

Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Council** held on
Tuesday 13 June 2017 at 7.00 pm in the **Conference Chamber,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Mayor Terry Clements
Deputy Mayor Margaret Marks

| | | |
|-----------------|--------------------|------------------|
| Trevor Beckwith | Diane Hind | Andrew Smith |
| Sarah Broughton | Paul Hopfensperger | Andrew Speed |
| Simon Brown | Betty Mclatchy | Clive Springett |
| Tony Brown | Ivor Mclatchy | Sarah Stamp |
| Carol Bull | Jane Midwood | Peter Stevens |
| John Burns | David Nettleton | Peter Thompson |
| Patrick Chung | Clive Pollington | Jim Thorndyke |
| Jason Crooks | Alaric Pugh | Julia Wakelam |
| Robert Everitt | Joanna Rayner | Frank Warby |
| Susan Glossop | David Roach | Patricia Warby |
| John Griffiths | Barry Robbins | Anthony Williams |
| Wayne Hailstone | Richard Rout | |

262. Prayers

The Mayor's Chaplain, the Venerable Dr David Jenkins, Archdeacon of Sudbury, opened the meeting with prayers.

263. Remembrance

A minute's silence was held in remembrance of the victims of the recent devastating acts of terrorism in London and Manchester.

264. Introduction

Prior to the commencement of formal business, the Mayor formally welcomed David Collinson to his first Council meeting. Mr Collinson had recently been appointed to the post of Assistant Director for Planning and Regulatory Services for Forest Heath District and St Edmundsbury Borough Councils.

The Mayor also took the opportunity to welcome the 2017 intake of eight university interns to the West Suffolk councils, some of whom were present in the public gallery. The interns had joined the organisation for 12 weeks

through the Rising High Internship Programme, which was designed to encourage young people to take up careers in the public sector.

265. Minutes

The minutes of the meetings held on 25 April 2017, 18 May 2017 (Special Meeting) and 18 May 2017 (Annual Meeting), were confirmed as correct records and signed by the Mayor.

266. Mayor's announcements

The Mayor reported on the civic engagements and charity activities which he and the Mayoress, and the Deputy Mayor and her Consort had attended since their election on 18 May 2017.

267. Apologies for Absence

Apologies for absence were received from Councillors Bob Cockle, Paula Fox, Jeremy Farthing, Ian Houlder, Beccy Hopfensperger and Sara Mildmay-White.

Councillor Andrew Speed had apologised for his lateness and Councillor Karen Richardson was absent.

268. Declarations of Interests

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

269. Leader's Statement

Councillor John Griffiths, Leader of the Council, presented his statement as contained in Report No: COU/SE/17/008.

No questions were asked; however Councillor Robert Everitt, Portfolio Holder for Families and Communities, wished to reiterate Councillor Griffiths' comments made in paragraph 8 of his statement in respect of the cohesiveness demonstrated by local communities, and the excellent work of the local emergency and public services both in St Edmundsbury and West Suffolk as a whole.

270. Public Participation

No members of the public in attendance wished to speak.

271. Referrals report of recommendations from Cabinet

(A) Referrals from Extraordinary Cabinet: 30 May 2017; and

(B) Referrals from Cabinet: 31 May 2017

Council noted that there were no direct referrals emanating from the above Cabinet meetings held on 30 and 31 May 2017.

272. **A Single Council for West Suffolk: Draft Business Case**

Council considered Report No: COU/SE/17/009, which sought approval for a draft business case for establishing a new single district-level council for west Suffolk.

On 30 May 2017, both St Edmundsbury Borough Council's (SEBC) and Forest Heath District Council's (FHDC) Cabinets commissioned officers to test the option of a single council for west Suffolk against potential alternatives. The report provided that analysis including a draft business case proposed by the Leaders of FHDC and SEBC for creating a new, single district-level council for west Suffolk, as shown in Appendix A.

Subject to approval at this and FHDC's respective Council meeting on 14 June 2017, a public and stakeholder engagement exercise would be undertaken on the option for a single district-level council over summer 2017 to ascertain whether support was shown from communities, businesses and partner organisations in west Suffolk for the proposals, before presenting a final business case to both FHDC and SEBC's Councils in September 2017.

