

Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Council** held on
Tuesday 28 June 2016 at **6.00 pm** at the **Conference Chamber, West**
Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Mayor Julia Wakelam
Deputy Mayor Terry Clements

Sarah Broughton	Beccy Hopfensperger	Angela Rushen
Simon Brown	Paul Hopfensperger	Barry Robbins
Tony Brown	Ian Houlder	Richard Rout
Carol Bull	Margaret Marks	Andrew Speed
John Burns	Betty Mclatchy	Clive Springett
Patrick Chung	Ivor Mclatchy	Sarah Stamp
Jason Crooks	Jane Midwood	Peter Stevens
Robert Everitt	Sara Mildmay-White	Peter Thompson
Paula Fox	David Nettleton	Jim Thorndyke
Susan Glossop	Clive Pollington	Paula Wade
John Griffiths	Alaric Pugh	Frank Warby
Wayne Hailstone	Joanna Rayner	Patricia Warby
Diane Hind	David Roach	Anthony Williams

158. **Prayers**

The Mayor's Chaplain, the Very Reverend Canon Mark Hackeson of St Edmunds' Church, opened the meeting with prayers.

159. **Remembrance**

A minute's silence was held in remembrance for the late former Councillors Phillip French and Allan Jones; and also for the late Jo Cox MP.

160. **Motion to Suspend a Council Procedure Rule: Public Question Time**

Council considered a narrative item which sought to suspend Council Procedure Rule 6 of the Constitution.

Council Procedure Rule 6 set out the procedure for Public Question Time (PQT). Given the public interest shown in a number of the items listed on the Council agenda, it was proposed that this particular Procedure Rule be

suspended to enable two separate sessions of PQT of up to a maximum of 30 minutes each to be provided for:

- (a) members of the public to specifically address Council on Agenda Item 8, Referral of Recommendations from Cabinet: 14 June 2016 – West Suffolk Operational Hub; and
- (b) following an adjournment and consideration of the Leader's Statement, other questions to be put by members of the public on the remaining agenda items or other work of the Council.

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

RESOLVED: That

- (1) in accordance with Council Procedure Rule 10.1(o), Council Procedure Rule 6 be suspended to enable two separate sessions of Public Question Time (PQT) of up to a maximum of 30 minutes each to be provided, in accordance with (a) and (b) above; and
- (2) the procedure rules set out in paragraphs 6.1 to 6.9 of Council Procedure Rule 6 be followed and applied to either the first or second session, as appropriate.

161. **Minutes**

The minutes of the meetings held on 23 February, 19 April (Extraordinary meeting) and 19 May 2016 (Annual meeting) were confirmed as correct records and signed by the Mayor.

162. **Mayor's announcements**

The Mayor reported on the civic engagements and charity activities which she and her Consort, and the Deputy Mayor and Mayoress had attended since the Mayor's election on 19 May 2016.

163. **Apologies for Absence**

Apologies for absence were received from Councillors Terry Buckle, Bob Cockle, Jeremy Farthing and Karen Richardson.

The interim Service Manager (Legal and Democratic Services) then drew attention to the advice he had previously circulated regarding the potential declaration of disclosable pecuniary or local non-pecuniary interests that Members may or may not have when considering Agenda Item 11, *Referral from Democratic Renewal Working Party: 23 May 2016 – Community Governance Review*.

No indication was given to show that Members were not fully conversant with the advice provided.

164. **Declarations of Interests**

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

165. **Leader's Statement: West Suffolk Operational Hub**

Councillor John Griffiths, Leader of the Council, provided a brief verbal introduction to the debate on the forthcoming consideration of Agenda Item 8, *Referral of Recommendations from Cabinet: 14 June 2016 West Suffolk Operational Hub* (WSOH). His written statement, containing references to other Council matters, was to be presented under Agenda Item 9.

Councillor Griffiths gave thanks to those that had responded to the WSOH consultation; members of the public in attendance at the meeting; the WSOH project team; other officers and councillors across St Edmundsbury Borough, Forest Heath District and Suffolk County Council.

In response to a question, Councillor Griffiths informed that the former Padley Poultry factory site was indeed sited on Mildenhall Road and not Northern Way, as had been indicated on Map 24 and various other references within Appendices B and C attached to Report No: CAB/SE/16/024.

166. **Public Participation: West Suffolk Operational Hub**

The following questions were put and answered during this first session of Public Question Time.

1. **Adrian Graves of Great Barton**, asked why, having undertaken a second period of consultation within which the Council had asked for potential sites for a West Suffolk Operational Hub to be put forward, a new criterion (traffic) had been added and sites had been scored against the site selection criteria, that it chose to dismiss sites which he considered to be compelling, viable alternatives that would cost less to implement?

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that each alternative site suggested was investigated and scored against the site selection criteria. The options assessment was also re-scored to take into account the new traffic criterion. The detailed, objective research had clearly shown that Hollow Road Farm was the best option for a West Suffolk Operational Hub which would future-proof waste services for the growing population.

2. **Phillip Reeve, Chairman of Great Barton Parish Council**, referred to a perceived lack of passion towards protecting the well-being of the communities most closely affected by the proposal; the credence of the Sustainability Appraisal at Appendix C attached to Report No: CAB/SE/16/024; and asked a question regarding a viable (in his opinion), alternative site that had been suggested north of Symonds Farm which had not been assessed, and how he felt that 6.5 hectares of, what he considered to be, prime agricultural land at Hollow Road Farm should not be destroyed when sites that had been put forward had not all been assessed.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that he had a duty to represent those that lived and worked in west Suffolk together with those in his own ward, which he did with a passion, as well as being passionate about providing the best waste services now and into the future. In respect of the potential loss of agricultural land - if a West Suffolk Operational Hub was to be sited at Hollow Road Farm, page 44 of the Identification and Assessment of Potential Options and Sites (IAPOS) report at Appendix B attached to Report No: CAB/SE/16/024 set out the planning policy sequence that needed to be taken into account before land was to be selected for development. Should Council approve the recommendations contained in Report No: COU/SE/16/007 (re-produced from Cabinet Report No: CAB/SE/16/024), a detailed planning application would be prepared for consideration by the Development Control Committee and it would be its decision regarding whether the Hollow Road Farm site was an acceptable location.

3. Mike Collier, Chairman of Fornham St Martin cum St Genevieve Parish Council, expressed concern regarding the potential increase in vehicle movements in the vicinity of Hollow Road Farm should the decision be taken to proceed with siting a West Suffolk Operational Hub (WSOH) in this location. Mr Collier specifically asked whether the Councils [St Edmundsbury Borough, Forest Heath District and Suffolk County Councils] could confirm that the results of a traffic, transport and highways assessment and review carried out as part of the planning application for the WSOH would address, what he considered to be, all the inevitable issues of safety and congestion as part of a comprehensive Traffic Plan for Bury St Edmunds.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, confirmed that if proceeding to the submission of a planning application, an associated transport study would be undertaken in consultation with the Highways Authority and Highways England to cover potential impacts on local and trunk roads. Any necessary infrastructure requirements and mitigation measures would be included in that study.

