

Minutes of a meeting of the **Council** held on **Tuesday 22 March 2022** at **6.30 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Margaret Marks
Vice Chair

Mike Chester	Pat Hanlon	Sarah Pugh
Richard Alecock	Brian Harvey	Karen Richardson
Michael Anderson	Ian Houlder	David Roach
Sarah Broughton	Paul Hopfensperger	Ian Shipp
Tony Brown	Beccy Hopfensperger	Andrew Smith
Patrick Chung	Aaron Luccarini	Karen Soons
Max Clarke	Victor Lukaniuk	Clive Springett
Nick Clarke	Birgitte Mager	Lance Stanbury
Jason Crooks	Elaine McManus	Peter Stevens
Dawn Dicker	Sara Mildmay-White	Peter Thompson
Roger Dicker	Andy Neal	Jim Thorndyke
Andy Drummond	David Nettleton	Don Waldron
Stephen Frost	Robert Nobbs	Cliff Waterman
Susan Glossop	Colin Noble	Nick Wiseman
John Griffiths	David Palmer	Phil Wittam

191. **Welcome and introduction**

The Chair opened the meeting and welcomed all persons present in the Conference Chamber. She explained the rationale behind the precautionary health and safety measures that remained in operation for this meeting which aimed to reduce and restrict the transmission of the COVID-19 virus.

192. **Minutes**

Councillor Paul Hopfensperger made reference to Minute 187. 'Budget and Council Tax Setting 2022 to 2023 and Medium Term Financial Strategy 2022 to 2026' with specific reference to (c) 'Swimming pool provision in the proposed new leisure centre (as part of the Western Way Development)'. He expressed his dissatisfaction with the accuracy of the text used to minute this element of the debate.

The minutes of the meeting held on 22 February 2022 were confirmed as a correct record and signed by the Chair.

193. **Chair's announcements**

The Chair reported on the civic engagements and charity activities which she and the Vice-Chair had attended since the last ordinary meeting of Council on 22 February 2022.

Attention was drawn to an engagement recently attended by the Chair with representatives of the Soldiers', Sailors' and Airmen's Families Association (SSAFA). She provided background to the organisation, with particular reference given to their work in helping to reinstate veterans that had been in prison back into the community.

Veterans, serving members of the armed forces and their family members could access help and support by contacting the SSAFA Forces Helpline number (0800 731 4880). The Chair urged councillors to record the helpline number should they come across the aforementioned and may be in need of help.

(Councillor Karen Soons joined the meeting during the consideration of this item.)

194. **Apologies for absence**

Apologies for absence were received from Councillors John Augustine, Trevor Beckwith, Mick Bradshaw, Simon Brown, Carol Bull, John Burns, Simon Cole, Robert Everitt, Diane Hind, Rachel Hood, James Lay, Joe Mason, Jo Rayner, Marion Rushbrook, David Smith, Sarah Stamp and Julia Wakelam.

The Chair welcomed Councillor Richard Alecock to the meeting, who had returned after a recent spell of ill health. She then paid tribute to Councillor Bradshaw who remained significantly unwell. Members joined the Chair in wishing him well in his recovery.

(Councillor Andrew Smith joined the meeting during the consideration of this item.)

195. **Declarations of interests**

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

196. **Leader's statement (Paper number: COU/WS/22/006)**

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in paper number: COU/WS/22/006.

In his introductory remarks, Councillor Griffiths:

- a. **War in Ukraine:** acknowledged the atrocities of recent events in Ukraine and paid tribute to the refugees, their families and those affected by the catastrophe. Later in his introductory remarks, Councillor Griffiths provided further details on the Government's recently announced 'Homes for Ukraine' scheme. Initial guidance had

been received with more expected in the coming weeks; however, it was anticipated that together with Suffolk County Council and other partners, West Suffolk Council would have a vital role in supporting the operation of this scheme.

