

Minutes of a meeting of the **Council** held on **Tuesday 13 December 2022** at **7.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Mike Chester

Vice Chair John Augustine

John Augustine	Susan Glossop	Robert Nobbs
Richard Alecock	John Griffiths	Colin Noble
Michael Anderson	Pat Hanlon	Sarah Pugh
Mick Bradshaw	Brian Harvey	Joanna Rayner
Sarah Broughton	Diane Hind	David Roach
Tony Brown	Rachel Hood	Richard Rout
Carol Bull	Ian Houlder	Marion Rushbrook
John Burns	Paul Hopfensperger	Ian Shipp
Patrick Chung	Beccy Hopfensperger	Andrew Smith
Max Clarke	James Lay	David Smith
Nick Clarke	Aaron Luccarini	Karen Soons
Simon Cole	Victor Lukaniuk	Lance Stanbury
Dawn Dicker	Birgitte Mager	Peter Stevens
Roger Dicker	Margaret Marks	Julia Wakelam
Andy Drummond	Joe Mason	Cliff Waterman
Robert Everitt	Sara Mildmay-White	Phil Wittam
Stephen Frost	Andy Neal	

251. **Remembrance**

Before commencing business, all members were asked to stand and observe a minute's silence in remembrance of former Forest Heath District Councillors Warwick Hirst and Alan Chapman who had both sadly died recently. The Chair made a statement of condolence, reflecting on the late Councillors' contributions during their time on the Council.

252. **Minutes**

The minutes of the meeting held on 27 September 2022 were confirmed as a correct record and signed by the Chair.

253. **Chair's announcements**

The Chair reported on the civic engagements and charity activities which he and the Vice-Chair had attended since the last ordinary meeting of Council on 27 September 2022.

Attention was specifically drawn to the various Remembrance events attended throughout the district by the Chair.

254. **Apologies for absence**

Apologies for absence were received from Councillors Trevor Beckwith, Simon Brown, Jason Crooks, David Nettleton, David Palmer, Karen Richardson, Clive Springett, Sarah Stamp, Peter Thompson, Jim Thorndyke and Don Waldron.

Councillor Nick Wiseman was also unable to attend the meeting.

255. **Declarations of interests**

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

256. **Leader's statement (Paper number: COU/WS/020)**

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in paper number: COU/WS/22/020.

In his introductory remarks, Councillor Griffiths:

- a. **Staff awards:** paid tribute to those that had been recognised during the virtual annual staff awards event, and to all staff across the organisation for their achievements as they continued to deliver for the people of West Suffolk.
- b. **County Deal:** updated members on the latest position regarding the signing of a formal agreement between Suffolk authorities for a 'minded to' County Deal (Suffolk Devolution Deal).
- c. **Environment:** announced that for the second time, West Suffolk had been named Regional Council of the Year in the Energy Efficient Association, East of England Energy Efficiency Awards.
- d. **Helping the most vulnerable:** explained that acknowledging the challenges facing communities and businesses, West Suffolk and its partners were implementing a range of initiatives to help mitigate the impact of the cost-of-living crisis and the current national economic situation.
- e. **Winter provision:** with the agreement of the Chair, invited Councillor Sara Mildmay-White, Portfolio Holder for Housing and Strategic Health to update members on the Council's winter provision for those facing homelessness or were rough sleeping. This also included an update on Havebury Housing Association's decision to sell the flats known as Goodfellows in Bury St Edmunds and the associated implications of this.

The Leader responded to a range of questions relating to:

- a. **Elected Leader of Suffolk County Council:** As part of the proposed Suffolk Devolution Deal, a directly elected leader would be elected in 2024, ahead of the Suffolk County Council member elections in 2025. The previous devolution deal mooted a few years ago had pursued a model of governance that required a directly elected mayor. The Government was committed to a single figure being directly accountable to the electorate and whilst it had its own implications, if approved, the present deal would offer better governance arrangements removing a layer of bureaucracy that a directly elected mayor would bring. Under the directly elected leader model, the Suffolk partnership arrangements already in place would be largely unaltered. The new devolution deal would empower West Suffolk to be in an even stronger position, building on the work already being achieved and would help to accelerate the vision for even more prosperous, healthier and greener district.
- b. **Voter ID:** In the context of reading reports in the national press regarding electoral changes where it was reported that senior people in local government had apparently asked ministers to delay the introduction of Voter ID, Councillor Diane Hind asked whether the Leader or West Suffolk Council had been involved in requesting a delay in introducing Voter ID, and whether this would in fact be the case.
- c. **Civil parking enforcement (CPE):** In the context of quoting from paragraph 36. of the Leader's written statement, where it states, 'We introduced civil parking enforcement after public support to help improve safety, reduce pollution and traffic jams, grow the economy and make sure emergency services get through', Councillor John Burns asked where the data could be found to support this statement as he felt that no data had been provided in the last 12 months.

