also call in Cabinet decisions to scrutinise 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 Framework 2018-2020, 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
- Revenue and Capital Budget monitoring and budget development
- Scrutiny of annual accounts
- 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 the development of a sustainable forward budget. In 2017-2018 it held five informal joint monitoring meetings with Forest Heath's Performance and Audit Scrutiny Committee, plus a special individual meeting in September 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 2017-2018.

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. Targeted training, both internally and externally, has facilitated the development of a successful scrutiny function.

Scrutiny Workshops

In addition to its scheduled meetings, during 2017-2018 the Committee held two scrutiny workshop sessions:

- August 2017: The Role of Scrutiny (Looking at the current role by drawing on member observations on how it currently works; where improvements could be made; and how it might operate in the future); and
- February 2018: Developing potential ideas for future scrutiny during 2018-2019.

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 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
- Anglia Revenues Partnership
- Suffolk County Council (Deputy Leader) and
- Suffolk Highways (Head of Strategic Services)

- Barley Homes Group Ltd (Directors)
- Barley Homes Shareholder Advisory Group Representatives
- Suffolk County Council Assistant Director (Strategic Finance) and Head of Procurement

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

Review of Past Year Overview and Scrutiny Committee

 <p>Councillor Diane Hind Committee Chairman</p>	<p>Committee Members Cllr Simon Brown Cllr John Burns Cllr Mike Chester Cllr Patrick Chung Cllr Paula Fox Cllr Paul Hopfensperger Cllr Margaret Marks Cllr Richard Rout Cllr Andrew Speed Cllr Clive Springett Cllr Sarah Stamp Cllr Jim Thorndyke Cllr Frank Warby Cllr Anthony Williams</p> <p>Substitute Members Cllr Tony Brown Cllr Wayne Hailstone Cllr Jane Midwood Cllr David Roach Cllr Peter Thompson Cllr Julia Wakelam Cllr Patsy Warby</p>	 <p>Councillor Susan Glossop Committee Vice Chairman</p>
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Scrutiny Reviews completed during 2017-2018

This section describes some of the key scrutiny topics covered during the year (June 2017 to April 2018), and their associated outcomes.

Annual Reviews

Car Parking Update

On 7 March 2018, the Committee received an update on the car parking service across 2017, off-street parking outcomes and work priorities. The report included information on transactions and usage, issue of fines, car park improvements (credit card enabled pay machines and RingGo cashless payments, electric charging points, Park Mark, Disabled Parking Accreditation and Vinery Road car par), planning for future car parking provision, Civic Parking Enforcement and future work streams.

The Committee asked questions to which comprehensive responses were provided. In particular discussions were held on the drop in transactions made in 2017 compared to 2016 and the reasons behind the drop, what the cost was to the council in using RingGo compared to other parking providers, and the number of discounted weekly tickets sold in Bury St Edmunds.

Members were informed that the council funded the replacement of two existing charging points and made a contribution to the new charging points, with Suffolk Council funding the remainder.

Barley Homes (Group) Limited – Annual Report 2018

On 7 March 2018, the Committee welcomed three of the Directors from Barley Homes, the St Edmundsbury representative on the Shareholder Advisory Group and the Chairman of the Board of Directors for Suffolk County Council, who was accompanied by the Assistant Director (Strategic Finance) and Head of Procurement who supported Suffolk County Council in operating Barley Homes.

The Committee received the Annual Report from Barley Homes, which presented the position from a Barley Homes perspective, and the covering report provided the perspective from both Forest Heath and St Edmundsbury Borough Council's viewpoint, as joint owners (shareholders) of Barley Homes.

The Committee considered the Annual Report in detail and strongly expressed concerns regarding the deliverability of the Barley Homes five-year plan, given one of the four initial sites had been removed from the business plan (Wamil Court, Mildenhall) because Suffolk County Council (SCC), a shareholder in Barley Homes took a decision to sell the site on the open market, securing a higher price. The Assistant Director from SCC explained in detail the history behind Wamil Court, Mildenhall and the need for SCC to maximise the cash receipt for the site when it was returned back to SCC in 2014.

The Committee was informed that Barley Homes was working hard to progress the three remaining sites set out in the current business plan to ensure they worked and delivered against the timeline set out in the Annual Report. It was reported that conditions in the housing market had changed since the original business plan was prepared, and given the desires to maintain schemes which were policy compliant, a revised business plan would be brought forward that still achieved a profitable outcome for the business.

