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# Council



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Council** held on  
**Tuesday 27 September 2016 at 7.00 pm** in the **Conference Chamber,**  
**West Suffolk House,** Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Mayor** Julia Wakelam

Sarah Broughton	John Griffiths	Karen Richardson
Simon Brown	Paul Hopfensperger	David Roach
Tony Brown	Ian Houlder	Angela Rushen
Carol Bull	Margaret Marks	Barry Robbins
John Burns	Betty Mclatchy	Richard Rout
Bob Cockle	Ivor Mclatchy	Andrew Speed
Jason Crooks	Jane Midwood	Clive Springett
Robert Everitt	Sara Mildmay-White	Peter Stevens
Jeremy Farthing	Clive Pollington	Peter Thompson
Paula Fox	Alaric Pugh	Anthony Williams
Susan Glossop	Joanna Rayner	

## 180. **Prayers**

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

## 181. **Minutes**

The minutes of the meeting held on 28 June 2016 were confirmed as a correct record and signed by the Mayor.

## 182. **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 last meeting of Council held on 28 June 2016.

**183. Apologies for Absence**

Apologies for absence were received from Councillors Terry Buckle, Patrick Chung, Terry Clements, Wayne Hailstone, Diane Hind, Beccy Hopfensperger, David Nettleton, Sarah Stamp, Jim Thorndyke, Frank Warby and Patsy Warby.

The Interim Service Manager (Legal and Democratic Services) then informed that as Councillor Paula Wade had formally resigned from the Council with effect from 26 September 2016, she was not in attendance at this meeting.

**184. Declarations of Interests**

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

**185. Leader's Statement**

Councillor John Griffiths, Leader of the Council, presented his statement as contained in Paper No: COU/SE/16/014.

In addition to his statement, Councillor Griffiths formally thanked former Councillor Paula Wade for her contribution to the Council since first elected to represent Bardwell Ward in 2013, and wished her every success for the future.

Councillor Griffiths then updated Members on the Council's role in supporting various key projects, which involved new ways of working and joint team efforts between several partners to achieve common project objectives. Examples of such projects included the provision of a third generation artificial football pitch in Haverhill; the refurbishment of the Guildhall in Bury St Edmunds; and individual schemes in St Edmundsbury's rural villages.

In response to a question, Councillor Griffiths informed Members that in order to meet the challenges of the changing financial landscape regarding local government funding, the Council was needing to work differently and respond accordingly and appropriately to support future service delivery.

**186. Public Participation**

No members of the public in attendance wished to speak.

**187. Referrals report of recommendations from Cabinet**

Council considered the Referrals report of Recommendations from Cabinet contained within Report No: COU/SE/16/015.

**(A) Referrals from Cabinet: 6 September 2016**

**1. Annual Treasury Management Report 2015/2016**

Approval was sought for the Annual Treasury Management Report for 2015/2016.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council.

On the motion of Councillor Houlder, seconded by Councillor Sarah Broughton, and duly carried, it was

RESOLVED:

That the Annual Treasury Management Report for 2015/2016, attached as Appendix 1 to Report No: TMS/SE/16/003, be approved.

2. West Suffolk Joint Pay Policy Statement: 2016/2017

Approval was sought for the West Suffolk Joint Pay Policy Statement for 2016/2017.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council.

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

RESOLVED:

That the West Suffolk Joint Pay Policy Statement for 2016/2017, as contained in Appendix 1 to Report No: CAB/SE/16/041, be approved.

3. Land at Cavendish Road, Clare: Development Brief

Approval was sought for a Development Brief that had been prepared by consultants acting on behalf of Land Charter Homes, for Land at Cavendish Road, Clare.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Council.

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

RESOLVED:

That the Development Brief for Land at Cavendish Road, Clare, as contained in Appendix A to Report No: SDW/SE/16/007, be adopted as non-statutory planning guidance.

**(B) Referral from Cabinet: 20 September 2016**

1. Consideration of: Approach to Delivering a Sustainable Medium Term Financial Strategy 2016-2020; Four-Year Settlement Offer from Central Government; and Economic Development and Growth Funding Requests

Members noted that the recommendations contained in Section (B)(1) had been reproduced in Report No: COU/SE/16/015 and published before the Cabinet had met on 20 September 2016. The Mayor confirmed that the recommendations from Cabinet remained as printed in the report, which included the typographical amendment to Recommendation (3) which had been amended to read:

*That the Council's existing Medium Term Financial Strategy (MTFS) document and the approach paper be recognised as the Council's Efficiency Plan, for the purposes of accepting any four-year Finance Settlement under ~~(1)~~ (2) above.*

Approval was sought for a number of recommendations relating to:

- (a) seeking support for the Councils' approach to delivering a medium term financial strategy 2016-2020;
- (b) whether the Councils should accept the Government's offer of a four-year finance settlement; and
- (c) whether funding requests should be allocated to projects being worked on by the Economic Development and Growth service.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council.

Questions were asked in respect of the funding sought from St Edmundsbury Borough Council (SEBC) towards the development of the Bury St Edmunds Town Centre Masterplan and the potential contribution from the Town Council.