As a supplementary question, Councillor Burns asked when the civil parking enforcement (CPE) service would be reviewed. He reported of a specific area in Haverhill which previously had parking restrictions in place under a Traffic Regulation Order but this was not now included on the CPE maps and therefore there appeared to be no means to currently enforce against inappropriate parking.

In respect of b. and c. above, written responses would be provided following the meeting by Councillor Griffiths and the relevant portfolio holders. In accordance with the Constitution, these responses would be circulated to Councillors Hind, Burns and all members and published on the Council's website.

(Councillor Karen Soons left and Councillor Colin Noble joined the meeting during the consideration of this item.)

257. **Public participation**

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

1. **Frank Stennett**, a resident of the district, made a statement in connection with:

- a. Agenda Item 8 – Report of the Independent Remuneration Panel: Members’ Allowances Scheme
- b. Agenda Item 7C3 – Cabinet Referral: Western Way Project Review – December 2022

With the challenges facing residents with the cost-of-living crisis, Mr Stennett felt that an uplift in the members’ basic allowance was inappropriate at the present time and urged members not to accept the recommendation of the Independent Remuneration Panel.

Attention was then drawn to b. above where Mr Stennett expressed a number of concerns with the proposals, namely the proposed build costs; that he felt the development should proceed on an alternative, more climate friendly, energy efficient site; and that in the present economic climate against a backdrop of rising interest rates, the project should be deferred until the outlook regarding the national economic situation was more encouraging.

Councillor John Griffiths, Leader of the Council, duly responded to points raised in Mr Stennett’s statement accordingly. He then invited Mr Stennett to remain in the meeting to hear the debate on the two agenda items referred to above where his points would be addressed in detail.

258. **Referrals report of recommendations from Cabinet (Report number: COU/WS/22/021)**

Council considered the referrals report of recommendations from Cabinet, as contained within report number: COU/WS/22/021.

A. Referrals from Cabinet: 18 October 2022

There were no referrals from Cabinet emanating from the meeting held on 18 October 2022.

B. Referrals from Cabinet: 8 November 2022

1. West Suffolk Statement of Licensing Policy

Approval was sought for a revised West Suffolk Statement of Licensing Policy to cover the period 2022 to 2027.

The Licensing Act 2003 required a licensing authority to prepare and publish a statement of its licensing policy at least every five years. The policy must be kept under review during the five-year period and the licensing authority may make any revisions as it considered appropriate, such as those relating to feedback from the local community on whether the licensing objectives were being met, so it continued to be relevant and fit for purpose throughout the relevant time period.

As set out in section 1.5 of the referral report, the proposed substantive changes to the statement were minimal and they were primarily dictated by changes in guidance and legislation.

Members noted that there was a statutory duty to undertake a consultation to gauge impact and opinion among key stakeholders. This was held between 21 June and 22 July 2022. Further details of the consultation and the three responses received were set out in section 4 and 5 of the Cabinet report (Report number: CAB/WS/22/060), and Appendix A attached to that report. No comments received resulted in necessary changes to the Statement of Licensing Policy.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, drew relevant issues to the attention of Council.

On the motion of Councillor Drummond, seconded by Councillor Robert Everitt, it was put to the vote and with the vote being 49 for the motion, none against and one abstention, it was

Resolved:

That the revised West Suffolk Statement of Licensing Policy 2022 to 2027, as contained in Appendix B to Report number: CAB/WS/22/060, be adopted.

C. Referrals from Cabinet: 6 December 2022

Following the publication of the agenda and papers for this meeting, which took place before the Cabinet meeting was held on 6 December 2022, the Chair confirmed that no changes had been made to the recommendations contained in the referral report.

1. Delivering a Sustainable Medium Term Budget

Approval was sought for proposals for inclusion in the medium-term financial plans.

On 17 November 2022, the Performance and Audit Scrutiny Committee (PASC) considered proposals for delivering a sustainable balanced budget for 2023 to 2024 and for developing the medium-term plans. This included a number of key budget assumptions proposed and the rationale behind those assumptions, as set out in section 2 and Table 1 of Report number: PAS/WS/22/021.

The recommendations, which had been endorsed by Cabinet on 6 December 2022, were now presented for approval by Council. These, together with any further recommendations emanating from PASC and Cabinet in the coming weeks, would be incorporated into the budget setting process, the composite report for which would be considered by Cabinet and Council in February 2023.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, drew relevant issues to the attention of Council. These included the fact that

despite the Government's announcement in the Autumn Statement that councils could now raise their council tax to the maximum of three percent without the need to hold a referendum, West Suffolk Council was at this stage, proposing to increase its proportion of council tax by £4.95 (and not £5.61 as could have been permitted under the new arrangements) for an average Band D property in 2023 to 2024. This would be debated further as the budget developed through the decision making process and for approval in February 2023. Although to be noted with caution, it was anticipated that a balanced budget would be achieved for 2023 to 2024; however, there remained challenges to overcome. A more certain position would be known in the new year.