- b. **COVID-19:** that whilst restrictions were being eased, the virus remained prevalent: however, in most cases, those that had tested positive were experiencing less severe harm to their health. Members and staff that were currently suffering from COVID-19 were wished a speedy recovery.
- c. **Monthly newsletter:** the second monthly 'Your West Suffolk update' newsletter had been circulated to members during the previous week. The newsletter had primarily been introduced to support councillors in their own wider communications to local communities and businesses about the Council's activities.
- d. **Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP) proposals:** the Council's draft Relevant Representation on these proposals was considered and approved by Cabinet at its meeting held at the Mildenhall Hub on 15 March 2022. The Council had a strong commitment to the provision of green energy, not only as owners of a solar farm but also recently approving in February 2022, a £9 million net zero carbon budget investment facility. However, the Cabinet acknowledged the serious concerns with the proposed Sunnica Energy Farm application, as it was currently presented. Such concerns were provided in the Cabinet report (Report number: CAB/WS/22/012) and also by the several ward members that had attended the meeting to convey the views of residents they represented, many of whom felt strongly adversely affected by the proposals.
- e. **LGC Awards 2022:** Suffolk County Council with the Suffolk Office for Data Analytics (SODA) had been shortlisted for a nationally recognised LGC award for its 'Data Saves Lives' project which aimed to help, support and protect those most vulnerable during the pandemic. Sources of data from a range of partners, including West Suffolk Council, had been brought together in order to identify those residents that were most vulnerable, and potentially in need of help during lockdown. This had led to the creation of the 'Home But Not Alone' initiative, which was an excellent example of how the collaborative working of the Suffolk System operated extremely effectively.

The Leader responded to a range of questions relating to:

- a. **'Homes for Ukraine' scheme:** if accepted to host a Ukraine household within their home, those in receipt of the single occupier discount on council tax would continue to receive it.
- b. **Investing in growth:** in the context of thanking Councillor Sarah Broughton, Portfolio Holder for Resources and Property, for her recent visit to Brandon, and with reference to paragraph 19. of his statement, the Leader was asked whether the Council could consider allocating an

investment towards the restoration of the railway station building in Brandon. In response, Councillor Griffiths, supported by Councillor Broughton, informed Council of the recent investments in Brandon, including the refurbishment to the leisure centre and the support provided to the MENTA business hub. Brandon was faced with significant challenges which had impacted growth (see e. below); however, the Council would continue striving to progress appropriate growth, where possible.

- c. **Sick pay:** In the context of rising infection rates of COVID-19 and hospitalisations, Councillor Max Clarke asked whether all staff at West Suffolk Council received proper employment sick pay or statutory sick pay only, and if the former, whether this applied to contracted maintenance and housekeeping staff. In response, Councillor Griffiths stated that a written reply would be provided, which would be circulated to all members.
- d. **Christmas Fayre:** That a partnership comprising a range of organisations were working together to provide a variation on the Christmas Fayre that had traditionally been held in Bury St Edmunds prior to the pandemic. The Council was one of many partners involved, which meant it was no longer the lead organising body. Similar events would be welcomed for other West Suffolk towns and rural villages alongside the commitment and financial support of partners. Partnership working was also an integral part of supporting 'the high street' in its recovery from the effects of COVID-19.
- e. **West Suffolk Local Plan - Brandon:** That discussions were being held with Natural England regarding the environmental restrictions in place that affected development growth in Brandon. Extensive lobbying was being undertaken with a view to seeking, amongst other matters, a compromise on the depth of the buffer zone currently in place.
- f. **General Practice health service provision in Mildenhall:** Councillor Don Waldron asked a question in connection with whether there was any further news on a GP practice moving into the Mildenhall Hub, as was mooted when it was agreed to be built.

Upon invitation by the Chair, Councillor Lance Stanbury informed Council that the Reynard Surgery GP practice based in Red Lodge, had a second surgery in Mildenhall town centre (White House surgery). Pre-COVID and following a period of consultation with patients, the practice was intending to move that operation into the Mildenhall Hub. However, whilst this was encouraged by the Council, the practice, as a private sector organisation with its own challenges to overcome, particularly around the impact of COVID-19, reviewed its plans. This included reviewing how the practice considered they could deliver health and care services more effectively and efficiently. It consequently decided to consolidate all its services under one roof at Red Lodge. This meant provision of a satellite service was not pursued at the Hub and the decision was taken to close its White House surgery.

