

Minutes of a meeting of the **Council** held on
Tuesday 17 December 2019 at **6.30 pm** in the **Conference Chamber,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chair Brian Harvey
Vice Chair Margaret Marks

Margaret Marks	Andy Drummond	David Nettleton
Richard Alecock	Mary Evans	David Palmer
Michael Anderson	Robert Everitt	Joanna Rayner
John Augustine	Stephen Frost	Karen Richardson
Trevor Beckwith	David Gathercole	David Roach
Mick Bradshaw	Susan Glossop	Richard Rout
Sarah Broughton	John Griffiths	Marion Rushbrook
Simon Brown	Pat Hanlon	Ian Shipp
Tony Brown	Diane Hind	Andrew Smith
Carol Bull	Rachel Hood	David Smith
John Burns	Paul Hopfensperger	John Smith
Mike Chester	Beccy Hopfensperger	Clive Springett
Patrick Chung	Lisa Ingwall King	Peter Stevens
Max Clarke	James Lay	Peter Thompson
Terry Clements	Victor Lukaniuk	Jim Thorndyke
Simon Cole	Joe Mason	Don Waldron
Jason Crooks	Jim Meikle	Frank Warby
Dawn Dicker	Sara Mildmay-White	Cliff Waterman
Roger Dicker	Andy Neal	Ann Williamson

40. **Remembrance**

Before commencing business, all Members were asked to stand in order to observe a minute's silence in remembrance of former Mayor of St Edmundsbury, Terry Buckle, and Barbara Hill, Alderman and first female Mayor of St Edmundsbury, both of whom had sadly died recently.

41. **Minutes**

The minutes of the meeting held on 19 September 2019 were confirmed as a correct record and signed by the Chair.

42. **Chair's Announcements**

The Chair reported on the civic engagements and charity activities which he and the Vice-Chair had attended since the last ordinary meeting of Council on 19 September 2019.

The Chair particularly drew attention to thanking those Members who had laid wreaths on Remembrance Sunday in the principal towns of West Suffolk; reminding Members to observe the Council's guidance on the use of social media; and encouraged Members to attend the Civic Dinner arranged for 27 March 2020 and the 50th Anniversary celebrations of the Haverhill Silver Band on 5 May 2020.

43. **Apologies for Absence**

Apologies for absence were received from Councillors Ian Houlder, Aaron Luccarini, Elaine McManus, Robert Nobbs and Phil Wittam.

44. **Declarations of Interests**

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

45. **Leader's Statement (Paper No: COU/WS/19/013)**

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in Paper No: COU/WS/19/013.

Councillor Griffiths made reference to the following in his introductory remarks:

- (a) He firstly congratulated former Councillor Robin Millar on his recent election as Member of Parliament for the constituency of Aberconwy in Wales. Councillor Millar had now resigned from both West Suffolk Council and Suffolk County Council. Councillor Griffiths paid tribute to the work of Councillor Millar on West Suffolk Council and the former Forest Heath District Council, which included recognising his most recent role as Chair of the West Suffolk Environment and Climate Change Taskforce.
- (b) Councillor Griffiths then welcomed Councillors David Nettleton and Frank Warby to the Conservative Group, and also to Councillor David Roach to the Cabinet. Councillor Griffiths had recently appointed Councillor Roach as Portfolio Holder for Local Plan Development and Delivery.
- (c) That whilst the pre-election period had applied in the run up to the General Election on 12 December 2019, projects and events had continued to be developed or held, whilst ensuring the delivery of services to West Suffolk residents, including over the Christmas period.
- (d) Councillor Griffiths conveyed his thanks to the work of the West Suffolk Rural Taskforce, the West Suffolk Environment and Climate Change

Taskforce and the Grant Working Party. The Cabinet would be considering reports from all three groups on 14 January 2020. The work of the Overview and Scrutiny (O&S) Committee's Car Parking Review Group was also thanked, the recommendations of which would be presented from the O&S Committee to Cabinet in the new year.

The Leader responded to a range of questions relating to:

- (a) Whether there was potential for the construction of a railway halt and improved cycleways to provide additional infrastructure to support access to the new STEM facility and Abbeygate Sixth Form College, and the proposed new Western Way development. In response, Councillor Griffiths stated that West Suffolk Council worked closely with Suffolk County Council (SCC), as the responsible authority for facilitating infrastructure improvements, to try and achieve practicable solutions. Through engagement with SCC, opportunities would be explored where possible, which may include having discussions with Network Rail regarding the possibility of constructing a railway halt; however, it was important to note that some opportunities came with significant challenges that would need to be overcome.
- (b) The adverse impact on the day-to-day lives of persons with special needs when buses were not punctual. In response, Councillor Griffiths agreed that where there was a lack of punctuality from certain bus services in the rural and urban areas, this was a concern for persons of a variety of ages and needs. This was an issue under the remit of Suffolk County Council and West Suffolk Council worked closely with the County Council to try and make improvements, where possible.

