

Minutes of a meeting of the **Council** held on
Tuesday 16 July 2019 at **6.30 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chair Brian Harvey

Vice Chair Margaret Marks

Richard Alecock	Robert Everitt	Robert Nobbs
Michael Anderson	Stephen Frost	David Palmer
John Augustine	David Gathercole	Joanna Rayner
Trevor Beckwith	Susan Glossop	Karen Richardson
Mick Bradshaw	John Griffiths	David Roach
Sarah Broughton	Diane Hind	Marion Rushbrook
Simon Brown	Rachel Hood	Ian Shipp
Tony Brown	Ian Houlder	Andrew Smith
Carol Bull	Paul Hopfensperger	David Smith
John Burns	Beccy Hopfensperger	John Smith
Mike Chester	James Lay	Clive Springett
Max Clarke	Aaron Luccarini	Peter Stevens
Terry Clements	Victor Lukaniuk	Peter Thompson
Simon Cole	Joe Mason	Jim Thorndyke
Jason Crooks	Elaine McManus	Don Waldron
Dawn Dicker	Jim Meikle	Cliff Waterman
Roger Dicker	Sara Mildmay-White	Ann Williamson
Andy Drummond	Robin Millar	Phil Wittam
Mary Evans	Andy Neal	
	David Nettleton	

11. Minutes

The minutes of the meeting held on 22 May 2019 were confirmed as a correct record and signed by the Chair.

12. Chair's Announcements

The Chair reported on the civic engagements and charity activities which he and the Vice-Chair had attended since his election at the Annual Meeting on 22 May 2019.

Members noted that a full list of engagements and events attended by the Chair and Vice-Chair since the preceding meeting of Council would in future, be attached to the agenda for perusal.

13. Apologies for Absence

Apologies for absence were received from Councillors Patrick Chung, Lisa Ingwall King, Pat Hanlon, Richard Rout and Frank Warby.

14. Declarations of Interests

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

15. Leader's Statement (Paper No: COU/WS/19/001)

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in Paper No: COU/WS/19/001.

Following the publication of the paper, Councillor Griffiths reported that:

- (a) West Suffolk Council had once again achieved Green Flag awards for its parks and open spaces, with Brandon Country Park achieving this accolade for the first time.
- (b) A report was due to be presented to Cabinet on 23 July 2019 which included a recommendation for investing £1.8 million in Newmarket Leisure Centre facilities.
- (c) A ground breaking ceremony had taken place at RAF Lakenheath to launch the F-35 Fighter programme. This project was expected to bring millions of pounds of opportunities for local businesses and create jobs in and around the base.

The Leader then referred to the motion on notice contained on the agenda at Item 9, with particular attention drawn to the fact that he recognised the need for action on tackling climate change. He reminded Members that he had announced at the Annual Meeting on 22 May 2019 that he would be proposing to set up two taskforces, one of which would be requested to look at ways in which the Council could improve on its current and previous actions taken to mitigate the effects of adverse environmental factors and climate change.

Report No: CAB/WS/19/016 had been published that day, which was due to be considered by Cabinet on 23 July 2019. It contained proposals for the terms of reference for the Environment and Climate Change Taskforce that had been announced at the Annual Meeting. In summary, the Taskforce would aim to ensure that the Council used the opportunity to review and assess its existing activities and future opportunities in response to increased societal awareness of environmental issues. The Taskforce would explore how the Council could enhance its environmental stewardship, recognising the need for balance with other urgent social and economic priorities.

The motion on notice would be dealt with in accordance with the requirements of the Constitution when the agenda item was reached.

The Leader responded to a range of questions relating to:

- (a) that the West Suffolk Rural Taskforce would be looking at a range of services required for the rural areas, which would include provision for young people.
- (b) That Cabinet was aware of proposals by the Department for Transport to strengthen and increase the financial penalty for vehicles idling whilst parked/stationary, he would provide a written response regarding whether there was an expected timeline for such fines to be introduced.
- (c) That the recently established West Suffolk Grants to External Organisations Review Group would be reviewing the Council's existing grants schemes, which was expected to include analysing the remit and operation of the Councillor locality budget scheme.
- (d) The suburban areas of the district would be looked at in context by the Rural Taskforce and if specific issues were highlighted in suburban areas that appeared to require further investigation, this would be addressed separately.