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

RESOLVED:

That

- (1) The approach to delivering a sustainable medium term financial strategy 2016 -2020 as set out in Report No: OAS/SE/16/022, be supported.
- (2) Government's offer of a four-year Finance Settlement be accepted, and the Head of Resources and Performance (Chief Financial Officer) be authorised to advise Government of Council's decision.

- (3) The Council's existing Medium Term Financial Strategy (MTFS) document and the approach paper (Report No: OAS/SE/16/022) be recognised as the Council's Efficiency Plan, for the purposes of accepting any four-year Finance Settlement under (2) above.
- (4) Approval be given to an allocation of £250,500 from its Strategic Priorities and MTFS Reserves, as SEBC's share towards funding the in-year (and in some cases future years) Economic Development and Growth funding requests outlined in Appendix 2 to Report No: CAB/SE/16/045.

**188. Notice of Motion: Local Government Act 1972: Section 249 Honorary Freedom of the Borough**

Council considered a narrative item, which provided details of a motion, notice of which had been given pursuant to Council Procedure Rule 9.1.

In accordance with the Freedom of the Borough Protocol, approval was sought for convening a special meeting for the purpose of conferring upon HMS Vengeance and TS St Edmund (Mayor's Own) Sea Cadet Corps, the Honorary Freedom of the Borough of St Edmundsbury.

The Commanding Officer and Chief Petty Officer of TS St Edmund (Mayor's Own) Sea Cadet Corps, were in attendance and were welcomed to the meeting.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, which included background and reasons for the proposal. He reminded Members that the TS St Edmund (Mayor's Own) Sea Cadet Corps had been active in St Edmundsbury for more than 70 years, with the many volunteers of this organisation providing a significant and valuable contribution to numerous civic events held in the Borough.

The crew of HMS Vengeance had also supported the Council's civic events on several occasions, which together with working with local charities and organisations for the benefit of the local community for a considerable number of years, demonstrated the commitment these representatives of the Royal Navy had shown to the Bury St Edmunds.

In previous years, Councillors had bestowed the Honorary Freedom of the Borough to units which had represented the Royal Air Force and the Army, and Members considered that it was fitting to formally recognise the extensive contribution of the Royal Navy through HMS Vengeance and the local efforts of the TS St Edmunds (Mayor's Own) Sea Cadets.

Should the motion be carried, Members noted that a special meeting was anticipated to be held on 18 May 2017, alongside the Mayor Making ceremony and Annual Meeting of Council.

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

RESOLVED:

That in recognition of the eminent services rendered to the area by HMS Vengeance and TS St Edmund (Mayor's Own) Sea Cadet Corps, a special meeting of the Council be convened for the purpose of conferring upon said HMS Vengeance and TS St Edmund (Mayor's Own) Sea Cadet Corps, the Honorary Freedom of the Borough of St Edmundsbury.

189. **Members' Allowance Scheme and the West Suffolk Joint Independent Remuneration Panel**

Council considered a narrative item which sought approval for an extension to the current Members' Allowance Scheme.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that the West Suffolk Joint Independent Remuneration Panel was presently undertaking a full review of both Forest Heath District Council's and St Edmundsbury Borough Council's Members' Allowance Schemes. The Panel's work was anticipated to be completed in advance of 30 November 2016, when the current Members' Allowance Scheme also ended; however there was no ordinary meeting of Council scheduled to consider the results of the review before this date of expiry.

Consideration was given to extend the current Scheme to 31 December 2016, which would enable the findings and recommendations of the review to be presented to Council on 20 December 2016, and also would allow sufficient time following that meeting to implement a new Members' Allowance Scheme to be effective from 1 January 2017.

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

RESOLVED:

That the current St Edmundsbury Borough Council Members' Allowance Scheme be extended until 31 December 2016.

190. **Magna Carta Trust**

*(Councillors Robert Everitt, Paul Hopfensperger, Joanna Rayner, Richard Rout, Andrew Speed, Clive Springett and Peter Thompson declared local non-pecuniary interests as Members of Bury St Edmunds Town Council. All of the aforementioned Members remained in the meeting for the consideration of this item.)*

Council considered Paper No: COU/SE/16/016, which sought approval for St Edmundsbury Borough Council to resign from the Magna Carta Trust and for this membership to be transferred to Bury St Edmunds Town Council.

The Magna Carta Trust was a national charity which promoted and co-ordinated activities to raise the profile of the Magna Carta nationally and internationally. As well as national bodies, trustees of the charity included council representatives of towns with a direct connection to Magna Carta, which included Bury St Edmunds.

Membership of the Trust, which was outlined in paragraph 2 of the paper, was always evolving and, therefore, there had been local consideration of whether this should be reviewed in relation to Bury St Edmunds, and whether Bury St Edmunds Town Council would be better placed to take on any local authority role, as detailed in paragraph 4. In June 2016, the Town Council resolved to ask the Borough Council to relinquish its role and seek permission to transfer it to the Trust itself (which was in the gift of the Trust itself).

