

Council



Forest Heath
District Council

Minutes of a meeting of the **Council** held on
Wednesday 21 December 2016 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Carol Lynch

Vice Chairman Michael Anderson

Ruth Allen	Victor Lukaniuk
Andrew Appleby	Christine Mason
Chris Barker	Robin Millar
John Bloodworth	Colin Noble
Rona Burt	David Palmer
Simon Cole	Peter Ridgwell
Dicker	Reg Silvester
Andy Drummond	Lance Stanbury
Stephen Edwards	James Waters
Brian Harvey	

In attendance

Karen Forster - Chairman of the West Suffolk
Joint Independent Remuneration Panel

189. **Minutes**

In respect of the minutes of the meeting held on 28 September 2016, Councillor Andrew Appleby drew attention to Minute No 174 (The Leader's Report) and objected to the wording therein in respect of the Deputy Leader's reasoning for the Hatchfield Farm decision being taken by Cabinet (at their extraordinary meeting on 11 October 2016), as opposed to being considered by Council.

The Deputy Leader then spoke in support of the minute which he deemed clear and accurate; he explained that no offence was intended towards non-Cabinet Members.

Upon being put to the vote, and with 16 voting in favour, 1 against and with 4 abstentions, the minutes of the meeting held on 28 September 2016 were accepted as an accurate record and were signed by the Chairman.

The minutes of the meeting held on 22 November 2016 were also accepted as an accurate record, with 19 voting in favour and with 2 abstentions, and were signed by the Chairman.

190. **Chairman's Announcements (Report No: COU/FH/16/026)**

The report was noted.

The Chairman reminded the meeting that the official opening of the National Heritage Centre for Horseracing and Sporting Art, in Newmarket on 3 November 2016, was attended by Her Majesty the Queen.

191. **Apologies for Absence**

Apologies for absence had been received from Councillors David Bowman, Ruth Bowman, Louis Busuttil, Louise Marston, Nigel Roman and Bill Sadler.

192. **Declarations of Interest**

None were declared.

193. **The Leader's Report (Report No: COU/FH/16/027)**

The Leader presented his statement to the meeting, as set out in Report No COU/FH/16/027.

The Leader drew attention to the 'success stories' within his report and praised the achievements made in becoming a far more commercial and outward-thinking Authority.

He thanked all Councillors and staff for their hard work over the last 12 months and wished all present a very Merry Christmas and a prosperous New Year.

Lastly, the Chairman gave thanks to the Leader for all his work over the course of the year on behalf of the whole Council.

194. **Public Participation**

There were no questions or statements from members of the public.

195. **Referrals Report of Recommendations from Cabinet (Report No: COU/FH/16/028)**

The Council considered the referrals report of recommendations from Cabinet as set out in Report No COU/FH/16/028:

1. Arrangements for Appointment of External Auditors
(Cabinet: 25 October 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, seconded by Councillor James Waters, and with the vote being unanimous, it was

RESOLVED:

That Option 3, to 'opt-in' to the sector led body (Public Sector Audit Appointments Limited (PSAA)) for the independent appointment of the Council's External Auditor, beginning with responsibilities for the financial year 2018-2019, as set out in Report No: PAS/FH/16/023, be approved.

2. Investing in our Leisure Provision in West Suffolk and Establishing a Long Term Strategic Approach and Reduced Management Fee with Abbeycroft Leisure
(Cabinet: 1 November 2016)

On the motion of Councillor Andy Drummond, Cabinet Member for Leisure and Culture, seconded by Councillor Stephen Edwards, and with the vote being unanimous, it was

RESOLVED:

That the creation of a strategic investment fund of £5m across West Suffolk (£3.5m Forest Heath District Council and £1.5m St Edmundsbury Borough Council) funded from the Strategic Priorities and Medium Term Financial Strategy Reserve, with Delegated Authority given to Cabinet (for sums of £500,000 or more) and delegation to the Portfolio Holder for Leisure and Culture, in conjunction with a Director and the Head of Resources and Performance (for sums of less than £500,000) to draw down from this fund, subject to a satisfactory business case for each investment proposal for investment in the Council's leisure facilities.

3. Barley Homes – Five Year Business Plan
(Cabinet: 13 December 2016)

Councillor Brian Harvey declared a non-pecuniary interest in this item as the District Council's Member on Barley Homes (Group) Ltd Shareholder Advisory Group.

The Chairman confirmed that Councillor Harvey was able to remain in the meeting during the consideration of and voting on this item.

For the benefit of all present, Councillor Lance Stanbury, Cabinet Member for Planning and Growth, outlined the progress to date with regard to this item.