The Committee noted a revised business plan would be brought back to them in July/September 2018 to enable members to assess further progress being made.

Follow-up reviews

Anglia Revenues Partnership: Debt Recovery Process

On 8 November 2017, the Committee invited back the Anglia Revenues Partnership (ARP) to explain the processes they followed to recover debt. Debt recovery was identified as a matter which the Committee wanted to explore further, as effective collection of revenue due to the Council was essential for the Council's finances, as Cabinet was asked to approve certain debts to be written off.

The report and supporting PowerPoint presentation provided a review of the processes that ARP followed to recover debt; which included a summary of performance in this area; the collection process; enforcement; housing benefits overpayments; support provided and a case study illustrating the sometimes lengthy and time consuming recover of debt.

The Committee reviewed in detail the processes that ARP followed. Discussions took place on fraud overpayments and how this would be collected when Universal Credit was introduced; the reminder process from first reminder to court summons; and whether ARP held a definitive list of property owners/landlords.

The Committee discussed the Council Tax instalment process and suggested that ARP could be more proactive in advertising that payments could be made over 12 months, rather than the statutory 10 months. In response ARP agreed to look at publicising more the option of payments being spread over 12 months.

With regards to write-offs, ARP reassured the Committee that if debtors reappeared in the area, ARP reopened written-off cases and pursued the collection of the outstanding debt with the debtor.

Joint Task and Finish Group(s)

West Suffolk Information Strategy

A Joint Task and Finish Group was set up in April 2017, with Forest Heath District Council to help shape the development of a West Suffolk Information Strategy.

On 7 March 2018, the Committee received a report from the Joint Task and Finish Group on its work. In the early stages of the process the Group agreed that the document should become a Framework, rather than a Strategy, reflecting the focus of Data and Information and the councils Vision and Objectives regarding the usage, and that a subsequent ICT Strategy would focus on the delivery of the Technology Architecture to support the Framework.

The draft Information Framework was a first for West Suffolk Council's and represented a revised approach to data and the way it is used. The framework provided a high level summary of the council's current position and proposed an approach that sought to maximise data assets through aligning data across West Suffolk Councils' and its partners to improve the services provided across the Councils'.

The Committee considered the report and thanked members of the Joint Task and Finish Group and officers on their work in developing the West Suffolk Information Framework, which was recommended to Cabinet for approval.

Review of Bury St Edmunds Christmas Fayre – Scoping Report

The Committee on 19 April 2018, received a request from officers to establish a West Suffolk Joint Task and Finish Group with Forest Heath District Council to review the Christmas Fayre.

A formal review of the Fayre was last carried out in 2015. St Edmundsbury Overview and Scrutiny Committee had set up a task and finish group which concluded that "St Edmundsbury Borough Council should commit to the Christmas Fayre for the remainder of the current administration" and made a number of recommendations that had been, or were being implemented.

A further review of the Christmas Fayre was now proposed for the following reasons:

- 1) The current commitment to continue with the Fayre only runs until April 2019, so decisions were needed as to what should take place in winter 2019;
- 2) Planning for the Christmas Fayre starts in the preceding year. As such, a decision would need to be made in 2018 for the 2019 Fayre;
- 3) If the event goes ahead as planned, the 2019 Christmas Fayre would be the first to be run by the new West Suffolk Council as opposed to St Edmundsbury Borough Council. For this reason, current members from across West Suffolk needed to be involved in the decisions about the future of the Fayre; and
- 4) The new anti-terrorist requirements for large scale events was not in place in 2015 when the previous review was carried out. These requirements had financial and other implications and it would be helpful to consider these alongside a wider review of the Fayre.

The West Suffolk Joint Task and Finish Group would consist of four members from Forest Heath's Overview and Scrutiny Committee and six from St Edmundsbury's Overview and Scrutiny Committee with various officers providing technical support.

It was envisaged that the West Suffolk Joint Task and Finish Group would make recommendations to be considered by the Overview and Scrutiny Committee in September 2018 and West Suffolk Shadow Executive in Autumn 2018.

Member Work Programme Suggestion Reviews

Suffolk County Council – Highway Services

In July 2017, the Committee considered and included in its forward work programme a member suggestion relating to "Suffolk County Council – Highway Services" (SCC). The Committee acknowledged that the Borough Council was not the responsible authority for highways, but felt it would be beneficial to invite Suffolk County Council to a future meeting to discuss how communication could be improved between highways and various tiers of local government for the benefit of all residents and Councillors in West Suffolk.