Councillor Joanna Rayner, Portfolio Holder for Leisure and Culture, drew relevant issues to the attention of Council, including the resource implications, as set out in paragraph 5 of the paper, and that should the request be approved, the Borough Council would still be involved in the organisation of local Magna Carta events irrespective of its role on the Trust.

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

RESOLVED: That the Borough Council:

- (1) resigns, by no later than 1 April 2017, its own membership of the Magna Carta Trust and therefore no longer performs the nominating role for trustees from the St Edmundsbury area; and
- (2) proposes to the Trust that this role passes to Bury St Edmunds Town Council, as requested by the Town Council itself.

#### 191. **Questions to Committee Chairmen**

Council considered a narrative item, which sought questions of Committee Chairman on business transacted since the last ordinary meeting of Council on 28 June 2016, as outlined below:

<b>Committee</b>	<b>Chairman</b>	<b>Dates of meetings</b>
Overview and Scrutiny Committee	Cllr Diane Hind	20 July 2016 14 September 2016
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	21 September 2016
Development Control Committee	Cllr Jim Thorndyke	7 July 2016 4 August 2016 1 September 2016

In the absence of Councillors Hind and Thorndyke, Members were reminded to ask questions of the respective Vice-Chairmen instead; however, no questions were asked on this occasion.

**192. Urgent Questions on Notice**

No urgent questions on notice had been received.

**193. Use of Chief Executive's Urgency Powers**

Council received and noted Paper No: COU/SE/16/017, which provided details of a matter that had necessitated the exercising of the Chief Executive's urgency powers, as provided under Part C(a) of the Scheme of Delegation to Officers in Part 3, Functions and Responsibilities of the Constitution.

The matter related to an amendment to the adopted Freedom of the Borough Protocol, as contained in the Constitution, to remove unnecessary restriction and ambiguity. It was considered that should sufficient support for a nomination for the honour of Freedom of the Borough to be bestowed, be demonstrated through the number of signatories sought for any nomination and the criteria adequately met, then the decision to recommend any such nomination to Council should not be prevented if *unanimous* agreement between the Group Leaders and Mayor had not been obtained.

Further details were provided in the paper, together with the reasons for the urgency.

**194. Report on Special Urgency**

Council received and noted Paper No: COU/SE/16/018, which provided details of an executive decision taken under the Special Urgency provisions of the Constitution.

Paragraph 18.3 of Part 4, Access to Information Procedural Rules of the Constitution required the Leader of the Council to submit quarterly reports to the Council on the executive decisions taken in the circumstances set out in Rule 17, Special Urgency in the preceding three months.

Accordingly, the Leader of the Council reported of one such circumstance, which related to an executive decision taken on the Norfolk and Suffolk Devolution Agreement at an extraordinary meeting of Cabinet held on 28 June 2016. The paper set out the details of the decision, which was with the agreement of the Chairman of the Overview and Scrutiny Committee, and why it could not reasonably be deferred.

**195. Late Urgent Item: Councillor Terry Buckle - Review of Dispensation**

*(The Mayor had agreed that this item could be considered as a matter of urgency, in accordance with Section 100B(4) of the Local Government Act 1972, in order that the matter could be resolved within the necessary timescale.)*



Council considered a narrative item, tabled at the meeting, which sought a review of the dispensation previously granted by Council to Councillor Terry Buckle.

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 28 June 2016, Council resolved the granting of a dispensation for the non-attendance of Councillor Terry Buckle at meetings for a period in excess of six consecutive months and that the situation would be reviewed at the next ordinary meeting of Council on 27 September 2016 (minute 176 refers).

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including that Councillor Buckle's health had improved to a degree whereby he had hoped to attend this meeting of Council; however, despite offers of support to assist him at the meeting, he had not in the end been able to attend.

Members sympathised with Councillor Buckle's situation, wished him a speedy recovery and looked forward to his return; however, the responsibilities required towards ensuring the residents located in his Moreton Hall Ward were sufficiently represented were also acknowledged. It was therefore considered that the length of time by which the dispensation was granted should be extended until the next ordinary meeting of Council on 20 December 2016; however, if Councillor Buckle was unable to attend any council meeting up to and including 20 December 2016, he would cease to be a member of the authority by the end of that day (subject to approval of any extenuating circumstances).

Councillor Buckle would be informed accordingly.

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

RESOLVED: That

- (1) the previously approved dispensation in respect of the non-attendance of Councillor Terry Buckle at meetings for a period in excess of six consecutive months be extended beyond the agreed date of 27 September 2016 until the next ordinary meeting of Council on 20 December 2016, by reason of ill health, in accordance with Section 85(1) of the Local Government Act 1972; and
- (2) Councillor Buckle should make every effort to attend any meetings of the Council on or before 20 December 2016, and subject to any other extenuating circumstances being considered and approved by Council on 20 December 2016, no further dispensation will be granted and Councillor Buckle would cease to be a member of St Edmundsbury Borough Council at midnight on 20 December 2016.

The meeting concluded at 8.08 pm

**Signed by:**

**Mayor**

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