A number of questions followed where concern was expressed that the proposed budget did not make provision to address a perceived disparity between funding of street lighting by town, parish, district and county councils in the areas of the former Forest Heath District and St Edmundsbury Borough Councils. In response, Councillor Broughton stated that as previously explained, West Suffolk Council was working with Suffolk County Council, as the authority with the responsibility for the majority of street lighting provision, and town and parish councils, to examine this complex historic issue in more detail, in accordance with the recent decision of Cabinet.

Having considered the process and approach to setting the Council's 2023 to 2024 budget and the principles and challenges faced in achieving this, the majority of members supported the recommendation of the Performance and Audit Scrutiny Committee and subsequently Cabinet.

On the motion of Councillor Broughton, seconded by Councillor David Roach, it was put to the vote and with the vote being 38 for the motion, 11 against and 1 abstention, it was

Resolved:

That the proposals, as detailed in Section 2 and Table 1 at paragraph 3.2 of Report number PAS/WS/22/021, be included in the medium term financial plans to 2027.

2. Treasury Management Report (September 2022)

Approval was sought for the Treasury Management Report for the first half of the 2022 financial year.

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 Sara Mildmay-White, it was put to the vote and with the vote being 48 for the motion, none against and two abstentions, it was

Resolved:

That the Treasury Management Report (September 2022), as contained in Report number: FRS/WS/22/005, be approved.

3. Western Way Project Review – December 2022

Approval was sought for a number of recommendations as a result of an interim review being undertaken on the Western Way project.

The Western Way (WW) project in Bury St Edmunds was part of a network of existing or planned community hub projects across the whole West Suffolk area being delivered by partners in the public, charity and community sectors. These ranged in scale from a community-led hub project in Clare up to the multi-agency Mildenhall Hub which opened in June 2021.

WW was approved for delivery by Council in late 2019 and achieved planning consent in 2021 on the completion of its Section 106 agreement. After reviewing the impact of the COVID-19 pandemic, Council gave support for a phased delivery of the project in June 2021. In both instances, a set of financial tests were set to safeguard the interests of taxpayers. A final review of these tests by Cabinet was currently required before any contract could be awarded. This would not occur before March 2023.

Given the current economic situation and the changing requirements of partners, Cabinet had asked that an interim review of the status of the project be carried out before the end of 2022 so that Council could consider whether it wished to continue with the current project. Cabinet report number: CAB/WS/22/068, as attached in full to the Council referral report, had provided that review.

Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, drew relevant issues to the attention of Council. These included:

- a. **Smaller phase 1 scheme:** the original proposal for the initial Western Way Development had an approved expenditure cap of £140 million. During the scoping of this and working closely with consultants, this figure was reduced to around £100 million to reflect the impact of the pandemic and a phased approach being needed. A smaller phase 1 scheme, for consideration by Council at this meeting, requested support for a reduced spending cap of £75 million, of which £40 million would deliver a brand new leisure centre. Within this cap: over £5 million would be sourced from Suffolk County Council (SCC) and developer contributions; and £10 million related to interim works to the remainder of the Western Way site not needed in phase 1 to ensure this could also continue to generate an income to the Council as landowner.
- b. **Leisure centre:** the existing Bury St Edmunds leisure centre provided a valued service to the local community; however, it was approaching 50 years old and in need of immediate repairs. That, coupled with a number of factors detailed in the report including that it was no longer large enough to suitably deliver an acceptable service to cope with the

growth in population to 2040, meant a 'do nothing' option could not be applied. Refurbishment options had been considered as detailed in Appendix 1; however, a new leisure centre was considered to return the best financial position over a 40-year period. Just a basic refurbishment to extend its life by 20 years would cost around £13 million. This would only delay a new build by about 20 years at which point the costs to rebuild would have escalated considerably.

- c. **Renewables:** the proposal was to invest £10 million on renewable energy during phase 1. It was expected that this would generate around £980,000 net a year from the phase 1 site alone. Such investment would also align with the Council's ambition to address climate challenges. The planning consent allowed delivery of a scheme in several phases so the site would never sit empty; however, the rest of the frame and its roof would be required to be in good condition to make use of it alongside a completed phase 1. An additional £9 million would therefore enable the rest of the frame and roof to be brought up to a standard which allowed the installation of further renewables outside of phase 1. This cost could be met from any extra renewables income and any rent pending phase 2.
- d. **Other partners/rest of site:** Whilst the phase 1 scheme would be around a third smaller than originally anticipated, the design was sufficiently flexible to adapt and grow to accommodate changing needs of the population and partners. The proposal recommended by Cabinet also included options for phase 1 that aligned with the Council's strategic vision delivered elsewhere whereby a range of services were provided from one community hub. This proposal was, therefore, not only about replacing the leisure centre.
- Other potential services in a smaller phase 1 hub included a small health centre; some provision for office, stores and meeting room space; a potential SCC archive office; and a SCC children's pre-school. The aforementioned would need to be cost neutral or they would not be included in the scheme.
- e. **Mitigation of income risk and treasury management approach:** The large income risks associated with the earlier scheme had been removed as the Council would no longer be borrowing on behalf of others or to cover the delivery of commercial offices that may have taken time to become occupied. A conventional long-term treasury management approach to borrowing money could now be adopted as the Council had better control over when the most appropriate time would be to borrow thus mitigating against higher interest rates.
- f. **Ask of Council:** members were reminded that final approval was not sought at this stage to building phase 1. As recommended by Cabinet, the request was to reaffirm support for the re-profiled project and to proceed to the second stage of tendering within a clearly defined, affordable budget. Gateway reviews would continue to be undertaken at relevant stages.