4. Sarah Bartram of Fornham St Martin, referred to her perceived provision of a depot facility in the Mildenhall or the Newmarket area to service the Forest Heath district, and therefore a West Suffolk Operational Hub (WSOH) would not be operated from a single site, as proposed. She questioned the costs of setting up, operating and staffing a second depot.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that it was a misconception that a second depot would be provided. The proposed facility would be a limited parking area for some cleansing equipment and small vehicles, which was estimated to cost approximately £20,000 a year. This cost had already been included in the overall costs for the WSOH proposal, which would be covered by the income from leasing the closed Mildenhall depot site as well as from the substantial property cost savings to be made from not operating a depot in Mildenhall.

5. Howard Quayle, Chairman of Fornham All Saints Parish Council, referred to the financial implications of implementing both Options 4 (co-location of a waste transfer station (WTS), depots and Household Waste and Recycling Centre (HWRC) at a single site) and 5 (co-location of a WTS and

depots with the HWRC remaining sited at Rougham Hill) and the differences between the two Options regarding the facilities provided and estimated costs for implementing each. Mr Quayle considered that Option 5 would provide a better return on investment and asked for firm data that Option 4 would provide more benefits than Option 5 by 2026, 2036 or beyond.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that the estimated savings for Option 4 compared to Option 5 were prudent with an approximate saving of £97,000 being an estimate of what could be achieved from the first year of operation. The Borough Council had recent experience of sharing facilities and services with Suffolk County and Forest Heath District Councils, and it was known that once shared arrangements had been established, further benefits and savings would be achieved that could not have been envisaged from the beginning.

Councillor Stevens added that whilst financial implications were crucially important, he wished to draw attention to the number of non-financial benefits of implementing Option 4, as set out in paragraph 5.3 of Report No: CAB/SE/16/024.

6. John Corrie of Bury St Edmunds, asked that as £500,000 of public money had to date been spent on the West Suffolk Operational Hub project, whether it was time to bring the project to fruition.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that expenditure on the project to date was somewhat less than suggested by Mr Corrie. However, Councillor Stevens agreed that having fully consulted on the project for a second time, it was appropriate to propose moving the project forward to its next stage.

7. Simon Harding of Bury St Edmunds, asked whether the number of miles travelled by bin lorries or waste transfer lorries carrying non-recyclable black bin waste to the incinerator at Great Blakenham would be lower going to and from Hollow Road Farm, when compared to Rougham Hill, and whether so-called 'waste miles' were a major running cost for a waste hub.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that the information Mr Harding requested was detailed in Report No: CAB/SE/16/024 and its appendices. Taking **all** criteria into account, as shown in the fully detailed report and appendices, Hollow Road Farm was an overall better site than Rougham Hill, or indeed any other site.

8. Frank Boggis of Fornham St Martin, asked a question regarding works being undertaken by Anglian Water on Barton Hill, Fornham St Martin and whether these works were connected with the West Suffolk Operational Hub proposed to be located at the adjacent Hollow Road Farm site.

In response, Councillor Peter Stevens, Portfolio Holder for Operations, stated that he could not speak on behalf of Anglian Water and its work programme; however Councillor Stevens confirmed that no works had been commissioned by the Councils.

(Councillor Paula Wade arrived during the consideration of this item.)

167. **Referral of Recommendations from Cabinet: 14 June 2016
West Suffolk Operational Hub**

(Councillors Tony Brown, John Burns, Terry Clements, Beccy Hopfensperger, David Nettleton and Sarah Stamp declared local non-pecuniary interests as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

Council considered Report No: COU/SE/16/007, which sought approval for several recommendations referred from Cabinet to enable the progression of the West Suffolk Operational Hub project.

The Service Manager (Legal and Democratic Services) firstly provided guidance to Members before their consideration of the item in connection with avoiding the perception of pre-determination and/or bias towards the proposal. Members were reminded that the planning aspects of this item were not under consideration by Council, and guidance was particularly directed at Members that also sat on the Development Control Committee (DCC) and, specifically Cabinet Members that were also Members of DCC, regarding potential issues they should consider given their positions.

On 14 June 2016, the Cabinet had considered Report No: CAB/SE/16/024 during joint informal discussions with Forest Heath District Council's Cabinet. For ease of reference, this report was attached as Appendix 1 to Report No: COU/SE/16/007; however due to the number of pages contained in Appendices A, B and C to that report, these were not attached but were available to view online. The appendices were:

Appendix A: Consultation Report

Appendix B: Identification and Assessment of Potential Options and Sites
(updated since the first round of consultation)

Appendix C: Sustainability Appraisal (updated since the first round of
consultation)

Upon consideration of the report and its recommendations at that meeting, and given the significance and public interest in the item, the Cabinets had resolved to waive their executive decision making powers and made all five recommendations contained in the report subject to full Council approval.

Both St Edmundsbury Borough and Forest Heath District Councils' Cabinets unanimously agreed to support the recommendations contained in Cabinet Report No: CAB/SE/16/024 *(and for reference purposes those in Forest Heath Cabinet Report No: CAB/FH/16/023)*, and these were now recommended to both Councils for approval.

Councillor Peter Stevens, Portfolio Holder for Operations, drew relevant issues to the attention of Council, including that following concerns raised during the first consultation on this project, a commitment had been made to re-consult. A new consultation was subsequently carried out between 8 January and 19 February 2016, which included placing documentation that had supported the development of a WSOH in the public domain for scrutiny and comment, and

also that suggestions for alternative sites to locate a potential WSOH had been sought.

Councillor Stevens acknowledged the extensive work undertaken by respondents to produce the quality of comments received during the second round of consultation, and he thanked those that had responded accordingly.

He then summarised the detail of the report and its appendices, which had concluded that:

- (1) With significant housing growth in west Suffolk over the next 20 years or so with an estimated increase of more than 22% (from around 75,000 to 92,000 households), this would place increased demand on waste and street services. The current infrastructure used to deliver these services in west Suffolk would not be fit for purpose given the changing demand.
- (2) A shared West Suffolk Operational Hub was the best solution for taxpayers across west Suffolk in terms of cost savings to be made and providing greater potential than any other option. It would also provide better managed, more efficient services at a modern facility, which could also generate increased levels of income.
- (3) Hollow Road Farm was the best site to locate a WSOH. If the decision was taken to proceed to the next stages of the project, a planning application would be prepared and would address specific issues such as traffic and environmental impact. The planning application would be subject to further consultation.

Councillor Stevens moved the motion, which was duly seconded by Councillor Patrick Chung. Councillor Sara Mildmay-White requested that at the appropriate time, the vote be recorded and this was supported by more than five other Members, as required by the Constitution.