He thanked the Overview and Scrutiny Committee for their input into the process and informed Council that the Business Plan had been approved earlier in the week by both Suffolk County Council and St Edmundsbury Borough Council.

Lastly, Members were reminded that should they wish to discuss the specific content of Exempt Appendix A (to Report No OAS/FH/16/030) then the appropriate motion would need to be carried to exclude the press and public and move into private session.

On the motion of the Cabinet Member, seconded by Councillor Rona Burt, and with the vote being unanimous, it was

RESOLVED:

That:-

1. The five year Business Plan, attached at Exempt Appendix A to Report No: OAS/FH/16/030, be approved;
 2. A £3m revolving investment facility, be added to the Council's capital programme, financed from the reallocation of the "Housing Company" pending capital budget of £3m, be approved;
 3. Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance, and Housing to issue equity and loan funding from the revolving investment facility (set out in 2. above) subject to state aid requirements;
 4. The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holder for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements; and
 5. Approval of the Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.
4. Delivering a Sustainable Budget Medium Term Financial Strategy 2017-2020
(Cabinet: 13 December 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, seconded by Councillor Lance Stanbury, and with the vote being unanimous, it was

RESOLVED:

That:-

1. The proposals, as detailed in Section 5 and Table 2 at Paragraph 5.1 of Report No: PAS/FH/16/032, be included, in securing a balanced budget for 2017-2018;
2. The items as detailed in Paragraph 5.3 of Report No: PAS/FH/16/032 be treated as pending budgets that require the necessary approvals before they can be committed;
3. The items as detailed in Paragraph 5.5 and Table 3 of Report No: PAS/FH/16/032 be removed from the capital programme; and

4. The reserve transfers as detailed in Paragraph 5.7 and Table 4 of Report No: PAS/FH/16/032, be approved.

5. Mid-Year Treasury Management Performance Report and Investment Activity (April – September 2016)
(Cabinet: 13 December 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, seconded by Councillor Lance Stanbury, and with the vote being unanimous, it was

RESOLVED:

That the Mid-Year Treasury Management Report 2016-2017, attached as Appendix 1 to Report No: PAS/FH/16/033, be approved.

6. Training for Hackney Carriage and Private Hire Vehicle Drivers
(Cabinet: 13 December 2016)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, explained that the Council agenda was published prior to the Cabinet meeting on 13 December 2016 in order to consider this item. Following discussion Cabinet proposed revised recommendations to Council and these were tabled to the meeting.

Councillor Brian Harvey commented that clear guidance needed to be in place for Officers in respect of the delegations required in relation to this matter. Councillor Stanbury agreed that it was a valid point and would be taken on board.

On the motion of the Cabinet Member, seconded by Councillor Robin Millar, and with the vote being unanimous, it was

RESOLVED:

That the results of the recent consultation with Hackney Carriage/Private Hire Vehicle Drivers and taxi customers on the proposal to adopt a BTEC Level 2 Certificate 'Introduction to the role of Professional Taxi and Private Hire Driver', as detailed in Report No: LIC/FH/16/006, be noted and;

1. The change in requirements for all new drivers to complete the BTEC Level 2 Certificate be approved;
2. (a) Existing drivers be required to attend half-day training covering specific issues of concern including safeguarding vulnerable people, assisting customers with disabilities and customer care, provided at no cost to attendees; and
(b) The Disciplinary Code for Hackney Carriage/Private Hire Vehicles be amended to reflect that should existing drivers fail to comply with 2(a) above, this would constitute a contravention of the Code, and as a

consequence, he/she would be required to obtain the full BTEC Level 2 Certificate referred to in (1.) above.

7. Forest Heath Local Plan: Regulation 19 Submission Drafts of the Core Strategy Single Issue Review (SIR) and the Site Allocations Local Plan (SALP)
(Cabinet: 13 December 2016)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, explained the current position with regard to the Forest Heath Local Plan process.

In response to a question from Councillor Simon Cole in respect of the pending Hatchfield Farm High Court Hearing, Councillor Stanbury confirmed that should the Inspector favour the development then it could come forward as a windfall site.

On the motion of the Cabinet Member, seconded by Councillor Rona Burt, and with the vote being unanimous, it was

RESOLVED:

That:-

1. Core Strategy Single Issue Review (CS SIR) Submission Document (Regulation 19) (Report No: LOP/FH/16/012)
 - (a) The Core Strategy Single Issue Review (CS SIR) Submission Document (Regulation 19), as set out in Working Paper 1 to Report No: LOP/FH/16/012, be endorsed;
 - (b) The Core Strategy Single Issue Review (CS SIR) Submission Document (as set out in Working Paper 1 to Report No: LOP/FH/16/012) and accompanying Strategic Environment Assessment (SEA)/Sustainability Appraisal (SA), together with supporting documents, be approved for Regulation 19 consultation.
 - (c) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be given Delegated Authority to submit the Core Strategy Submission Document, all representations received to it during the final consultation and supporting documents, to the Secretary of State for Independent Examination, subject to there being no material issues raised by consultees at the final consultation stage which require further consideration/modifications to the CS SIR.
 - (d) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document,

provided that it does not materially affect the substance or meaning.