On 25 October 2017, an Extraordinary Committee meeting was held. The Deputy Leader and Interim for Highways and Transport; the Cabinet Member with Special Responsibility for Highways Operational Performance; and the Suffolk Highways Head of Strategic Services attended the meeting to answer questions from the Committee.

Members were given an overview of the work which had been carried out, and the Highways Transformation Programme which was launched in January 2016 and the various workstream priorities. The aim of the Highways Transformation Programme was the refocusing of contracts; relocation of staff; cultural changes; and Kier commercial organisation.

Members of the Committee asked a number of questions of the Deputy Leader and the Suffolk Highways Head of Strategic Services. In particular discussions were held on the new Highways Team; Community Engineers; communication; Bury Town Centre Masterplan/Consultation; Roadside vegetation/damaged road signs; Civil Parking Enforcement and paving surfaces in Bury town centre.

The Deputy Leader acknowledged that communication was key. Communication between SCC, borough, district and parishes was essential and moving forward it recognised that it needed to be honest with all tiers of local government.

The Chairman of the Overview and Scrutiny Committee in summing up the meeting acknowledged that whilst the new arrangements were clearly more cost effective and had removed some duplication of work, SCC might still not be utilising the expertise and good will of all tiers of local government. The Chairman proposed a strategy and timetable, which was subsequently recommended to SCC to:

- 1) Pursue a service level agreement with buy-in for parish and town councils;
- 2) Make the Bury Town Centre Masterplan an aspiration for highways decisions;
- 3) Ensure that back office staff are clear on individual roles;
- 4) Civil parking enforcement – ensure that all road markings are in place prior to transfer;
- 5) To value Parish/Town Borough councillors more and provide opportunities to build relationships with designated Community Engineers;
- 6) Paving surfaces: to collectively look at uniformed surfaces;
- 7) Make consultations more meaningful and worthwhile; and
- 8) A further meeting be held with SCC Highways and Transport in six months.

External Joint Scrutiny

In June 2017, a Councillor Paul Hopfensperger was appointed as the representative and Councillor Margaret Marks, Substitute 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

On 7 June 2017, the Committee discussed the **West Suffolk Annual Report (2016-2017)** with the Leader of the Council. The report highlighted the key activities and developments which had been achieved over the financial year 2016-2017, with regard to the priorities set out in the West Suffolk Strategic Plan.

The draft report contained a number of case studies and examples from West Suffolk to illustrate the achievements described. The Leader highlighted relevant issues for the attention of the Committee.

Development of a New West Suffolk Strategic Framework 2018-2020

On 8 November 2017, the Committee received a report which sought its input into the development of a draft West Suffolk Strategic Framework 2018-2020. The strategic framework represented a revision of the existing West Suffolk Strategic Plan 2014-2016.

The report summarised the work which had been carried out so far on the development of a draft West Suffolk Strategic Framework for 2018-2020, which set out the aspirations and ambitious agenda for growth, housing and families and communities. The framework document included the councils' vision, priorities and key actions over the next two years, as well as ways of working.

Following recommendations made by the Committee, the draft West Suffolk Strategic Framework for 2018-2020 was approved by St Edmundsbury Borough Council and Forest Heath District Councils Cabinet's and Council's in December 2017.

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



Cabinet Members who attended Overview and Scrutiny in 2017-2018

Following on from the first round of presentations from Cabinet Members during 2016-2017, Cabinet Members were invited back during 2017-2018 to update the Committee on progress made within their portfolio since they last attended Overview and Scrutiny. This year, prior to attending Overview and Scrutiny, Cabinet members were provided with specific questions identified by committee members to be covered in their annual update.

Call-ins and Councillor Calls for Action

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

Review of Past Year Performance and Audit Scrutiny Committee

 <p>Councillor Sarah Broughton Committee Chairman</p>	<p>Committee Members Cllr Beccy Hopfensperger Cllr Jane Midwood Cllr Karen Richardson Cllr David Roach Cllr Barry Robbins Cllr Andrew Smith Cllr Peter Thompson Vacancy</p> <p>Substitute Members Cllr Mary Evans Cllr Susan Glossop Vacancy Vacancy</p>	 <p>Councillor Patricia Warby Committee Vice-Chairman</p>
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This section describes some of the key scrutiny topics covered during the year (25 May 2017 to 31 May 2018) by the Performance and Audit Scrutiny Committee, and their associated outcomes.