Councillor Paul Hopfensperger acknowledged the extensive level of opposition expressed by residents most closely affected by the proposal and considered the suggested site at Land to the south of West Suffolk Crematorium, which had scored +1 in the assessment against qualitative criteria detailed in Appendix B, in comparison to +7 for the Hollow Road Farm site, was more suitable, principally because it was located further away from residential dwellings, and would have less traffic implications. Given the site plans and information provided in Appendix B, he estimated the capital costs for locating a WSOH at Land at West Suffolk Crematorium would be similar to those for Hollow Road Farm.

In response, Councillor Stevens provided further information on the site assessment process and how the sites were scored against the 20 individual scoring criteria. The scores were the same for both Hollow Road Farm and Land to the south of West Suffolk Crematorium, except for the following where the latter site scored lower, as detailed in Appendix B:

- (a) suitability of the local road network;
- (b) visual impact;
- (c) light pollution; and
- (d) because the site was a large east/west orientated site meaning it could be more exposed to the prevailing wind, particularly when compared to Hollow Road Farm which was well-screened along its western boundary.

Councillor Hopfensperger proposed an amendment to the substantive motion, which was to accept Recommendations (1), (2) and (5) as provided in Report No: CAB/SE/16/024 (and re-produced in Report No: COU/SE/16/007), but to amend Recommendations (3) and (4), so that they read:

- (3) *the preparation and submission of a detailed planning application for a West Suffolk Operational Hub on land at ~~Hollow Road Farm~~ **to the south of West Suffolk Crematorium**, be approved;*
- (4) *approval be given for a gross capital budget of **up to** £12.7m (after the Forest Heath District Council contribution) to the Council's Capital Programme for 2016/17, funded in line with paragraphs 6.10 to 6.21 of Report No: CAB/SE/16/024;*

Councillor Diane Hind supported Councillor Hopfensperger's concerns regarding the proximity of the proposed WSOH at Hollow Road Farm to residential dwellings, particularly those located in her Northgate ward. She considered the impact on residential amenity would be less detrimental if a WSOH was located at the suggested site located at Land to the south of West Suffolk Crematorium, and duly seconded Councillor Hopfensperger's amendment to the motion.

A debate was then held on the amendment to the motion.

Councillor Paul Hopfensperger requested that the vote be recorded and this was supported by more than five other Members, as required by the Constitution. The votes recorded were 10 votes for the motion, 31 against and no abstentions, namely:

For the motion:

Councillors Broughton, Tony Brown, Burns, Hind, Beccy Hopfensperger, Paul Hopfensperger, Robbins, Wade, Wakelam and Williams.

Against the motion:

Councillors Simon Brown, Bull, Chung, Clements, Crooks, Everitt, Fox, Glossop, Griffiths, Hailstone, Houlder, Marks, Betty McLatchy, Ivor McLatchy, Midwood, Mildmay-White, Nettleton, Pollington, Pugh, Rayner, Roach, Rout, Rushen, Speed, Springett, Stamp, Stevens, Thompson, Thorndyke, Frank Warby and Patsy Warby.

Abstentions:

None

The amendment to the substantive motion was therefore defeated.

Councillor David Nettleton felt that neither the Hollow Road Farm site nor the Land to the south of West Suffolk Crematorium were suitable locations as he considered a WSOH should be sited in an urban location. The former Padley Poultry site and associated land, located off Mildenhall Road (not Northern Way as stated in the appendices to Report No; CAB/SE/16/024), was one of the suggested alternative sites that had not met the site assessment criteria; however, Councillor Nettleton considered this was a viable option and should be investigated further.

He then proposed an amendment to the substantive motion, which was duly seconded by Councillor Tony Brown. The proposed amendment was to accept Recommendations (1), (2), (4) and (5) as provided in Report No: CAB/SE/16/024 (and re-produced in Report No: COU/SE/16/007), but to divide Recommendation (3) into two parts, so that it read::

- (3) (a) *the preparation and submission of a detailed planning application for a West Suffolk Operational Hub on land at Hollow Road Farm, be approved; and*
- (b) *consideration is also given to purchasing the former Padley Poultry site off Mildenhall Road, and other land immediately to the south, with a view to developing this site as either a operational hub, or for housing, including a large social homes element. A detailed planning application is prepared for whichever option is eventually chosen;*

A debate was then held on the amendment to the motion and upon being put to the vote, this second amendment to the substantive motion was defeated.

Councillors Sarah Broughton and Beccy Hopfensperger, Ward Members for Great Barton and Fornham respectively, expressed concerns regarding the proposal to site a WSOH at Hollow Road Farm. They both referred to the strength of feeling that had been communicated to them from residents in their wards in objection to the proposed site and urged Members not to disregard their views. They provided reasons why Option 5 (to co-locate a waste transfer station and depots but to leave the Household Waste and Recycling Centre at Rougham Hill) was more favourable, particularly as they considered the cost savings between Options 4 and 5 appeared to be minimal. Reference was also made to alternative sites that they considered would provide better accommodation for a WSOH; and the potential impact of increased traffic generation in the locality.

The debate continued and Members duly acknowledged the representations of Councillors Broughton and Beccy Hopfensperger and the vehement opposition from residents most closely affected by the proposal; however, the majority of Members considered the consultation, site assessment and financial assessment processes had been extremely thorough, comprehensive and transparent. The partnering councils were required to consider the optimum, most cost effective and viable option for delivering future waste management services for residents in the whole of west Suffolk, and the majority of Members agreed that this would be achieved by siting a WSOH at Hollow Road Farm.

As previously requested, the substantive motion was then put to a recorded vote. The votes recorded were 29 votes for the motion, 12 against and no abstentions, namely:

For the motion:

Councillors Simon Brown, Bull, Chung, Clements, Everitt, Fox, Glossop, Griffiths, Hailstone, Houlder, Marks, Betty McLatchy, Ivor McLatchy, Midwood, Mildmay-White, Pollington, Pugh, Rayner, Roach, Rout, Rushen, Speed, Springett, Stamp, Stevens, Thompson, Thorndyke, Frank Warby and Patsy Warby.

Against the motion:

Councillors Broughton, Tony Brown, Burns, Crooks, Hind, Beccy Hopfensperger, Paul Hopfensperger, Nettleton, Robbins, Wade, Wakelam and Williams.

Abstentions:

None

The motion was duly carried and,

RESOLVED: That

- (1) the content of Report No: CAB/SE/16/024 and its appendices be noted;
- (2) the progression of a project to deliver a West Suffolk Operational Hub (option 4), be approved;
- (3) the preparation and submission of a detailed planning application for a West Suffolk Operational Hub on land at Hollow Road Farm, be approved;
- (4) approval be given for a gross capital budget of £12.7m (after the Forest Heath District Council contribution) to the Council's Capital Programme for 2016/17, funded in line with paragraphs 6.10 to 6.21 of Report No: CAB/SE/16/024; and
- (5) it be agreed for the Council's Section 151 Officer to make the necessary changes to the Council's 2015/16 prudential indicators as a result of recommendation (4).