Councillor Rayner concluded her speech and moved the recommendations, as set out in the referrals report. The motion was duly seconded by Councillor Patrick Chung.

The debate ensued and the majority of members were supportive of the project. Comments of support included:

- a keenness to see the existing leisure centre replaced;
- a satisfaction to see the cost of phase 1 of the project reduce significantly whilst still creating a laudable, exciting, ambitious project that would substantially deliver much needed modern facilities and services for the community;
- the importance of promoting healthy living and wellbeing and how the delivery of phase 1 would actively contribute to this; and
- the investment in renewables, which whilst generating income, accorded with the Council's commitment to become carbon neutral by 2030.

However, some members raised questions, comments and/or concerns, which included:

- whether the option to refurbish the existing leisure centre had been fully explored;
- whether any elements of the existing leisure centre could be reused;
- the future of the building that would have been brought up to a standard to accommodate solar panels on the roof, should a phase 2 not proceed;
- the impact on traffic flow and the potential for an increase in congestion in the Beetons Way/Western Way area;
- whether alternatives had been fully explored to promote better health and wellbeing, such as decentralising leisure facilities within new housing developments like Marham Park, which in turn would help promote active travel;
- whether any changes to the design of the proposed buildings took into account new building regulations;
- that the project no longer made sufficient provision in phase 1 for commercial elements;
- whether the environmental credentials planned would be met particularly if funding was not achieved to help mitigate the risk;
- that the implementation of value engineering measures should not result in facilities being below a desired standard;
- that the intended 8-lane swimming pool in the new leisure centre, designed to Swim England/Sport England's county-level competition standard, was of sufficient width. Some members felt that if the Council was to build a new leisure centre that it needed to be ambitious and include a pool suitable for short course championship events to the international competition standard of World Aquatics (formerly known as FINA) i.e. 10 lanes. It was also raised whether sufficient seating would be provided for spectators.

The concern regarding the size of the pool led to an amendment being proposed by Councillor Richard Alecock, which was duly seconded by Councillor John Burns. The amendment to the substantive motion sought to request that investigations be undertaken to ascertain the costs and implications involved for making the prospective swimming pool wider.

A debate ensued on the amendment. Recognition was given to the merit of a wider pool; however, it was considered by the majority of members that it was inappropriate to approve any changes to the recommendations in the substantive motion. The inclusion of a wider pool would almost certainly mean the overall project cost envelope would be exceeded in revenue and capital terms and/or other elements of the swimming provision would have to be omitted. Therefore, it was not felt to be prudent to make alterations to the specification or budget at this time, when it was not known whether the inclusion of a wider pool was appropriate or achievable.

As stated by Councillor Rayner, under (f) above, approval was not sought at the meeting to proceed to the project build, but to progress to the next stage. If there was merit in providing a wider pool, this would be looked into separately and members advised accordingly.

Following Councillor Rayner's right of reply on the amendment, the amendment to the substantive motion was put to the vote and with the vote being 12 for the motion, 36 against and one abstention, the amendment was lost.

The debate returned to the substantive motion; however, no further speeches were made. Councillor Rayner gave her right to reply, which included responding positively to questions and statements raised during the debate on the substantive motion where these issues had not already been covered by the referral report or previous business cases or responses.

On the motion of Councillor Rayner, seconded by Councillor Chung, it was put to the vote and with the vote being 36 for the motion, 12 against and one abstention, it was

Resolved: That

1. This review and update of the business case for the Western Way (WW) project, Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre, be approved, so that Cabinet and officers can continue to deliver phase 1 of the project and any interim works to the rest of the site on the revised basis set out in this review and in accordance with the Council's Constitution.
2. The existing authorities, financial provisions, safeguards and financial tests for delivery of the project be updated as follows:
 - a. The remainder of the due diligence for the second stage of tendering be carried out in accordance with the two new gateways defined in Section E of this review.
 - b. For either facility to be included in the phase 1 construction contract, Suffolk County Council must have entered into a formal pre-let agreement for an archive

facility and/or pre-school which meets the One Public Estate principles of full cost recovery.