46. **Public Participation**

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

1. **David Chambers of Mildenhall**, made a statement in connection with an issue affecting a number of residents in the West Suffolk Council district who were UK citizens employed by United States Airforce at UK airbases in this region. Mr Chambers expressed concern that UK (and EU) citizens employed by Local National Direct Hires for the United States Visiting Forces were not eligible to the same employment rights as other UK (and EU) citizens. As RAF Mildenhall and RAF Lakenheath were based in West Suffolk, he wished to bring the matter to the Council's attention and to seek support to change this situation.

In response, Councillor John Griffiths, Leader of the Council, duly acknowledged Mr Chambers' statement and expressed his sympathy to those that had been directly affected as a result of this issue. He added however, that whilst it had an excellent relationship with them, the Council had limited jurisdiction and influence over the US airbases and how they operated in this area. This matter appeared to be a matter of challenging employment and human rights law which would involve following a number of processes.

Councillor Griffiths provided suggestions in respect of ways in which Mr Chambers could take this matter forward including contacting ACAS and Matt

Hancock MP; and offered his support on behalf of the Council in his endeavours.

47. **Referrals Report of Recommendations from Cabinet (Report No: COU/WS/19/014)**

Council considered the Referrals Report of Recommendations from Cabinet, as contained within Report No: COU/WS/19/014.

(A) Referrals from Cabinet: 8 October 2019

1. West Suffolk Asset Management Strategy and Plan

Approval was sought for the adoption of a new West Suffolk Asset Management Strategy and Plan (AMSaP), together with proposed delegations associated with property and asset transactions.

The overall strategic approach to investing in, managing and disposing of land and property assets, which was attached as Appendix A to the Cabinet report was proposed to satisfactorily integrate with the Council's wider policy framework, which comprised key policies such as the West Suffolk Strategic Framework and Medium Term Financial Strategy (MTFS).

The accompanying Asset Management Plan, attached as Appendix B, has been produced to satisfactorily address how the strategic approach would be applied through the Plan's division into nine categories.

Appropriate delegations had also been proposed to be put in place for property and asset transactions made from the Investing in Growth Fund, which would align with those previously approved for other investments made utilising the Investing in Growth Fund.

Councillor Susan Glossop, Portfolio Holder for Growth, drew relevant issues to the attention of Council including that the Cabinet had recognised the benefits of the adopting the AMSaP, which supported the Council's behaving more commercially approach contained in the MTFS and considered it would also provide the framework to enable the Council to maximise the value of its existing assets.

On the motion of Councillor Glossop, seconded by Councillor Peter Stevens, it was put to the vote and with the vote being 57 for the motion, 0 against and 1 abstention, it was

RESOLVED:

That:

- (1) The West Suffolk Asset Management Strategy attached at Appendix A to Report No: CAB/WS/19/037, be approved; and
- (2) the delegations for property acquisitions as outlined in the Asset Management Plan attached at Appendix B, be approved and funded through the Investing in Growth Fund to be brought in line with those

for non-property transactions from the same fund, as set out in Section 2.4 of Report No: CAB/WS/19/037.

(B) Referrals from Cabinet: 26 November 2019

1. Draft West Suffolk Strategic Framework 2020-2024

Council noted that this item had been deferred by Cabinet to allow for further consideration of amendments proposed during the Overview and Scrutiny Committee meeting held on 14 November 2019. The item was now due to be presented to Cabinet on 14 January 2020.

2. Investing in Housing and Development Sites and Approval of the Barley Homes Business Plan 2019

Approval was sought for the current development proposals being put forward for Barley Homes; the longer-term approach to developing a pipeline of developments for Barley Homes and endorsement was sought for the funding necessary to deliver these proposals.

Barley Homes (Group) Limited was established in February 2016 as a company limited by shares. Following the Interim Business Plan agreed by councils in 2018, and the creation of West Suffolk Council on 1 April 2019, it was now 100% owned by West Suffolk Council. The primary function of Barley Homes was to generate capital and revenue income through the sale of council owned land and the development of new housing for sale in the West Suffolk area.

When the business plan and governance arrangements for Barley Homes were reviewed in September 2018, it was agreed that a further business plan would be considered in 2019. This would provide the opportunity to re-evaluate the role of Barley Homes in terms of delivering housing for future sites. The report provided details on how this was intended to be implemented.

Councillor Sara Mildmay-White, Portfolio Holder for Housing, drew relevant issues to the attention of Council, including that details of the proposed Barley Homes development sites were included in the business plan (Exempt Appendix A) which were forecast to deliver an additional (over and above the existing two Haverhill sites) 118 homes, 30% of which would be affordable, and all built to the Government's minimum size standard. These would be delivered across two sites, one in Mildenhall and the other near Bury St Edmunds.