In his supplementary question, Councillor Waldron asked whether the opportunity should have been taken to ensure the practice was tied in by

contract to relocate the White House surgery to the Hub. In response, Councillor Griffiths stated that a written reply would be provided, which would be circulated to all members.

197. **Public participation**

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

1. **James Sheen** asked a question in connection with the costs required to run the Haverhill Business Improvement District (BID) process and ballot, and whether the Council would attempt to force a BID into Haverhill or any other West Suffolk towns in the future and therefore, be required to spend similar amounts to operate future BID ballots.

In response, Councillor Susan Glossop, Portfolio Holder for Growth, stated that the BID process in Haverhill was not initiated by West Suffolk Council. The BID proposal was a business led initiative which accorded with the Council's aim to put local decisions in the hands of local businesses. It was not in the Council's gift to impose a BID. Once the process had been initiated by local businesses, it was the Council's legal duty to then facilitate a fair ballot and allow the businesses eligible to vote to decide.

The funding spent on the BID campaign and ballot was not sought to be recouped and this would apply to whether the vote to establish a BID was successful or not.

Councillor Glossop then provided further detail on the Council's position regarding its role with the establishment and operation of BIDs and provided information to mitigate potential misconceptions around this.

As the maximum five-minute time allocation for the question to be put and answered had been reached, no supplementary question arising directly from the reply was asked.

2. **Rob Dorling** had registered to speak on behalf of West Suffolk taxi drivers. He asked a question in connection with the seeking of fare increases for Hackney Carriage drivers in West Suffolk. He stated that the Licensing and Regulatory (L&R) Committee had not met in over two years and sought the convening of an extraordinary (L&R) Committee meeting to consider proposals for an emergency fare increase, providing background and the rationale for his question.

In response, Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, firstly acknowledged the valuable key role taxis played in supporting the night time economy and vulnerable people in West Suffolk's communities. The challenges associated with the rising cost of living that faced many in the community was also recognised.

A review of fares was in hand and a report was due to be presented to the L&R Committee in July 2022 for a decision to be made. Some benchmarking had however, already been undertaken in respect of how West Suffolk fares compared with other districts across the county in the last six months and, notwithstanding the recent fare review in Ipswich, West Suffolk's Hackney

Carriage fares were not any lower than those in other local authorities. The Council did not oversee or have any influence regarding the setting of private hire vehicle fees.

While an extraordinary meeting of the Committee could be convened to consider substantive business in-between diarised meetings, it was considered that the request for a fare review was already being responded to in a timely manner and an extraordinary meeting was therefore, not required.

Councillor Drummond then explained that since the creation of West Suffolk Council in 2019, the L&R Committee had met regularly on an informal basis as no decisions had needed to be made. He then reiterated the purpose and remit of the L&R Committee; and the decision making process associated with licensing and regulatory matters and how the public was able to participate in this. These matters were set out in the Constitution, which could be found on the Council's website.

As the maximum five-minute time allocation for the question to be put and answered had been reached, no supplementary question arising directly from the reply was asked.

The Chair thanked Mr Sheen and Mr Dorling for attending and welcomed their presence for the remainder of the meeting should they wish to do so.

198. Referrals report of recommendations from Cabinet

Council noted that there were no referrals emanating from the Cabinet meeting held on 15 March 2022.

199. Community Governance Review (Report number: COU/WS/22/007)

(The following local non-pecuniary interests were declared in this item:

1. Councillors Michael Anderson and Andy Drummond as members of Newmarket Town Council.
2. Councillors Tony Brown, Pat Hanlon, Aaron Luccarini, Margaret Marks, Elaine McManus and David Roach members of Haverhill Town Council.
3. Councillors Patrick Chung, Peter Thompson and Cliff Waterman as members of Bury St Edmunds Town Council.
4. Councillor Brian Harvey as ward member for Manor Ward. Councillor Harvey had been in discussions with both Red Lodge and Worlington Parish Councils on this matter.

All members remained in the meeting for consideration of the item and voted.)

Council considered this report, which sought approval for draft recommendations for consultation as part of the interim Community Governance Review (CGR).