Members also noted that FHDC and SEBC's Cabinets had previously approved the establishment of an informal 'Future Governance Steering Group', which would comprise FHDC and SEBC Members that would report to both authorities' Leaders. The Group would engage with both Councils' minority Group Leaders and Overview and Scrutiny Committee Chairmen to help inform debate on the technical issues required in order that proposals could be presented to both Councils in autumn 2017 should the final business case be approved.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including the significant financial savings already made through sharing services; the principal reasons for and benefits of becoming a single council; and whilst the issues of council size and future council tax charging were important matters, this and other such level of detail would be considered later should a final business case be brought forward in September 2017.

A detailed discussion was held and whilst the majority of Members supported the proposals in principle, a number of issues were raised, including:

- (a) the practicalities of the proposed harmonisation process of council tax between FHDC and SEBC;
- (b) the potential impact on democratic representation should the number of Ward Members be reduced by a significant extent;
- (c) whether the status quo should be maintained as the Councils were already making significant financial savings through sharing services;
- (d) that the new district/borough would potentially be too large to maintain a handle on local issues;
- (e) whether more consideration should be given to a different model, such as creating a unitary authority that would take on additional responsibilities and enable more services to be delivered by the same council; and

- (f) the proposed engagement process and whether this should have been undertaken prior to reaching this point and whether a referendum on the proposals should be held.

The consensus fully supported the proposals and acknowledged the challenges facing local government and the public sector and therefore, FHDC and SEBC needed to be proactive and find ways of ensuring they remained financially secure in times of reduced national funding. A single council would therefore help future proof and secure sustainable financial security for the next decade and beyond.

It was noted that the creation of a single district-level council was a separate issue from wider local government reorganisation, such as seeking unitary status, and as such, would continue to work across tiers of local government and the wider public sector without the need for structural change. However, a single district-level council would enable it to be large enough for its voice to be heard when lobbying Government (and others) and would attract new business to the area. In addition, a single council would strengthen the continuation of making major investment in growth for bringing new homes and jobs and provide more resilient support to residents, partners and existing businesses.

The majority of Members considered there was no threat to democracy and that residents would be sufficiently and efficiently represented throughout west Suffolk whilst retaining its own local distinctiveness. It was also recognised that the harmonisation of council tax was achievable with good proposed transitional arrangements in place, and that holding a referendum would not be in line with Government advice.

Members finally acknowledged that much further detail would emerge following the engagement exercise and preparation of the final business case, which would then provide the opportunity for extensive discussion and debate at the appropriate time.

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

RESOLVED:

That:

- (1) it be agreed in principle, that the draft business case attached at Appendix A to Report No: COU/SE/17/009 demonstrates that a single district-level council for west Suffolk represents the most effective governance arrangements moving forwards;
- (2) the draft business case be tested through an engagement exercise with the public and other key stakeholders in accordance with the approach set out in paragraph 1.2 of Report No: COU/SE/17/009;
- (3) the detailed considerations required in forming a single council will continue to be assessed by the Future Governance Member Steering Group set up for this purpose, be noted; and

- (4) a further report be brought to both Councils in September 2017, containing the final business case and incorporating the outcomes of the engagement exercise.

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

273. Response to Network Rail's Proposed Suffolk Level Crossing Reduction Order

(Councillor Sarah Broughton declared a pecuniary interest as she and her husband owned an area of land within strategic site allocation 'Vision 2031 Strategic Site 'North East Bury St Edmunds'. The level crossing under discussion, as set out in Report No: COU/SE/17/010 was located within this strategic site. Councillor Broughton left the meeting during consideration of this item.)

Council considered Report No: COU/SE/17/010, which sought ratification of a letter of objection to Network Rail's proposed Suffolk Level Crossing Reduction Order.

As part of its proposed Suffolk Level Crossing Reduction Order under the Transport and Works Act 1992, Network Rail had sought to close an at grade pedestrian crossing and reopen an underpass approximately 400 metres to the west of Cattishall.

The Department for Transport had consulted on the proposed closure of this pedestrian crossing, which went over the Ipswich to Peterborough train line linking the Parishes of Great Barton and Rushbrooke with Rougham, and Bury St Edmunds.