16. **Public Participation**

The following member of the public spoke under this agenda item:

1. **Julia Wakelam of Bury St Edmunds**, made a statement in connection with Agenda Item 9, *Motion on Notice*. Ms Wakelam expressed her support for the proposed commitment and actions requested of the Council, as set out in the motion (Paper No; COU/WS/19/003), emphasising the need for tackling climate change and its effects now, and how she felt the Council needed to be leaders and not followers in this area. Ms Wakelam also provided examples of appropriate actions the Council might wish to take.

Councillor Griffiths, Leader of the Council, duly responded to the statement, reiterating the actions the Council were already taking and had taken as the former Forest Heath District and St Edmundsbury Borough Councils. He considered the Council was presently leading by example, and aimed to do more where it reasonably could, as referred to during the presentation of his Leader's Statement (minute 15 above).

There being no further questions or statements the Chair moved to the next item of business.

(Councillor Terry Clements joined the meeting at 6.56 pm during the consideration of this item.)

17. **Constitution Review Group (Report No: COU/WS/19/002)**

Council considered this report which sought approval for the establishment of a Constitution Review Group in accordance with the proposed terms of reference and membership set out in the report.

The Constitution for the new West Suffolk Council was approved by West Suffolk Shadow Council in February 2019. At that time it was recognised that it would be helpful to assess how it was operating, and make recommendations to Council where necessary. In particular, the former Joint Constitution Review Group recognised the need to assess the Scheme of Delegation for both executive and non-executive functions to ensure they were operating as was intended when the Constitution was agreed.

Councillor Carol Bull, Portfolio Holder for Governance, explained that in order to facilitate review of the Constitution, a small review group, the Constitution Review Group, should be formed with similar terms of reference to the former Joint Constitution Review Group. These were attached to the report as Appendix A. Membership of the Review Group would be based on the proposals set out in paragraph 2.3.

On the motion of Councillor Bull, seconded by Councillor John Griffiths, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the Constitution Review Group be formed in accordance with the terms of reference attached at Appendix A to Report No: COU/WS/19/002 and the membership as set out in section 2.3 of the report.

18. Representation on Suffolk County Council's Health Scrutiny Committee: 2019/2020

Council considered a narrative item, which sought approval for the Overview and Scrutiny Committee's nominations to Suffolk County Council's (SCC) Health Scrutiny Committee.

On 13 June 2019, the Overview and Scrutiny Committee had considered nominations for a representative and substitute to sit on behalf of West Suffolk Council on SCC's Health Scrutiny Committee in 2019/2020. Members should ideally be sought from the Council's Overview and Scrutiny Committee, although this was not essential as training would be given by the County Council.

The Committee had recommended that Councillor Margaret Marks be appointed as the Council's nominated representative on this body, and for Councillor Paul Hopfensperger to be the substitute, as set out in the Council agenda.

Councillor David Nettleton, Chair of the Overview and Scrutiny Committee, drew relevant issues to the attention of Council, including proposing the Committee's recommendation and the reasons for it. This was duly seconded by Councillor Joe Mason.

Councillor Ian Shipp proposed an amendment to the substantive motion, that Councillor Paul Hopfensperger should be appointed as the Council's nominated representative on the Health Scrutiny Committee for 2019/2020. This amendment was duly seconded by Councillor Don Waldron.

Councillor Paul Hopfensperger spoke on the amendment, setting out his reasons why he felt that, after approximately three and a half years as the former St Edmundsbury Borough Council's representative on this body, he had the necessary knowledge and expertise to remain on the Committee. He emphasised that he felt continuity of membership on this body was important.

The seconder of the substantive motion, Councillor Joe Mason, spoke on the amendment, indicating his reasons for not supporting the amendment and why he considered Councillor Margaret Marks had the necessary knowledge and qualities to take on the role.

Other Members spoke for and against the amendment, outlining their reasons for supporting or not supporting the amendment.

Councillor John Griffiths, Leader of the Council considered that whilst both Councillors Marks and Hopfensperger were both excellent candidates and they (and possibly others) may have the necessary expertise, knowledge and qualities to carry out the role, Council had delegated its powers to the Overview and Scrutiny Committee to consider nominations which had duly put forward a recommendation to Council. Given that the Overview and Scrutiny Committee had given the nominations careful consideration, he felt it was appropriate that Council should accord with that recommendation.