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

During 2017-2018 the Committee held five informal joint meetings, at alternate venues with Forest Heath District Council's Performance and Audit Scrutiny Committee. In September, the Committee meet separately to scrutinise and approve the Council's 2016-2017 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 2018-2019 budget before making recommendations to Cabinet.

This work commenced on 29 November 2017, with a report setting out progress made towards delivering a balanced budget for 2018-2019 and a sustainable budget in the medium term, and recommended to Cabinet inclusion of the proposals to progress securing a balanced budget for 2018-2019 and sustainable budget in the medium term to 2021.

A further report was scrutinised by the Committee on 31 January 2018 on a number of proposals/changes over and above those considered by Members in November 2017, all of which were incorporated into the Budget and Council Tax Setting report considered by Cabinet on 6 February 2018.

Performance Management

The Committee received on a quarterly basis the **West Suffolk Balanced Scorecards** being used to measure the Council's performance for the five Assistant Director's Service areas for 2017-2018 and an overview of performance against those indicators as well as the **West Suffolk Strategic Risk Register**.

Additionally, at its 27 July 2017 meeting, the Committee received the **Annual Performance Report for The Apex**.

Audit Responsibilities

Internal Audit

The Committee scrutinised the work of the **Internal Audit Team** towards achieving the 2017-2018 audit plan, with updates during the year at which the results of completed audits were discussed. At its 27 July 2017 meeting, the Committee approved an **Outline Internal Audit Plan for 2017-2018**.

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. The Annual Governance Statement had been prepared by the Officer Governance 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.

External Audit

Various reports from **Ernst and Young (EY)**, the Councils external auditors were considered over the year. On 25 May 2017 the **External Audit Plan and Fees 2016-2017 and 2017-2018 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 2016-2017 audit along with the planned fees to complete the work for 2016-2017, and also included indicative fees for 2017-2018. At the same meeting the **Certification of Claims and Returns Annual Report 2015-2016**, which set out the results of the certification work which had been undertaken as part of the annual audit of grant claims to government departments.

In September 2017 EY presented the **2016-2017 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 29 November 2017, EY presented the **2016-2017 Annual Audit Letter**, which confirmed the completion of the audit of the 2016-2017 financial statements.

At its meeting held on 31 January 2018, EY presented the **Certification of Claims and Returns Annual Report 2016-2017**, and the **External Audit Plan and Fees for 2017-2018**.

Budget Monitoring

Budget Monitoring reports were 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) 2016-2017** at its meeting on 25 May 2017, 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.

On 31 May 2018, the Committee received the **Financial Outturn Report (Revenue and Capital) 2017-2018**, which included a financial commentary for the year.

The Committee scrutinised and approved the Council's **2016-2017 Annual Statement of Accounts** at its meeting on 20 September 2017. At the same meeting it scrutinised the External Auditors **2016-2017 ISA 260 Annual Governance Report** to those charged with governance and resolved the sign-off of this report, including the approval of the letter of representation on behalf of the Council.

Treasury Management

The **Treasury Management Sub-Committee** of three Members, who fulfil the enhanced monitoring and scrutiny requirements of treasury management, held three meetings during the financial year (July, November 2017 and January 2018), at which scrutiny of the **Investment Activity and Performance and Monitoring Reports (2017/2018)** the **Treasury Management Policy Statement and Investment Strategy Statements 2018-2019** and **Treasury Management Code of Practice** took place.

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 2018-2019

The Overview and Scrutiny Committee carries out some of its work in "Task and Finish" groups, which undertake 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 issues 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:

- Cabinet Decisions Plan
- Barley Homes (Group) Limited
- Monitoring the Western Suffolk Community Safety Partnership
- West Suffolk Annual Report
- West Suffolk Housing Strategy
- Implementation of a Single Council for West Suffolk

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 2019-2020.

- Performance Management
(including West Suffolk Strategic Risk Management/Budget Monitoring/ Corporate Compliments and Complaints)
- Development of a Sustainable Budget
- Internal and external audit
- Financial Performance Outturn - (Revenue and Capital)
- 2017-2018 Statement of Accounts
- Procurement
- Treasury Management

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



St Edmundsbury
BOROUGH COUNCIL

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Forest Heath & St Edmundsbury councils

West Suffolk
working together

Approved by Council: XX July 2018

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

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