(At this point, the Mayor adjourned the meeting for a period of approximately 20 minutes. The meeting reconvened at 8.45 pm.)

168. Leader's Statement

Councillor John Griffiths, Leader of the Council, presented his written statement, as contained in Paper No: COU/SE/16/008.

As Councillor Griffiths had already provided his introductory remarks earlier during Agenda Item 6, he had nothing further to add to his written statement.

No questions were asked on this occasion.

169. **Public Participation**

(During the Question put by Parish Councillor Phillip Reeve, Chairman of Great Barton Parish Council, which referred to Appendix B: Issue 3 (Vision 2031 Strategic Site 'North East Bury St Edmunds'), Councillor Sarah Broughton declared a disclosable pecuniary interest in this matter as her husband owned an area of land located within this strategic site allocation. Councillor Broughton left the meeting during the speech made by Councillor Reeve on this particular issue and returned upon his conclusion.)

The following questions were put and answered during this second session of Public Question Time.

1. **Nathan Loader of Kedington Parish Council**, referred to the Community Governance Review (CGR): *Issue 13, Vision 2031 Strategic Site 'North East Haverhill'* and asked a question in connection with Kedington Parish Council's and other local respondents' representations submitted during the consultation on the above Issue of the CGR, that the green buffer zone around Calford Green should not to be encompassed in to Haverhill Parish.

In response, Councillor John Griffiths, Leader of the Council provided detailed background to the legislation for CGRs and how they should be conducted. The Boundary Commission's guidance was clear that the decision on a parish boundary could be based on a number of local factors, often requiring a subjective view to be reached. As there had been no consensus on this matter, the Democratic Renewal Working Party had considered the conflicting consultation responses of those in Kedington and from Haverhill Town Council, and had recommended that, as it was part of the masterplan for the growth site, the proposed parkland was most closely associated with the new development which, in CGR terms, would be in Haverhill Parish. Members would carefully consider these recommendations during the debate of the Issue under Agenda Item 9.

Councillor Griffiths also reiterated that in planning terms, the proposed park land was intended to act as a buffer between settlements, which it would continue to do so, whatever the outcome of the CGR and the parish in which it would be designated.

2. **Colin Poole, Clerk to Haverhill Town Council**, referred to the Community Governance Review (CGR): *Issue 13, Vision 2031 Strategic Site 'North East Haverhill'* and *Issue 14, 'Hanchett End (Haverhill Research Park)'*. He firstly expressed support for the recommendations of the Democratic Renewal Working Party (DRWP) in connection with Issue 13 and provided feedback on the position of Kedington Parish Council; and subsequently asked that, providing reasons why, the Council should not accept the recommendation of the DRWP in respect of Issue 14. If resolved, the existing boundary would be retained, which would mean Hanchett End (Haverhill Research Park) would remain in Withersfield Parish, whereas the Town Council felt Hanchett End was more closely associated with Haverhill Parish.

In response, Councillor John Griffiths, Leader of the Council acknowledged Mr Poole's comments and stated they would be noted during the debate on the issues when the agenda item was reached. He also referred to his previous response to Parish Councillor Loader in connection with Issue 13 of the CGR and how Kedington Parish Council had reluctantly supported the principle of a boundary change (i.e. that new homes should be in Haverhill Parish) but had considered the green buffer area around Calford Green should be in Kedington Parish.

3. Phillip Reeve, Chairman of Great Barton Parish Council, referred to the Community Governance Review (CGR): *Issue 3 Vision 2031 Strategic Site 'North East Bury St Edmunds'* and *Issue 4 Vision 2031 Strategic Site 'Moreton Hall'* and reiterated Great Barton Parish Council's support for the recommendations of the Democratic Renewal Working Party, due to be considered under Agenda Item 9.

In response, Councillor John Griffiths, Leader of the Council acknowledged Parish Councillor Reeve's comments and stated they would be noted during the debate on the issues when the agenda item was reached.

4. Ian Steel, of Rushbrooke with Rougham Parish Council, referred to the Community Governance Review (CGR): *Issue 4 Vision 2031 Strategic Site 'Moreton Hall'* and *Issue 6 Vision 2031 Strategic Site 'Suffolk Business Park'* and expressed support for the recommendations of the Democratic Renewal Working Party (DRWP) in connection with the aforementioned issues and reiterated the position of Rushbrooke with Rougham Parish Council.

In response, Councillor John Griffiths, Leader of the Council acknowledged Parish Councillor Steel's comments and stated they would be noted during the debate on the issues when the agenda item was reached.

5. John Eden, of Rushbrooke with Rougham Parish Council, referred to the Community Governance Review (CGR): *Issue 4 Vision 2031 Strategic Site 'Moreton Hall'* and *Issue 6 Vision 2031 Strategic Site 'Suffolk Business Park'* and expressed support for the recommendations of the Democratic Renewal Working Party (DRWP) in connection with the aforementioned issues and reiterated the position of Rushbrooke with Rougham Parish Council.

In response, Councillor John Griffiths, Leader of the Council acknowledged Parish Councillor Eden's comments and stated they would be noted during the debate on the issues when the agenda item was reached.

Councillor Griffiths offered to provide Parish Councillor Steel with a copy of the introduction he had provided to Parish Councillor Loader on the legislation and operation of a CGR, which was duly accepted.

170. Referral from Democratic Renewal Working Party: 23 May 2016 - Community Governance Review

(Councillors Patrick Chung, Robert Everitt, Wayne Hailstone, Diane Hind, Paul Hopfensperger, Joanna Rayner, Richard Rout, Andrew Speed, Clive Springett, Peter Thompson, Frank Warby and Patsy Warby declared local non-pecuniary interests as Members of Bury St Edmunds Town Council. Councillors Tony

Brown, John Burns, Jason Crooks, Paula Fox, Betty McLatchy, Ivor McLatchy, David Roach, Barry Robbins and Anthony Williams declared local non-pecuniary interests as Members of Haverhill Town Council. Councillor Tony Brown declared a local non-pecuniary interest as a Member of Suffolk County Council for Haverhill East and Kedington Division. All of the aforementioned Members remained in the meeting for the consideration of this item.)

(Councillor Sarah Broughton declared a disclosable pecuniary interest in Appendix B: Issue 3 (Vision 2031 Strategic Site 'North East Bury St Edmunds') as her husband owned an area of land located within this strategic site allocation. Councillor Broughton left the meeting during the consideration of and voting upon this particular Issue.)

Council considered Report No: COU/SE/16/009, which sought approval for several recommendations emanating from the meeting of the Democratic Renewal Working Party held on 23 May 2016, following phase 2 of the consultation on the Community Governance Review (CGR).