- c. The previous spending caps and financial tests for the hub and leisure centre be replaced by a new combined and reduced net capital expenditure limit of £65 million for the total phase 1 scheme defined in this report i.e. project costs, market analysis, enabling works, construction of the initial community hub, installation of renewables.
- d. In addition to this cap on expenditure, at the time the main construction contract is signed, the phase 1 scheme must not increase the Council's existing Medium Term Financial Strategy (MTFS) provision of £724,000 for Bury St Edmunds Leisure Centre and, in relation to other ancillary elements of the new hub, be capable of achieving at least a break-even position over the whole life of the borrowing.
- e. In addition to the phase 1 scheme defined in the review, a further capital allocation of up to £10 million be made in the Council's capital programme for interim works to the remainder of the Western Way site as defined in Appendix 3 of this report (CAB/WS/22/068) and also on the basis of at least a break-even income position over the life of the borrowing.
- f. Subject to consultation with the relevant portfolio holders, approval be given for interim or enabling works ahead of the main contract for phase 1, to be financed from within the new combined WW capital budget of £75 million. But only where these works will increase the commercial value of the site irrespective of whether the WW project proceeds or not.
- g. The cash flow risk being managed.
- h. The most beneficial and economic funding method for the project is identified, including entering into agreements with third-party investors if required.
- i. Any phase 2 scheme for a permanent use of the remainder of the WW site be subject to a new and separate business case to councillors before the conclusion of the phase 1 construction programme.

(Councillor Ian Houlder left during the consideration of and John Augustine left the meeting at the conclusion of this particular referral.)

4. West Suffolk Local Council Tax Reduction Scheme (LCTRS) 2023 to 2024

Approval was sought for proposed changes to the West Suffolk Local Council Tax Reduction Scheme.

Each year the Council was required to review its Local Council Tax Reduction Scheme (LCTRS). Cabinet Report number: CAB/WS/22/069 provided an annual review of the 2022 to 2023 scheme and proposed to make changes to the scheme for 2023 to 2024, having been subject to preceptor, stakeholder and public consultation, as required by the relevant regulations when amendments to the scheme were proposed.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, drew relevant issues to the attention of Council, including that the proposed changes to take effect from 1 April 2023, were as follows:

The current West Suffolk Working Age LCTRS scheme provided a maximum benefit of 91.5 percent for working age claimants and the scheme also fully protected war pensioners. The aim in designing the scheme was to achieve a balance in charging an amount of council tax to encourage customers back into work whilst setting the amount charged at an affordable and recoverable level during the year. A separate statutory scheme applied to pensioners who could receive up to a maximum 100 percent reduction of their council tax bill.

The Council identified potential changes to the LCTRS for 2023 to 2024. This would be for one year only and designed to support low-income working age residents, in light of the current pressures on the cost of living.

The proposed change to the LCTRS where it was proposed should take effect from 1 April 2023 (and last for one year only) was that the maximum reduction on council tax paid should be increased from 91.5 percent to 100 percent. This would be a means tested scheme.

This would reduce the amount that many council tax payers had to pay and could result in some working-age residents paying zero council tax. It should be noted that the maximum reduction would not only apply to those already receiving a 91.5 per cent reduction. The increase would effectively 'stretch' the reductions that could be received, thereby benefitting a wider range of customers.

The background to the proposed changes were detailed within section 2 of the Cabinet report.

Separate from these proposals, the figures used in the calculation of how much a council tax payer needed to live on (known as the applicable amounts) would be automatically increased in 2023 to 2024 in line with Government policy. This would enable a number of new residents to claim council tax support for the first time.

A detailed discussion was held with members supporting and acknowledging the benefits of the proposed changes, including the importance of publicising the revised scheme to residents to ensure that those eligible had access to it.

On the motion of Councillor Broughton, seconded by Councillor Brian Harvey, it was put to the vote and with the vote being 48 for the motion, none against and one abstention, it was

Resolved: That

1. The Local Council Tax Reduction (LCTRS) Scheme for 2023 to 2024, as outlined in Report number CAB/WS/22/069, be reviewed.
2. The changes to the scheme outlined in section 2 of Report number CAB/WS/22/069 and that the maximum discount change only relates to 2023 to 2024, be agreed.

5. Council Tax Base for Tax Setting Purposes 2023 to 2024

Approval was sought for the council tax base for tax setting purposes for the 2023 to 2024 financial year.

The council tax base was the total taxable value at a point in time of all the domestic properties in the council's area. It was a yearly calculation and represented the estimated number of chargeable dwellings after allowing for exemptions and discounts, projected changes in the property base and after applying an estimated collection rate. The council tax base was used in the calculation of council tax, further details regarding which was set out in Report number: CAB/WS/22/070.

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 David Roach, it was put to the vote and with the vote being 48 for the motion, none against and one abstention, it was

Resolved: That

1. The tax base for 2023 to 2024, for the whole of West Suffolk be 57,987.01 equivalent band D dwellings, as detailed in paragraph 2.3 of Report number CAB/WS/22/070.
2. The tax base for 2023 to 2024 for the different parts of its area, as defined by parish or special expense area boundaries, be as shown in Appendix 3 of Report number CAB/WS/22/070.