2. Site Allocations Local Plan (SALP) Submission Document (Regulation 19) (Report No: LOP/FH/16/013)

- (a) The Site Allocations Local Plan (SALP) Submission Document (Regulation 19), as set out in Working Paper 3 to Report No: LOP/FH/16/012, be endorsed;
- (b) The Site Allocations Local Plan (SALP) Submission Document (as set out in Working Paper 1 to Report No: LOP/FH/16/012) and accompanying SEA/SA, together with supporting documents, be approved for Regulation 19 consultation.
- (c) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be given Delegated Authority to submit the Site Allocations Local Plan Submission Document, all representations received to it during the final consultation and supporting documents, to the Secretary of State for Independent Examination, subject to there being no material issues raised by consultees at the final consultation stage which require further consideration/modifications to the SALP.
- (d) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth and the Chairman and Vice Chairman of the Local Plan Working Group, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document, provided that it does not materially affect the substance or meaning.

8. Local Council Tax Reduction Scheme and Council Tax Technical Changes 2017/2018
(Cabinet: 13 December 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, seconded by Councillor James Waters, and with the vote being unanimous, it was

RESOLVED:

That no change be made to the current Local Council Tax Reduction Scheme or Council Tax Technical Changes levels for 2017/2018, as detailed in Section 5 of Report No: CAB/FH/16/060.

9. Council Tax Base for Tax Setting Purposes 2017/2018
(Cabinet: 13 December 2016)

On the motion of Councillor Stephen Edwards, Cabinet Member for Resources and Performance, duly seconded, and with the vote being unanimous, it was

RESOLVED:

That:-

1. The tax base for 2017/2018, for the whole of Forest Heath is 17,575.33 equivalent Band 'D' dwellings, as detailed in Paragraph 1.4 of Report No: CAB/FH/16/061; and
2. The tax base for 2017/2018 for the different parts of its area, as defined by parish or special expense area boundaries, are as shown in Appendix 2 of Report No: CAB/FH/16/061.

196. **Report of the West Suffolk Joint Independent Remuneration Panel - Members' Scheme of Allowances (Report No: COU/FH/16/029)**

Karen Forster, the Chairman of the West Suffolk Joint Independent Remuneration Panel, presented this report which set out the Panel's recommended scheme of allowances to be paid to Members.

The Panel Chairman spoke on the process that was undertaken by the Panel, their aims and their findings. An amended Appendix B was tabled to the meeting which contained supplementary information further to the version which was included within the agenda.

She thanked those Members who had made responses to the survey and also gave thanks to the Head of HR, Legal and Democratic Services together with the Democratic Services Team, for their support.

Councillor Stephen Edwards, Cabinet Member for Resources and Performance, thanked the Panel for their attention and work on the review of Members' allowances.

However, given the number of detailed recommendations proposed by the Panel, he felt that the item should be deferred to allow for more consideration of the report and to give Councillors more time to put forward any comments they may have. Accordingly, recommendations proposing deferral to the next meeting of the Council on 22 February 2017 were tabled.

Councillor Edwards advised that any further comments should be emailed to the Head of HR, Legal and Democratic Services by 6 January 2017 which would then be considered by the Panel, prior to the matter being reconsidered by Council in February.

On the motion the Cabinet Member, seconded by Councillor Reg Silvester, and with the vote being unanimous, it was

RESOLVED:

That:-

1. Following the West Suffolk Independent Remuneration Panel's consideration of Members' comments, Report No: COU/FH/16/029 be reconsidered at the next ordinary meeting of

Council on 22 February 2017; save for any amendments that the Panel feel appropriate; and

2. As a consequence of the above (1.) and as any new Scheme would not be expected until 1 April 2017, the current Forest Heath District Council Members' Allowance Scheme be extended until a date of expiry of 31 March 2017.

197. **Questions to Chairmen of other Committees**

There were no questions to Chairmen of other Committees.

198. **Urgent Questions on Notice**

There were no urgent questions on notice.

199. **Reports on Special Urgency**

The Chairman asked Members to note the report on Special Urgency which was set out on the agenda in respect of Hatchfield Farm.

It was moved, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the taking of the Executive decision under the Call-in and Special Urgency provisions of the Constitution be noted.

The meeting concluded at 7.00pm

Signed by:

Chairman

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