Councillor Patsy Warby, Chairman of the Democratic Renewal Working Party, drew relevant issues to the attention of Council, including that the initial evidence gathering, which had formed the first phase of the review, had taken place between September and November 2015 to inform the Council's recommendations, and these had been agreed by Council in December 2015. Phase 2, and the final consultation stage, was the publication of those recommendations, and the consultation had run from February 2016 to April 2016. The Working Party had made recommendations on each Issue, which were summarised in the various appendices attached to the report, as follows:

Appendix A: statutory final recommendations affecting all Issues. These were generic and were required to be adopted under the CGR legislation.

Appendix B: After two stages of consultation, this appendix contained 10 Issues where there was still no consensus. The final recommendations of the Working Party were presented, together with a short summary setting out its reasoning. Members also noted that in light of consultation evidence, and as detailed in this appendix, the Working Party had recommended that the Council did not adopt two of the final recommendations agreed in December 2015, which were in connection with Issue 14, *Vision 2031 Strategic Site 'Hanchett End (Haverhill Research Park)'* and Issue 19, *Elm Farm and associated cottages, Assington Green, Stansfield*.

Appendix C: final recommendations in respect of 13 Issues, of which no new and/or significant issues were raised during the phase 2 consultation.

Appendix D: updates on Issues which were determined at the Council meeting in December 2015 (for noting only). This included the impact of the CGR on the Borough and County Council's electoral arrangements and the timing of any Electoral Review for the Borough Council.

Subject to the Council's decisions upon whether to implement changes associated with the respective Issues in the review, Members noted the three broad categories of implementation date for the Issues (excluding issues 15,

23 and 26 which were not in the Borough Council's powers to change), as set out in paragraph 1.1.9 of the report.

Additional matters arising from the CGR also required consideration, the detail of which were provided in Sections 1.2, 1.3 and 1.4 of the report, and the decisions required on these specific matters were set out in Recommendations (6), (7) and (8).

As the Mayor had been made aware prior to the meeting that some Members may wish to separately debate and propose amendments on Issues where there had been no consensus following phase 2 of the consultation, as contained in Appendix B, she requested that Appendix B be divided into individual agenda items to assist the management of the debate. These 10 Issues would therefore be considered separately first and the remaining recommendations contained in Report No: COU/SE/16/009, would then be debated collectively, as usual practice.

Due to the significant and technical nature of the proposals, the Mayor then invited Alex Wilson, Director to contribute to the discussions to assist Members with the debate.

Each of the 10 Issues contained in Appendix B, were then considered in turn.

Issue 3: Vision 2031 Strategic Site 'North East Bury St Edmunds'

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

RESOLVED:

That the 'North-East Bury St Edmunds' Vision 2031 growth site be retained in Great Barton Parish within a newly created parish ward. The electoral arrangements of the Parish be changed as follows:

- (a) the growth site be represented by 2 parish councillors elected to a 'Severalls' parish ward with a boundary as shown on consultation map C of Appendix B to Report No: COU/SE/16/009; and
- (b) the remaining electors in the Parish be represented by 9 councillors elected to a 'North' parish ward.

Issue 4: Vision 2031 Strategic Site 'Moreton Hall'

Councillor Sara Mildmay-White proposed the recommendations of the Working Party relating to this particular Issue, as contained in Appendix B, which was duly seconded by Councillor Terry Clements.

Councillor Andrew Speed considered that the eventual residents of the new homes intended to be built in this location should be given the opportunity to decide whether they felt part of Rushbrooke with Rougham or Bury St Edmunds (or a new Moreton Hall) Parish. He subsequently moved an amendment to the substantive motion, which was to add the following third recommendation to Recommendations (1) and (2):

- (3) *A follow up Community Governance Review be carried out once the majority of properties in the 'Moreton Hall' growth site are occupied, and by 2021 at the latest, the terms of reference to be agreed by Council at that time.*

This was subsequently seconded by Councillor Peter Thompson and a debate was held on the amendment.

Following due consideration, Councillor Sara Mildmay-White, as proposer of the substantive motion, agreed to accept the amendment, which was duly supported by the seconder, Councillor Terry Clements. No vote was therefore taken on the amendment and it was incorporated into the substantive motion.

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

RESOLVED: That

- (1) The areas of Bury St Edmunds, Great Barton and Rushbrooke with Rougham Parishes be amended as shown on consultation map D of Appendix B to Report No: COU/SE/16/009.
- (2) The electoral arrangements of Rushbrooke with Rougham Parish be amended as follows:
 - (a) the 'Moreton Hall' Vision 2031 growth site (and other existing properties) be represented by 2 parish councillors elected to a 'North' parish ward, with a boundary shown on consultation map D; and
 - (b) the remaining electors in the Parish be represented by 9 councillors elected to a 'South' parish ward.
- (3) A follow up Community Governance Review be carried out once the majority of properties in the 'Moreton Hall' growth site are occupied, and by 2021 at the latest, the terms of reference to be agreed by Council at that time.

Issue 6: Vision 2031 Strategic Site 'Suffolk Business Park'

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

RESOLVED: That

- (1) The 'Suffolk Business Park' Vision 2031 growth site be retained in Rushbrooke with Rougham Parish, as shown on consultation map D of Appendix B to Report No: COU/SE/16/009; and
- (2) the boundary of Bury St Edmunds and Rushbrooke with Rougham Parishes be amended in relation to the business park to follow the southern stretch of Lady Miriam Way.

Issue 7: Moreton Hall area of Bury St Edmunds

The majority of Members agreed with the Working Party's conclusions that whilst over 86% of the 194 electors that had responded to the consultation supported the creation of a new parish for Moreton Hall, the low response rate (which represented the views of 3.6% of the December 2015 electorate) meant that there was insufficient evidence of support to justify such a significant change to the current arrangements.

On the motion of Councillor Peter Thompson, seconded by Councillor Frank Warby, and duly carried it was

RESOLVED:

That the Moreton Hall area of Bury St Edmunds remains in Bury St Edmunds Parish, and no new parish be created.

Issue 13: Vision 2031 Strategic Site 'North East Haverhill'

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

RESOLVED:

That the boundary of Haverhill Parish be extended as indicated on consultation map H of Appendix B to Report No: COU/SE/16/009, to incorporate the Vision 2031 Strategic Site 'North-East Haverhill'.

Issue 14: Vision 2031 Strategic Site 'Hanchett End (Haverhill Research Park)'

Council noted that there remained no consensus on this Issue, but the second phase of the consultation achieved its objective of obtaining more evidence to support the final decision. Members noted that Withersfield Parish Council and the majority of local respondents (particularly those in affected properties) had disagreed strongly with the original recommendation, which was for 'Hanchett End (Haverhill Research Park)' to be incorporated from Withersfield Parish into Haverhill Parish, and they wished to see no change in the boundary.

Councillor Jane Midwood, Ward Member for Withersfield, reiterated the views of Withersfield Parish Council and residents in her ward, that no change should be made to the existing boundary.