On behalf of Councillor Carol Bull, Portfolio Holder for Governance, who was unfortunately unable to attend the meeting, Councillor Sara Mildmay-White, Deputy Leader, drew relevant issues to the attention of Council. She thanked

the Community Governance Review Task and Finish Group for their work on the review so far and extended her thanks to members, town and parish councils and other groups that had engaged with the process to date.

Following submissions received as a result of invitations requested as part of stage one of the CGR process, ten issues were presented for consideration, as summarised in section 2.3 of the report. The submissions received were used to prepare draft recommendations for consultation, as contained in Appendix A.

Following consideration by the Community Governance Review Task and Finish Group on 18 January 2022, the draft recommendations were now presented to Council. Subject to approval, consultation would commence between April and June 2022.

Members noted that there was not currently a consensus among stakeholders in relation to some of the issues. However, testing the recommendation during consultation would assist the Council with its decision on final recommendations in September 2022.

In addition, it was noted that there were some draft recommendations that, if adopted, would require a consequential amendment to the district ward to ensure ongoing coterminosity of governance arrangements at parish, district and county level. This would ensure effective and convenient local governance.

A discussion was held on Issue 4, which sought to extend the boundary of Bury St Edmunds parish to include the Lark Grange housing development, which was currently located within Rushbrooke with Rougham parish, as detailed in Appendix A. Lark Grange was located in the district ward of Moreton Hall.

Councillor Peter Thompson, one of the ward members for Moreton Hall, firstly wished to place his thanks on record to Ben Smith, Business Partner (Governance) for his excellent knowledge and support with the CGR process. Councillor Thompson provided background to the submission and urged Council to support the draft recommendation for consultation. Whilst not part of this CGR, he also commented on the appropriateness of Suffolk Business Park falling within Rushbrooke with Rougham parish as he felt this was better placed within Bury St Edmunds parish given its affiliation to the Moreton Hall ward. Councillor Thompson also expressed his support for the draft recommendation emanating from Issue 1, which related to the proposed combining of Bury St Edmunds (Out Westgate) town ward and Bury St Edmunds (Westgate) town ward so that a single town ward of Westgate remained.

Councillor Birgitte Mager, one of the other ward members for Moreton Hall, supported the comments of Councillor Thompson, stating that it was a view of the Moreton Hall Residents' Association that the Bury St Edmunds parish boundary should be extended to fully align with the Moreton Hall ward district boundary, so that any household or business located within the boundary annotated in orange on the map at Appendix A was in Moreton Hall ward and Bury St Edmunds parish.

Councillor Brian Harvey, ward member for Manor, sought support for the draft recommendation set out in Issue 9.

On the motion of Councillor Mildmay-White, seconded by Councillor David Roach, it was put to the vote, and with the vote being unanimous, it was

Resolved:

That:

1. the draft recommendations, as set out in Appendix A to Report number: COU/WS/22/007, be approved for consultation.
2. The Director for HR, Governance and Regulatory be authorised to prepare the draft recommendations for consultation, in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007.
3. The Community Governance Review Task and Finish Group be authorised to amend draft recommendations and re-consult where necessary.
4. The Chief Executive be asked to write to the Local Government Boundary Commission for England (LGBEC) to request their support with any consequential changes to district warding arrangements ahead of the elections in May 2023.

200. Pay Policy Statement 2022 to 2023 (Report number: COU/WS/22/008)

Council considered this report, which sought approval for the Pay Policy Statement 2022 to 2023.

The Localism Act 2011 and supporting guidance provided details of matters that must be included in this statutory pay policy, but, also, emphasised that each local authority had the autonomy to take its own decisions on pay and pay policies. The Pay Policy Statement must be approved formally by Council each year. The statement could be amended in year, must be published on the Council's website and must be complied with when setting the terms and conditions of Chief Officers.

Set out in paragraph 1.2 of the report, were details of what was included in the Pay Policy Statement 2022 to 2023, which was attached at Appendix A.

In the absence of Councillor Carol Bull, Portfolio Holder for Governance, Councillor Sarah Broughton, Portfolio Holder for Resources and Property, drew relevant issues to the attention of Council.