In recommending these sites, it was noted that this would contribute to the geographical reach of Barley Homes, adding to the committed two sites in Haverhill. Combined, these would generate a steady build out rate, delivering 181 homes over a five year period, starting in autumn 2019.

The Chair reminded Members that should they wish to discuss the specific content of Exempt Appendix A (the business plan), they would need to move into private session.

The majority of Members considered it was appropriate to move into private session, therefore at this point, on the motion of Councillor Ian Shipp, seconded by Councillor Diane Hind, and duly carried, it was

RESOLVED:

That the press and public be excluded during the consideration of the following item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

A discussion was held in private session on:

- (a) the merits of ensuring 'green' initiatives were incorporated into homes built by Barley Homes whilst ensuring a balance was achieved for providing a minimum of 30% affordable housing and a commercially viable development. Each development would be assessed on a site by site basis in respect of whether suitable environmentally-friendly standards could be included;
- (b) recognising the need for social housing as well as affordable housing, an element in which the Council continued to lobby Government for greater provision; and
- (c) the cost of borrowing, other financial implications and the commercial benefits to the Council as each site was developed.

Back in public session, on the motion of Councillor Mildmay-White, seconded by Councillor John Griffiths, it was put to the vote and with the vote being 54 for the motion, 0 against and 4 abstentions, it was

RESOLVED:

That:

- (1) Taking into account the financial and risk implications set out in Report No: CAB/WS/19/041 and Exempt Appendix A, the Barley Homes Business Plan 2019, be agreed.
- (2) In order to bring the Barley Homes Business Plan 2019 into effect:
 - (a) a revenue budget of £350,000 be established to fund the Council's share of costs to progress planning applications for the Mildenhall site and also the development of future pipeline sites;
 - (b) a capital budget of £5m be established, funded from the Investing in our Growth Agenda fund, to support the issuing of equity and loan financing (to increase the existing £7.5m facility)

to facilitate the development of the two additional sites identified in the Business Plan; and

- (c) it be noted that in order to facilitate the developments within the Business Plan, the Council will be required to acquire sites from partners and subsequently dispose of these to Barley Homes.

3. Local Council Tax Reduction Scheme (LCTRS) for 2020-2021

Approval was sought for proposed changes to the Local Council Tax Reduction Scheme (LCTRS) following an annual review of the scheme. The updated scheme would come into effect on 1 April 2020.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that a tolerance rule of +/-£15 was proposed to be introduced into the LCTRS. This would have the effect of freezing a customer's assessment when a revised Universal Credit Data Sharing hub (UCDS) notification would otherwise trigger a reassessment. Changes in a customer's financial position of more than +/-£15 would be processed as usual, whereas changes within the tolerance level would not be updated, no correspondence issued to the customer and without amendment to Council Tax repayments.

Council noted that where customer's circumstances noticeably changed, the tolerance rule would not apply, given the change would be greater than £15 per week. In these circumstances, the customer's Council Tax Support would be immediately adjusted to provide extra benefit.

Where councils sought to amend their schemes, it was necessary to consult preceptors and stakeholders prior to a wider consultation to inform a final scheme design by 28 February of the preceding year. This consultation had been undertaken and no adverse comments had been received.

Council supported the proposed changes and considered it was a sensible approach.

On the motion of Councillor Broughton, seconded by Councillor Robert Everitt, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the West Suffolk Local Council Tax Reduction Scheme for 2020-2021, as attached at Appendix A to Report No: CAB/WS/19/043, be approved, taking into account the proposed changes outlined within the report and the consultation undertaken.

4. Council Tax Technical Changes – Including Empty Property Reliefs and Premiums Charges

(Councillors Paul Hopfensperger and Beccy Hopfensperger both declared pecuniary interests as owners of empty property and would be financially

affected by the proposed changes. Both Members left the meeting during the consideration of this item.)

Consideration was given to an overview of the current council tax technical changes for continuation from April 2020, and approval was sought to proposed changes to the long term empty property premium scheme from April 2020, in line with recent changes in legislation.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that new legislation had come into effect from 1 April 2019 that provided local authorities with the ability to implement a scheme that enabled a 200% Council Tax charge on properties that had been empty for longer than two years. The charge rose to 300% Council Tax on properties that had been empty longer than 5 years from 1 April 2020 and 400% on properties that had been empty longer than 10 years from 1 April 2021.

Paragraph 2.1 of Report No: CAB/WS/19/044 set out the current scheme proposals for the council tax technical changes for West Suffolk Council for continuation from April 2020. Paragraphs 2.2 to 2.4 set out the proposals for the Long Term Empty Property Premium and paragraph 3 set out the classes of properties/exemptions that would not attract the premium.