While some Members that represented Wards in Haverhill did not support this view and considered that Hanchett End was logically part of Haverhill Parish and had been identified in Vision 2031 as being in Haverhill, the majority of Members supported the views of Councillor Midwood and the final recommendation of the Working Party.

On the motion of Councillor Peter Thompson, seconded by Councillor Sarah Stamp, and duly carried it was

RESOLVED:

That the boundary of Haverhill Parish **not** be extended as indicated on consultation map H of Appendix B to Report No: COU/SE/16/009 to incorporate the 'Hanchett End (Haverhill Research Park)' Vision 2031 Strategic Site, and therefore the existing boundary be retained.

Issue 17: Oak Lodge, Mill Road, Hengrave

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

RESOLVED:

That the area shown on consultation map K of Appendix B to Report No: COU/SE/16/009, be transferred from Culford Parish to Hengrave Parish.

Issue 19: Elm Farm and associated cottages, Assington Green, Stansfield

Given the lack of consensus/information in phase 1, the Council had used phase 2 to test the appetite for change by consulting again on a definite proposition received from Stansfield Parish Council which believed that the properties in question had closer links with Stansfield than Denston. There was still no consensus, with the two parishes and affected electors taking strongly varying views on the need for change, and an objection to the original recommendation from a landowner.

The Working Party had considered, therefore, that having tested the matter twice through consultation it did not have enough evidence, in relation to the criteria for CGRs and local opinion, to justify a change to the current parish boundary.

Council supported this final recommendation, and on the motion of Councillor Peter Stevens, seconded by Councillor Frank Warby, and duly carried it was

RESOLVED:

That the area shown on consultation map M of Appendix B to Report No: COU/SE/16/009, **not** be transferred from Denston Parish to Stansfield Parish and therefore the current parish boundaries be retained.

Issue 20: Area between Fornham Lock Bridge and the Sheepwash Bridge, adjacent to the sewage works entrance, Fornham St Martin

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

RESOLVED:

That the area shown on consultation map N of Appendix B to Report No: COU/SE/16/009, be transferred from Fornham All Saints Parish to Fornham St Genevieve Parish.

Issue 25: Great and Little Thurlow

On the motion of Councillor Frank Warby, seconded by Councillor Clive Springett, and duly carried it was

RESOLVED:

That no change be made to the community governance arrangements for Little Thurlow and Great Thurlow at the current time; however a response covering the matters indicated in the text relating to this Issue, be produced for Little Thurlow Parish Council accordingly.

Following consideration of the proposals in Appendix B, Council then considered the remaining recommendations contained in Report No: COU/SE/16/009, which were now required to be amended to the following:

- (a) Recommendation (1) be amended to read: "*the **remaining** proposals of the Working Party, as set out in **Appendices A and C to Report No: COU/SE/16/009, be also adopted as final decisions in relation to this Community Governance Review (CGR).***"
- (b) Recommendation (3) be changed to read: "*in respect of **the** above,*"

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

RESOLVED:

That

- (1) the remaining proposals of the Working Party, as set out in Appendices A and C to Report No: COU/SE/16/009, be also adopted as final decisions in relation to this Community Governance Review (CGR);
- (2) the implementation of any agreed changes arising from this review be dealt with in accordance with the proposals contained in this referral Report No: COU/SE/16/009;
- (3) in respect of the above, the Service Manager (Legal) and/or the Elections Manager be authorised to request the Local Government Boundary Commission for England to make any necessary consequential changes to district and county council electoral arrangements and, depending on the response of the Commission, to determine the implementation arrangements for this CGR accordingly;
- (4) the Service Manager (Legal) and/or the Elections Manager be authorised to publish the decisions taken as part of this CGR and to make and implement the necessary Order(s), in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 and advice of the Boundary Commission;

- (5) the latest position in relation to the matters the Council has already determined in December 2015, as set out in Appendix D to Report No: COU/SE/16/009, be noted;
- (6) the proposed amendment to the current boundary of the Eastgate and Moreton Hall Wards of the Town and Borough Councils, set out in this referral Report No: COU/SE/16/009 , be examined as part of a future Electoral Review (if not previously implemented through this CGR under review issue 7);
- (7) the officers discuss the request of Barrow cum Denham Parish Council to increase its council size with that Parish Council and report back to the Working Party accordingly; and
- (8) Councillor Nettleton's request to look at the Eastgate and Fornham Ward (and associated parish) boundary be examined as part of any future Electoral Review of the Borough and/or County Council if required.

171. **Norfolk and Suffolk Devolution Agreement**

(Councillors Tony Brown, John Burns, Terry Clements, Beccy Hopfensperger, David Nettleton and Sarah Stamp declared local non-pecuniary interests as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

Council considered Report No: COU/SE/16/010, which sought endorsement of the Norfolk and Suffolk Devolution Agreement, support for the Governance Review and agreement for a Scheme of Governance to be published for public consultation, as set out in the following appendices attached to the report:

Appendix A: Norfolk and Suffolk Devolution Deal Agreement

Appendix B: Norfolk and Suffolk Governance Review

Appendix C: Norfolk and Suffolk Scheme of Governance

After extensive negotiations between Government and the Norfolk and Suffolk Leaders, a proposed Devolution Agreement had been developed. Council was required to assess whether to endorse the Devolution Deal Agreement at Appendix A and authorise the Leader to sign it.

Council was also asked to support the Governance Review and agree the publication of the Scheme of Governance. This would allow the Council to report to the Secretary of State such views to inform his decision on the Devolution Deal and the Scheme for the Mayoral Combined Authority.

The Devolution Agreement attached to the report was just the start of the Devolution process. Greater Manchester, the model for a number of the Devolution Deals, had now agreed the content of its fourth Deal and in April 2016 took on responsibility for the Health budget in the area. Members noted there was significant potential to extend the range of responsibilities, powers and funding in the coming months and years and endorsement of the report and its appendices sought to put into place the mechanisms to deliver

increased local leadership for public services and greater autonomy over the levers for growth in this area.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including firstly drawing attention to the following two changes to the report (which would also be considered by all authorities across Norfolk and Suffolk):

- (a) As a direct consequence of the EU Referendum result and following discussions with HM Treasury, paragraph 12 of the Norfolk and Suffolk Devolution Agreement (which related to the management of EU funding) at Appendix A was no longer valid. This would not impact the Governance Review or Scheme of Governance; and as this was a corrective change, neither would it affect the recommendations contained in Report No: COU/SE/16/010. This paragraph would therefore be removed from the version of the document, which if endorsed, was required to be signed by the Leader of the Council.
- (b) The third bullet point at paragraph 4.4 of Report No: COU/SE/16/010, should be amended to read, '*a guaranteed £225m annual transport budget for the next **five** **four** years*'.

Councillor Griffiths added that the decisions taken at this meeting were not the final decisions and did not legally commit the Council to participating in a Combined Authority, as detailed in Section 8 of the report. The final decision about whether the Council joined the Combined Authority would be for Council to take in October 2016, following consideration of the results of the consultation that was scheduled to run between 4 July and 19 August 2016.