A letter was sent to the Department for Transport on 4 May 2017 from Councillor Alaric Pugh as Portfolio Holder for Planning and Growth stating that the Council had objected to the proposal and the reasons for the objection. The Department for Transport had subsequently requested that the objection needed to be ratified by resolution of full Council.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Council, including that the Ward and neighbouring Ward Members had been consulted (Councillor Mildmay-White was consulted in place of Councillor Broughton due to Councillor Broughton's pecuniary interest in this matter) on the proposed reasons for the objection. In summary, the Council had stated that it wished to work with Network Rail, Berkeley Strategic and Suffolk County Council to bring forward a new steps only bridge (at the cost of Berkley Strategic) that replaced the at grade crossing at Cattishall and to open up the adjacent underpass. Network Rail appeared however, not to support a bridge crossing but only opening up the underpass, therefore this had led to the objection being lodged. No issues had been raised by the Ward Members consulted.

The majority of Members supported the objection as set out in Appendix B.

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

RESOLVED:

That the letter of objection previously sent to the Department for Transport dated 4 May 2017, as contained in Appendix B to Report No: COU/SE/17/010, be ratified, therefore making a valid objection to Network Rail's proposed Transport and Works Act 1992 (Suffolk Level Crossing Reduction) Order.

(Councillor Sarah Broughton re-joined the meeting at the conclusion of this item.)

274. **Appointment of Independent Persons**

Council considered Report No: COU/SE/17/011, which sought approval for the appointment of Independent Persons, as part of the process for handling complaints regarding alleged breaches of the Councillor Code of Conduct.

The Localism Act created the requirement for all authorities to appoint an Independent Person who must give their thoughts on allegations that a Parish, Town or District Councillor had breached the Code of Conduct. In addition, should the Council decide to take disciplinary action against its statutory officers, a panel, including at least two Independent Persons, may need to be convened.

Councillor John Burns, Vice-Chairman of the West Suffolk Joint Standards Committee drew relevant issues to the attention of Council, including that it was extremely important that Council had the right people in place that could be trusted to perform their duty using the highest integrity to give the public confidence that the Council's duties were taken very seriously.

It had previously been agreed that two Independent Persons would be appointed for the West Suffolk councils and a review of these appointments was now required. Mrs Joy Inameti and Mr Arnold Barrow had previously been appointed; however Mrs Inameti had recently confirmed that she did not wish to continue in the role, Mr Arnold Barrow's appointment, was also due to expire.

Mr Barrow had performed his duties diligently over the past few years, and his re-appointment had been recommended, whilst an appointment process had recently been undertaken for the second Independent Person. Subsequent short-listing from a truly high quality field of candidates took place, and the interviewing panel, which comprised the Chairman and Vice-Chairman of the Standards Committee and the Monitoring Officer, then undertook an interviewing process reaching a unanimous decision to recommend the appointment of Mrs Zoe Finn.

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

RESOLVED:

That:

- (1) Mr Arnold Barrow be re-appointed as an Independent Person until 1 July 2019; and
- (2) Mrs Zoe Finn be appointed as an Independent Person until 1 July 2019.

275. Representation on Suffolk County Council's Health Overview and 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.

Councillor Diane Hind, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of Council.

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

RESOLVED:

That Councillor Paul Hopfensperger be re-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 2017/2018.

276. Questions to Committee Chairmen

Council considered a narrative item, which sought questions of Committee Chairmen on business transacted since the last ordinary meeting of Council on 25 April 2017, as outlined below:

| Committee | Chairman | Dates of meetings |
|--|----------------------|------------------------------|
| Overview and Scrutiny Committee | Cllr Diane Hind | 19 April 2017 7 June 2017 |
| Performance and Audit Scrutiny Committee | Cllr Sarah Broughton | 25 May 2017 |
| Development Control Committee | Cllr Jim Thorndyke | 3 May 2017 1 June 2017 |

No questions were asked of the above Chairmen.

277. Urgent Questions on Notice

No urgent questions on notice had been received.

The meeting concluded at 8.06 pm

Signed by:

Mayor