On the motion of Councillor Broughton, seconded by Councillor Nick Clarke, it was put to the vote and with the vote being unanimous, it was

Resolved:

That the Pay Policy Statement for 2022 to 2023, as contained in Appendix A to Report number: COU/WS/22/008, be approved.

201. New Model Code of Conduct (Report number: COU/WS/22/009)

Council considered this report, which sought adoption of the Local Government Association (LGA) Model Code of Conduct as its new local Code of Conduct for councillors.

The Localism Act 2011 placed a duty on every council to promote and maintain high standards of conduct by councillors and co-opted members of the authority and, in discharging that duty, adopt a code dealing with the conduct that was expected of those members when they were acting in that capacity. A Suffolk-wide local code of conduct was adopted by the councils in 2012.

In January 2019, the Committee on Standards in Public Life (CSPL) published a report following their review of local authority standards. This review had concluded that a model code of conduct would create consistency across England and reflected the common expectations of the public, regardless of geography or tier. It would also reduce the potential for confusion amongst dual-hatted or triple-hatted councillors. The CSPL also considered that matters such as gifts and hospitality, social media use and bullying and harassment had also increased in salience and where, perhaps, not regularly reflected in local authority codes of conduct and a model code would help to ensure that they did so.

The report directed a series of recommendations to the Government and to the local government sector. A key recommendation was directed to the LGA to create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government. Consequently, the LGA approved a Model Councillor Code of Conduct in December 2020, which provided a template for councils to adopt in whole and/or with local amendments.

The Code (attached at Appendix A) contained much of the existing Suffolk Local Code of Conduct and provided welcome guidance to explain the rationale for the obligations and how councillors should follow them. The LGA had also published more extensive guidance that would assist councillors and the public in understanding the Code and what was included. This guidance was attached at Appendix B. Moving forward, the LGA had committed to undertake an annual review of the Code to ensure it continued to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation.

The Suffolk Monitoring Officers Group strongly recommended that there continued to be a Suffolk-wide code of conduct to enable clarity and consistency across the county and particularly across the tiers of local government where councillors represented more than one authority. The district council Monitoring Officer was responsible for investigating breaches of the code of conduct by town and parish councillors across the whole district

and the ability to apply a single code to all complaints was desirable. The Suffolk Association of Local Councils (SALC) was also supportive of a Suffolk-wide code.

The key differences between the existing code and the LGA's Model Code of Conduct were summarised in Report number: COU/WS/22/009, and these had been previously considered by the West Suffolk Standards Committee and the Constitution Review Group. Both forums had been content to recommend approval of the proposed new Code with effect from the Annual Meeting of Council in May 2022.

In the absence of Councillor Carol Bull, Portfolio Holder for Governance, Councillor Sara Mildmay-White, drew relevant issues to the attention of Council.

A discussion was held on the manner in which councillors should conduct themselves when posting on social media; and the use of the term 'promote' as described in paragraph 2.3 of the model Code in respect of the following sentence.... *'I promote equalities and do not discriminate unlawfully against any person'*, and whether this was an appropriate use of terminology.

In response, Council was informed that the LGA would be offering support, training and mediation to councils and councillors on the application of the Code, and therefore issues of concern or where clarification was sought on specific matters could be discussed as part of the training programme. Advice and support to town and parish councils would also be provided by the National Association of Local Councils (NALC) together with local associations of local councils, which in Suffolk's case was SALC. A training package in Suffolk was expected to commence from March 2022, starting with offering support and guidance to county, then district through to town and parish councillors.

On the motion of Councillor Mildmay-White, duly seconded by Councillor Jim Thorndyke, it was put to the vote and with the vote being unanimous, it was

Resolved:

That the Local Government Association Model Code of Conduct, as contained in Appendix A to Report number: COU/WS/22/009, be adopted as its new Local Code of Conduct for Councillors, with effect from the Annual Meeting of Council in May 2022.

(Councillors David Nettleton and Robert Nobbs left the meeting during the consideration of this item.)

202. Any other urgent business

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

The meeting concluded at 7.48 pm

Signed by:

Chair