He then provided the main elements of the first Deal, as set out in the report, and explained that this was a very significant deal, one of the most successful negotiations between an area and Government that there had been to date.

A detailed discussion was held on:

- (a) the implications of a small number of Norfolk councils rejecting the proposals;
- (b) the implications of Great Britain leaving the European Union on the proposals;
- (c) whether, if agreed to join in October 2016, there was a possibility of the Council leaving the Combined Authority if it felt it needed to at some stage in the future; and
- (d) the details of how the consultation would be undertaken, which would largely consist of an online survey, but would be supported with samples of telephone and business responses.

The Leader responded to matters raised and upon invitation by the Mayor, was supported by the Chief Executive. Members noted that further information regarding the queries raised in (a) to (c) above would be clarified

by the time the Council made the decision to join the Combined Authority or not.

The debate continued and some concern was expressed regarding the requirement of Government to have a Directly Elected Mayor and considered this to be an unnecessary layer of government. In addition, some Members questioned the timetable and whether the consultation should be undertaken over the summer months when the level of response was likely to be lower than other times of the year; however, Members acknowledged that these matters had been set by Government as part of the Deal and were non-negotiable.

Having recognised the significant opportunities that existed if local authorities had greater freedom with funding and responsibility for taking decisions locally in terms of delivering jobs, more homes, better roads, rail and digital connectivity for local people, places and businesses, Council generally supported the principle of devolution and considered the process should progress to the consultation stage, as proposed.

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

RESOLVED: That

- (1) The signing of the Norfolk and Suffolk Devolution Agreement by the Leader, be endorsed by the Authority.
- (2) On the basis of the Governance Review, and having regard to any impact on equalities explored in the Equalities Impact Assessment (EqIA), it be concluded by the Authority that the establishment of a Mayoral Combined Authority for Norfolk and Suffolk is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to this area.
- (3) The publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority as attached Report No: COU/SE/16/010 for consultation purposes, be endorsed and supported by the Authority, subject to such final revisions as may be approved by the Chief Executive in consultation with the Leader, and prior to the commencement of the formal consultation exercise. Such formal consultation, on the Scheme, to commence once all Norfolk and Suffolk Councils have considered the matters in the report and, in any event, no later than the 4 July 2016. In the event that a Constituent Authority named in the attached Scheme does not agree to endorse the Deal Agreement and/or the Scheme, the Authority authorises, through its Chief Executive the relevant changes to be made to the Deal Agreement, the Scheme and the Governance Review to reflect that Authority's non-participation.
- (4) The outcome of the consultation exercise be submitted to the Secretary of the State by the Chief Executive, in consultation with the Leader, by early September 2016.

- (5) Council meets by no later than 28 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.
- (6) Insofar as any of the matters referred to in Report No: COU/SE/16/010 concern the discharge of functions ancillary to the endorsing and signing of the Norfolk and Suffolk Devolution Agreement and the publication of the Scheme, authority be delegated to the Chief Executive in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in the report.
- (7) Negotiations on the Deal agreement have only recently been concluded and the Review and Scheme have been subject to last minute change. In the event that additional powers are required by the Combined Authority to deliver the Deal Agreement, authority be delegated to the Chief Executive, in agreement with the other Chief Executives across Norfolk and Suffolk to make the necessary changes to the Scheme.
- (8) Further reports be presented to the Authority, as appropriate, as the Devolution process develops.

172. Referrals report of recommendations from Cabinet: 14 June 2016

Council considered the Referrals report of Recommendations from Cabinet contained within Report No: COU/SE/16/011.

Council noted that the referral on the West Suffolk Operational Hub had already been considered under Agenda Item 8 above.

(A) Referrals from Cabinet: 24 May 2016

There were no referrals from the Cabinet meeting held on 24 May 2016.

(B) Referral from Cabinet: 14 June 2016

1. Guildhall Project, Bury St Edmunds

Approval was sought for the principle of making a bridging loan to enable the progression of conservation works at the Guildhall.

In March 2013, the Council joined a consortium with the Guildhall Feoffment Trust and the Bury St Edmunds Heritage Trust Limited to pursue a major refurbishment project for the Guildhall, with the additional long-term aim of making the Guildhall an independent and sustainable community enterprise. This joint venture was defined by a Memorandum of Understanding (MOU) which was approved and signed in 2013 between the three parties, and contained provisions for the asset management of the Guildhall and its companion property, 79 Whiting Street for the duration of the project.

On 14 June 2016, the Cabinet authorised officers to update the MoU and Cabinet Report No: CAB/SE/16/028 provided further details of the basis upon which the MOU was required to be updated, as detailed in paragraphs 1.5 and

1.8 of that report, which was in response to the evolvment of the refurbishment project and the greater certainty given regarding the granting of Heritage Lottery Fund (HLF) funding.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including that in May 2016, the project was awarded a grant of £669,000 from the HLF for the refurbishment. Details of the type of conservation work to be undertaken were summarised in the Cabinet report. A condition of the HLF grant was that the necessary match-funding must be assembled by October 2016 and, if it were, works could start at that time, with a targeted completion date of summer 2018. The Heritage Trust was now seeking the balance of that match-funding, from a variety of sources.

The Borough Council entered into the project with the partners in 2013 on the basis that the taxpayer would not be required to provide direct capital support. However, a potential short-term scenario had been identified whereby committed sources of match-funding assembled in the coming months were not technically available to the Trustees to spend by the HLF funding deadline in autumn 2016 (for instance if committed from a 2017/18 budget). The Trustees had therefore requested that, if there was reasonable certainty the match-funding would be achieved, the Council would, as a fall-back option, consider offering them a bridging loan, if required, this autumn to guarantee the project would go ahead. This would achieve the objectives of the MOU and address the largest project risk, which was the loss of the HLF grant.

Further details regarding proposed terms for granting a loan were provided in the Cabinet Report No: CAB/SE/16/028, together with the possibility of the need for the Council to continue to carry out urgent and essential repairs to the Guildhall and 79 Whiting Street prior to any transfer of any responsibility. Such repairs, would however, be funded from the rents received from the two properties.

Council supported the proposed changes to the MOU and recognised the need to have a fall-back option, by way of providing a bridging loan, should the promised funding not be in place by October 2016, thus minimising the risk of losing the HLF grant.

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

RESOLVED: That

- (1) the principle of making a bridging loan in autumn 2016 to enable progression of the conservation works at the Guildhall, as detailed in paragraphs 1.6 and 1.7 of Report No: CAB/SE/16/028, be approved; and
- (2) if the loan is required, the Head of Resources and Performance, in consultation with the Leader, the Portfolio Holder for Resources and Performance and the Services Manager (Legal), be authorised to negotiate and agree the terms of such a loan with the Bury St Edmunds Heritage Trust Ltd and/or the Guildhall Feoffment Trust and

to issue the funding and necessary legal agreements, taking into consideration the Council's loans policy and subject to the value of the loan not exceeding a professional valuation of 79 Whiting Street, Bury St Edmunds (against which it will be secured).