259. Report of the Independent Remuneration Panel: Members' Allowances Scheme (Report number: COU/WS/22/022)

Council considered this report, which presented a recommendation of the Independent Remuneration Panel following its consideration of whether to recommend an uplift in the members' basic allowance.

Local authorities were required by the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) to establish and maintain an independent remuneration panel to make recommendations on the level of basic and special responsibility allowances and associated matters that were paid to councillors.

In February 2020 Council approved the Members' Allowances Scheme (the Scheme) which could be found under Part 6 of the Constitution (Appendix 1 attached to the report). Paragraph 2.2 of the Scheme provided '*The sum of £6,291.71 shall be uplifted each year by the same rate as the Annual Pay Award provided to the majority of Council staff. Should this be 3% or higher, then the Remuneration Panel should consider the level of increase and make recommendations to the Council accordingly.*'

The Local Government Services Pay Agreement 2022 to 2023 was reached on 1 November 2022 and implemented from 1 April 2022 resulting in the sum of £1,925 per annum being added to all payscales agreed under the terms of conditions of the National Joint Council (NJC). The mean average of this increase across all NJC pay grades was 6.9 percent. Accordingly, the Independent Remuneration Panel (IRP) was required to consider the level of increase to members allowances and make a recommendation to Council.

The IRP met on 24 November 2022 and considered it appropriate for the members' basic allowance to be uplifted by 6.9 percent to £6,725.83 being the mean average of the Annual Pay Award for staff, with effect from 1 April 2022. This uplift would also affect the Special Responsibility Allowances (SRAs), which were calculated as multiple factors of the basic allowance, as set out in Appendix 2. If approved, this would create an additional budget impact of £37,147. The IRP's rationale for recommending this uplift was set out in section 2 of the report.

Unfortunately, Richard Cooper, Chair of the Independent Remuneration Panel was unable to attend the meeting, therefore in his absence, the Monitoring Officer read out a statement on his behalf, which primarily set out the IRP's rationale in reaching its decision to recommend that provided in the report.

The Chair called upon Councillor Carol Bull, Portfolio Holder for Governance to speak on the item. She duly thanked Richard Cooper and the IRP for the work undertaken on this matter. However, whilst the IRP's rationale for its recommendation was understood, she and members of the Conservative Group, felt this could not be accepted, particularly in the current economic climate. Councillor Bull subsequently proposed an alternative motion as follows:

"I would like to thank the panel for their work; however, we have reviewed this as an administration and my proposal is to defer any uplift in the basic allowance for members until the Members' Allowances Scheme is reviewed in full, which will be next year (2023) as the existing scheme expires in February 2024."

This proposal was duly seconded by Councillor Lance Stanbury.

A detailed discussion was held with members across the Council supporting the proposal to defer any potential uplift in the basic allowance until the scheme had been reviewed and adopted by the new Council following the district council elections in May 2023.

Comments included the fact that the receipt of the basic allowance was not a primary reason for the majority of councillors standing for election; the amount of allowance payable should not be a barrier to deter people from standing for election, however, the allowance was not a salary and should not be viewed as such; and whether members should receive an allowance at a fixed amount for the duration of their four-year term.

On the motion of Councillor Bull, seconded by Councillor Stanbury, it was put to the vote and with the vote being 48 for the motion, none against and one abstention, it was

Resolved:

That any uplift in the basic allowance for members be deferred until the Members' Allowances Scheme is reviewed in full, which will be next year (2023) as the existing scheme expires in February 2024.

(Councillors Susan Glossop, Beccy Hopfensperger and Lance Stanbury left the meeting at the conclusion of this item.)

260. **West Suffolk Council Constitution: non-executive licensing functions (Report number: COU/WS/22/023)**

Council considered this report, which sought approval for proposed changes to the Constitution in connection with non-executive licensing functions.

The Constitution Review Group (CRG) periodically assessed potential changes to the Constitution and met on the 30 November 2022 to consider two areas recommended for amendment, both being non-executive licensing functions which could be found in Part 3, Section 2 of the Constitution under B - Licensing:

- a. Membership and meeting arrangements
- b. Delegation of functions

The CRG considered it appropriate to align the training requirements for members of the Licensing and Regulatory (L&R) Committee with those for members of the Council's other statutory committee, the Development Control Committee (DCC).

The West Suffolk Licensing Code of Practice, which could be found in Part 5e of the Constitution expanded the training requirement for members of the Licensing and Regulatory Committee and was stated in full under paragraph 1.6 of the report.

Although the training was mandatory, there was no requirement for untrained members to step down as a member of the L&R Committee which had resulted in untrained members remaining on the committee but unable to be

appointed to any hearing by a sub-committee. The change would mean that members of the L&R Committee would be unable to sit on the Committee if they had not completed the compulsory training requirements set out in the West Suffolk Licensing Code of Practice, and this would align with the training requirements for those sitting on DCC.