The amendment to the substantive item was put to the vote, and with the vote being 14 for the motion, 41 against and 4 abstentions, the amendment was defeated.

The substantive motion was then put to the vote, and with the vote being 45 for the motion, 9 against and 5 abstentions, it was

RESOLVED:

That Councillor Margaret Marks be nominated as the Council's representative and Councillor Paul Hopfensperger as the nominated substitute Member on the Suffolk Health Scrutiny Committee for 2019/2020.

19. Motion on Notice (Paper No: COU/WS/19/003)

Councillors Max Clarke and Cliff Waterman had given notice of a motion for consideration by Council. This was attached to the agenda as Paper No: COU/WS/19/003.

Councillor Clarke was duly invited to put his motion adding that the Council should not rely on the Government to take a lead on tackling climate change and its effects as he felt ministers were failing to act quickly enough. He considered the motion was bold and that by accepting it, including declaring a Climate Emergency, the Council would demonstrate its commitment in this area to its residents and their children's futures. Councillor Clarke accepted that the Council was already taking action but felt it needed to do more.

Councillor Waterman was duly invited to second the motion. He considered that climate change could not be halted by individuals alone; explained how quickly he felt climate change was happening; and how several other local authorities had already declared Climate Change Emergencies and West Suffolk Council should do the same. He provided examples of how he considered the Council should address the issue, including ensuring that climate change should be taken seriously; actively demonstrate that the Council was determined to do all it could to mitigate it; and the need to produce a framework by which to work.

In accordance with the Constitution, the Chair stated his intention to refer this matter to the appropriate forum, without debate, as if carried, the motion was likely to have budgetary implications. The Chair sought clarification from the Leader of the Council that the appropriate forum would be Cabinet, given that the issue would be discussed at its meeting on 23 July 2019, as already explained under Agenda Item 5 (minute 15 above).

In response, Councillor John Griffiths, Leader of the Council, stated that he recognised the challenges of climate change. The contents of the motion would inform and, subject to Cabinet's approval regarding its establishment and associated terms of reference, would be analysed in detail by the Cabinet's proposed Environment and Climate Change Taskforce. The draft terms of reference had been circulated to all Group Leaders for comment and it was hoped that membership to the Taskforce would be drawn from all Groups, regardless of political affiliation. It was expected that final, meaningful, purposeful recommendations emanating from the Taskforce would be presented to Cabinet for approval and subsequent action in 2020.

The Chair referred the motion to Cabinet for further consideration, without debate, and moved to the next agenda item.

20. **Any Other Urgent Business**

There were no matters of urgent business considered on this occasion.

21. **Exclusion of Press and Public**

As the next item on the agenda was exempt, on the motion of Councillor John Griffiths, seconded by Councillor Carol Bull, and duly carried, it was

RESOLVED:

That the press and public be excluded during the consideration of the following item 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 item, 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 the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

22. **Exempt Item: Referrals Report of Recommendations from Cabinet (para 3) (Exempt Report No: COU/WS/19/004)**

Council considered the Referrals Report of Recommendations from Cabinet, as contained within Exempt Report No: COU/WS/19/004.

(A) Referrals from Cabinet: 28 May 2019

Council noted that there were no referrals emanating from the Cabinet meeting held on 28 May 2019.

(B) Referrals from Cabinet: 25 June 2019

1. Investing in our Commercial Asset Portfolio

Council was advised of the opportunity to acquire a commercial property investment as set out in the exempt report. Attached to the Council report was the full exempt Cabinet report (Exempt Report No: CAB/WS/19/009). It was considered that the commercial element of the property would complement the Council's existing commercial property portfolio. The overall investment would also be in line with the Council's principles of its Investing in Growth Strategy.

Councillor Susan Glossop, Portfolio Holder for Growth, drew relevant issues to the attention of Council.

In respect of a question asked by Councillor John Burns, Council was informed that a written response would be circulated to all Members for perusal in due course.

On the motion of Councillor Glossop, seconded by Councillor Andy Drummond, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the recommendations, as set out in Exempt Report No: CAB/WS/19/009, be approved.

(This decision and associated papers will be available in the public domain in due course)

The meeting concluded at 7.43 pm

Signed by:

Chair