173. Annual Scrutiny Report: 2015/2016

Council received and noted the Annual Report of the Overview and Scrutiny Committee, and the Performance and Audit Scrutiny Committees, previously circulated as Report No. COU/SE/16/012.

Article 7 of the Council's Constitution required that *'the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.'*

Councillor Diane Hind, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of Council. Councillor Sarah Broughton, Chairman of the Performance and Audit Scrutiny Committee, added her comments regarding the specific work of her Committee.

174. Representation on Suffolk County Council's Health Scrutiny Committee

Council considered a narrative item which sought the appointment of a representative and a substitute Member from the Borough Council to serve on Suffolk County Council's Health Overview and Scrutiny Committee.

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

RESOLVED:

That Councillor Paul Hopfensperger be appointed as the Borough Council's nominated representative, and Councillor Margaret Marks as the substitute Member, on the Suffolk Health and Overview Scrutiny Committee for 2016/2017.

175. Review of the Constitution: Recommendations from the Joint Constitution Review Group and Mayoral Advisory Committee

Council considered Report No: COU/SE/16/013, which sought approval for a number of amendments to the Council's Constitution, as recommended by the Joint Constitution Review Group and the Mayoral Advisory Committee.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that the Joint Constitution Review Group had recommended some amendments to Part 3 and Part 4 the Constitution, as set out in Appendices A to F. The Group had also recommended that Procedure Rules for the Joint Independent Remuneration Panel should also be included in the Constitution, and these were contained in Appendix G.

Appendix H (which was a duplicate of Appendix A to Report No: MAC/SE/16/003) provided proposed changes to the Mayoralty Protocol for incorporation into Part 5 of the Constitution, as recommended by the Mayoral Advisory Committee. The proposed changes were in relation to the Council's financing of twinning events.

In response to questions, Councillor Houlder informed Council that:

- (a) the Borough Council would welcome involvement from Bury St Edmunds Town Council (and other partners) regarding future support for twinning events; and
- (b) a written response would be provided regarding the breakdown of the Civic Regalia and Insignia budget for 2016/2017.

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

RESOLVED: That

**Recommendations from the Joint Constitution Review Group:
6 June 2016**

- (1) The revised wording in the St Edmundsbury Borough Council Constitution, be approved in relation to:
 - (a) Part 3 – Functions and Responsibilities: Section 2 – Responsibility for Council Functions
 - (i) A – Development Control (as set out in Appendix A to Report No COU/SE/16/013)
 - (b) Part 3 – Functions and Responsibilities: Section 4 - Scheme of Delegation to Officers
 - (i) Head of Human Resources, Legal and Democratic Services (which relates specifically to the delegations of the Service Manager (Legal and Democratic Services) and the Elections Manager) (as set out in Appendix B to Report No COU/SE/16/013).
 - (ii) Head of Operations (as set out in Appendix C to Report No COU/SE/16/013).
 - (iii) Head of Planning and Growth (which relate specifically to the Officer delegations within the Planning and Development Matters) (as set out in Appendix D to Report No COU/SE/16/013).

- (c) Part 4 – Rules of Procedure
 - (i) Council Procedure Rules (as set out in Appendix E to Report No COU/SE/16/013).
 - (ii) Committee Procedure Rules (as set out in Appendix F to Report No COU/SE/16/013).
- (2) To note the inclusion in the St Edmundsbury Borough Council Constitution of the Procedure Rules for the Joint Independent Remuneration Panel (as set out in Appendix G to Report No COU/SE/16/013).

**Recommendations from the Mayoral Advisory Committee:
31 March 2016: Mayoralty Protocol – The Financing of Twinning Events**

- (1) The adoption of the practices outlined in (a) to (g) below, be approved; and
- (2) the changes required to the Constitution, working practices and the Mayoralty Protocol as a consequence of the recommendations be made as detailed and tracked on the revised Mayoralty Protocol, attached as Appendix A to Report No: MAC/SE/16/003.
 - (a) That the Council continues to support the twinning relationships financially (from the appropriate budgets available to the Mayoralty) until 1 April 2018.
 - (b) To support the 50th Anniversary of the twinning with Compiègne in 2017 within current Mayoralty budget (civic functions) as well as accommodating 2016 delegates visiting Bury St Edmunds.
 - (c) To continue with current arrangements with Kevelaer until the end of 2017 within current Mayoralty budget.
 - (d) That from 1 April 2018, the Mayor does not automatically and annually accept and fund invitations to visit twin towns abroad nor hosts delegates from the civic budget.
 - (e) That the Twinning Associations start to contribute to the twinning costs between 2016 -18.
 - (f) That the Head of HR, Legal and Democratic Services be given delegated authority to make the required changes to the Mayoralty Protocol, Sections 2.2 -2.7.
 - (g) That a letter be written to the Friends of Compiègne and the Kevelaer group explaining future arrangements and continuing commitment to supporting twin towns whilst reducing the annual expense to the Council.

176. **Councillor Terry Buckle: Dispensation**

Council considered a narrative item, which sought approval for a dispensation to be granted for the non-attendance of Councillor Terry Buckle at meetings for a period in excess of six consecutive months.

Owing to illness, Councillor Buckle had been unable to attend Council meetings since 23 February 2016. Section 85(1) of the Local Government Act 1972 provided that failure to attend for six consecutive months would lead to the Councillor ceasing to be a member of the authority unless, before the end of that six-month period, the authority approved the reason for non-attendance.

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

RESOLVED:

That the non-attendance of Councillor Terry Buckle at meetings for a period in excess of six consecutive months be approved, by reason of ill health, in accordance with Section 85(1) of the Local Government Act 1972, and that the situation be reviewed at the next ordinary meeting of Council on 27 September 2016.

177. **Questions to Committee Chairmen**

Council considered a narrative item, which sought questions of Committee Chairman in business transacted since the last ordinary meeting of Council on 23 February 2016, as outlined below:

Committee	Chairman	Dates of meetings
Overview and Scrutiny Committee	Cllr Diane Hind	9 March 2016 20 April 2016 8 June 2016
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	25 May 2016
Development Control Committee	Cllr Jim Thorndyke	3 March 2016 7 April 2016 4 May 2016 2 June 2016
Licensing and Regulatory Committee	Cllr Frank Warby	17 May 2016

No questions were asked on this occasion.

178. **Urgent Questions on Notice**

No urgent questions on notice had been received.

179. **Report on Special Urgency**

Council received and noted a narrative item, as required by the Council's Constitution, in which the Leader of the Council reported that at the time the Council agenda was published, no executive decisions had been taken under the special urgency provisions of the Constitution.

The meeting concluded at 11.18 pm.

Signed by:

Mayor