It was also considered appropriate to amend the wording of paragraph 3.2 (Delegation of Functions) of the aforementioned section of the Constitution, to that set out in paragraph 2.1 of the report. This would provide additional flexibility within the Constitution to allow the Director for HR, Governance and Regulatory to consult with another trained member of the L&R Committee where the Chair or Vice Chair may be unavailable.

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Council.

On the motion of Councillor Bull, seconded by Councillor Sara Mildmay-White, it was put to the vote and with the vote being 45 for the motion, none against and one abstention, it was

Resolved:

That Part 3, Section 2 – Responsibility for Council (Non Executive) Functions - Part B (Licensing) of the Constitution be amended to:

1. align the training requirements for members of the Licensing and Regulatory Committee with those for members of the Development Control Committee such that members of the Licensing and Regulatory Committee will be unable to sit on the Committee if they have not completed the compulsory training requirements set out in the West Suffolk Licensing Code of Practice.
2. Change the wording under paragraph 3.2 (Delegation of Functions) of the aforementioned section of the Constitution to that set out within the paragraph 2.1 of Report number: COU/WS/22/023.

(Councillor Paul Hopfensperger left the meeting at the conclusion of this item.)

261. Interim polling places review 2022 (Report number: COU/WS/22/024)

Council considered this report, which sought approval for an interim review of polling places in the district to be undertaken.

The Elections Act 2022 introduced changes which impacted the voting process at polling stations and as a result the Electoral Services Team had undertaken an audit of polling station facilities to make sure they complied.

The feedback gathered had identified some polling stations which were not available on 4 May 2023 and some polling stations which did not provide

electors with reasonable facilities for voting or were not accessible to electors who were disabled. The list of polling stations was included at Appendix A attached to the report.

As a result, an interim polling places review was required and would be focussed only on changes to the polling scheme where venues were no longer available or suitable. The aims of this tailored review, which would be undertaken in accordance with the timetable summarised in paragraph 2.1, would be to:

- Seek to ensure that all electors had reasonable facilities for voting as were practicable in the circumstances; and
- Ensure that so far as was reasonable and practicable, every polling place was accessible to electors who had a disability.

Given the relatively short timescales involved with preparing for the May 2023 elections, authorisation was also sought to enable the Returning Officer to approve the amended scheme of polling places. This would be undertaken following the completion of a thorough process set out in paragraph 2.3.

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Council, which included responding to the following questions raised:

- that portacabins were no longer used as polling stations
- it was a legal requirement to ensure disabled access was provided at all polling stations. Discussions would be held with parish councils where their expertise was required to ensure premises designated as a polling station provided the appropriate access and facilities for all disabled people entitled to vote within their parishes.

On the motion of Councillor Bull, seconded by Councillor John Burns, it was put to the vote and with the vote being 45 for the motion, none against and no abstentions, it was

Resolved: That

1. The commencement of an interim review of polling places, as set out in section 2 of Report number: COU/WS/22/024, be agreed.
2. The Chief Executive, as Returning Officer, be authorised to approve the amended scheme of polling places, following consultation on proposals with electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.

262. **Motion on notice**

Under section nine of the Council Procedure Rules detailed in the Constitution, Council had been given written notice of a motion submitted by Councillor Julia Wakelam, as set out in the agenda accordingly.

The Chair called upon Councillor Wakelam to introduce and move the motion. Councillor Wakelam drew attention to a number of issues relating to the adverse impact that glyphosate, and other pesticides were having on the environment by decreasing biodiversity. By implementing the measures proposed in the motion, she felt the Council would be making a very real contribution to improving the environment and promoting biodiversity. She urged members to support the motion, which was duly seconded by Councillor Joe Mason.

The Chair opened the debate and an amendment to the substantive motion was immediately proposed by Councillor Rachel Hood, Chair of the former Environment and Climate Change Taskforce. Councillor Hood highlighted that this was a matter the Taskforce had discussed at length and was included in the Taskforce's action plan adopted by Cabinet. Emphasis was placed on the fact that a motion was not required to commit to something that was already being done as the Taskforce, and subsequently Cabinet had been very clear that the Council needed to end the use of glyphosate but a viable alternative also needed to be sought. Officers had been testing alternatives and, as announced in the press last week, the Council would be ceasing use of glyphosate for all but the most resistant weeds from 2023.

The amendment was as follows as shown by strikethrough of text in the original motion and bold text to show the amended text. The amendment to the substantive motion, which was duly seconded by Councillor Joe Mason, was read out in full by the Monitoring Officer to all persons present:

"Council is asked to note:

1. That there is growing evidence that glyphosate is a higher health risk than previously assumed. In 2015 the World Health Organisation identified it as 'probably carcinogenic to humans'. A 2019 study found the use of Roundup increased the risk of Non-Hodgkin's Lymphoma by 41 percent.
2. A 2018 study found that glyphosate, the most used agricultural chemical ever, may be contributing to the global decline in bees and other pollinators, both by poisoning them and through loss of habitat.
3. Glyphosate, and other pesticides, impact on the environment more generally by decreasing biodiversity.
4. Council should also acknowledge the work of the Environment and Climate Change Task Force in this connection. However, over 30 local authorities in Britain have already decided to ban the use of glyphosate from all their own operations and this Council should take immediate steps to do likewise.

In light of this, Council ~~resolves to ask the officers to follow the precautionary principle and:~~ **is asked to note the following action is already committed to by the Portfolio Holder and Cabinet:**

1. Pledge to stop the use of glyphosate completely from all its in-house operations (including in Parks and the streetscene) by April 2023

without increasing the use of other chemical weedkillers. If thought absolutely necessary, an exception could be granted regarding the control of Japanese knotweed, or other specified invasive species, where there are currently no effective mechanical techniques available.

However, in this case glyphosate will be sparingly sprayed in the case of young soft growth and otherwise it will be stem-injected, rather than sprayed, to reduce its spread in the environment. A Register, open to Members, shall be kept of all areas where glyphosate is **or other harmful chemicals that have a potential to negatively impact biodiversity are** used and this will be reported on in the annual Environmental Statement.

2. Officers are instructed not to spray round trees and in other public areas in spring and autumn 2023. If thought absolutely necessary, then weeds round trees could be removed by other, non chemical, means but ideally they should be left to promote biodiversity.
3. Early in 2023, officers will embark upon a publicity and awareness campaign explaining why the spring and autumn sprays will not take place and highlighting the benefits to human health and biodiversity of not spraying. Officers will provide template responses for councillors to respond to residents to assist this campaign."

The majority of members supported the amended motion. Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs who had the responsibility for the maintenance of the Council's parks and open spaces explained the significant work that had been undertaken to date to cease the use of glyphosate for all but the most toughest of weeds. There would be a cost implication for using effective, but less harmful, alternatives; however, Councillor Sarah Broughton, Portfolio Holder for Resources and Property explained that additional financial provision to meet this cost would be incorporated into the budget setting process.

Some concern was expressed regarding the effectiveness of alternatives to glyphosate and whether complaints might be received from residents should their neighbourhoods appear to look 'untidy'. Both Councillor Mason, as seconder of the motion, and Councillor Rayner reiterated that communication was key and as ward councillors, members were in a strong position to work with town and parish councils, community groups and individual residents to create a better understanding regarding the positive rationale for moving forward with the action proposed.

Following all speeches on the amendment, it was put to the vote. With 44 votes for the amendment, one against and no abstentions, the amendment to the substantive motion was passed.

As the amendment had passed, the substantive motion now on the table was the original motion, as amended to that detailed above. No further debate was held, and a vote was taken on the substantive motion.

On the motion of Councillor Hood, seconded by Councillor Mason, it was put to the vote and with the vote being 44 for the motion, one against and no abstentions, it was

Resolved:

It be noted that:

1. That there is growing evidence that glyphosate is a higher health risk than previously assumed. In 2015 the World Health Organisation identified it as 'probably carcinogenic to humans'. A 2019 study found the use of Roundup increased the risk of Non-Hodgkin's Lymphoma by 41 percent.
2. A 2018 study found that glyphosate, the most used agricultural chemical ever, may be contributing to the global decline in bees and other pollinators, both by poisoning them and through loss of habitat.
3. Glyphosate, and other pesticides, impact on the environment more generally by decreasing biodiversity.
4. Council should also acknowledge the work of the Environment and Climate Change Taskforce in this connection. However, over 30 local authorities in Britain have already decided to ban the use of glyphosate from all their own operations and this Council should take immediate steps to do likewise.

In light of this, it be noted that the following action is already committed to by the Portfolio Holder for Leisure, Culture and Community Hubs and Cabinet:

1. Pledge to stop the use of glyphosate completely from all its in-house operations (including in Parks and the streetscene) by April 2023 without increasing the use of other chemical weedkillers. If thought absolutely necessary, an exception could be granted regarding the control of Japanese knotweed, or other specified invasive species, where there are currently no effective mechanical techniques available.

However, in this case glyphosate will be sparingly sprayed in the case of young soft growth and otherwise it will be steminjected, rather than sprayed, to reduce its spread in the environment. A Register, open to Members, shall be kept of all areas where glyphosate or other harmful chemicals that have a potential to negatively impact biodiversity are used and this will be reported on in the annual Environmental Statement.

2. Officers are instructed not to spray round trees and in other public areas in spring and autumn 2023. If thought absolutely necessary, then weeds round trees could be removed by other, non chemical, means but ideally they should be left to promote biodiversity.

3. Early in 2023, officers will embark upon a publicity and awareness campaign explaining why the spring and autumn sprays will not take place and highlighting the benefits to human health and biodiversity of not spraying. Officers will provide template responses for councillors to respond to residents to assist this campaign.

263. **Any other urgent business**

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

The meeting concluded at 9.34 pm

Signed by:

Chair