Council agreed that applying the revised premiums to empty properties was likely to encourage owners to bring homes back into use. A number of empty properties had been identified within the district (as summarised in the report) and was a key priority being addressed by the Council, therefore this change would support the work being undertaken to reduce this figure.

In response to a question, Councillor Broughton informed Council that under normal circumstances, the time in which owners were allowed to bring their empty property back into use before attracting the premium was considered to be sufficiently fair.

On the motion of Councillor Broughton, seconded by Councillor Sara Mildmay-White, it was put to the vote and with the vote being 54 for the motion, 1 against and 1 abstention, it was

RESOLVED:

That:

- (1) The continuation of the West Suffolk Council Tax Technical Changes set out in Section 2 of Report No: CAB/WS/19/044, be approved;
- (2) a Council Tax premium of 200% for properties that have been long term empty and unfurnished for five years and over from 1 April 2020, be approved;
- (3) a Council Tax premium of 300% for properties that have been long term empty and unfurnished 10 years and over from 1 April 2021, be approved; and

- (4) properties that fall into the classes set out in Section 3 of Report No: CAB/WS/19/044, will not attract the Long Term Empty Premium for the period(s) detailed.

5. Council Tax Base for Tax Setting Purposes 2020/2021

Approval was sought to set the tax base for 2020/2021 for West Suffolk.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including how the tax base was calculated and how this was applied to the calculation of council tax.

On the motion of Councillor Broughton, seconded by Councillor Joanna Rayner, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That:

- (1) The tax base for 2020/2021, for the whole of West Suffolk is 56,138.14 equivalent Band D dwellings and for each of the predecessor areas is: Forest Heath 18,879.62 and St Edmundsbury 37,258.52, as detailed in paragraph 4.3 of Report No: CAB/WS/19/045; and
- (2) the tax base for 2020/2021 for the different parts of its area, as defined by parish or special expense area boundaries, are as shown in Appendix 2 to Report No: CAB/WS/19/045.

6. West Suffolk Medium Term Financial Strategy 2020-2024

(Note: This report made reference to the West Suffolk Strategic Framework 2020-2024 (Report No: CAB/WS/19/040), which had been deferred earlier in the Cabinet meeting held on 26 November 2019, but this did not impinge on seeking approval for the West Suffolk Medium Term Financial Strategy 2020-2024.)

Approval was sought for the Medium Term Financial Strategy (MTFS) 2020-2024. This was considered in context against the 2020-2021 budget and medium term financial plans 2020-2024 which were currently in development for the formal council tax and budget adoption meeting of the Council in February 2020.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that the MTFS 2020-2024 assessed and evaluated the final resources expected to have and the expenditure in order to deliver the Council's strategic priorities as set out in the Council's West Suffolk Strategic Framework (the 2020-2024 version of which was now due for adoption in January/February 2020).

On the motion of Councillor Broughton, seconded by Councillor John Griffiths, it was put to the vote and with the vote being 56 for the motion, and 2 abstentions, it was

RESOLVED:

That the West Suffolk Medium Term Financial Strategy 2020-2024, contained at Appendix A to Report No: CAB/WS/19/046, as its strategic financial framework from 1 April 2020, be adopted.

7. Exempt: Investing in our Commercial Asset Portfolio

Council noted that this item had not been considered by Cabinet due to the initial proposal contained within the Cabinet report being no longer available for consideration and therefore there was no referral to Council for a decision.

48. **Review of the Political Balance and Appointment to Politically Balanced Bodies (Report No: COU/WS/19/015)**

Council considered this report, which sought approval for the political balance and allocation of seats to politically balanced bodies.

Since the last meeting of Council on 19 September 2019, the Monitoring Officer had received notification that Councillors Frank Warby and David Nettleton had joined the Conservative Group. The Monitoring Officer had also received notification that the remaining Members of the Spectrum Group had joined the Independent Group. This meant that the Spectrum Group ceased to exist and therefore a review of the allocation of seats on committees was required.

In addition, the Council had a vacant seat as a result of the resignation of Councillor Robin Millar following his success in the recent general election (see minute 45. above).

Appendix A set out proposals for the allocation of seats on politically balanced committees, with the proposed allocation of substitute member seats provided in Appendix B. Should approval be given, appointments to the committees would be made by the Monitoring Officer following the meeting, on the nominations of Group Leaders.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council.

On the motion of Councillor Griffiths, seconded by Councillor Ian Shipp, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That:

- (1) the political balance and allocation of seats on committees as set out in Appendix A of Report No: COU/WS/19/015, be agreed;

- (2) the political balance and allocation of substitutes on Committees as per Appendix B of Report No: COU/WS/19/015, be agreed; and
- (3) based on the agreed allocations, it be noted that Group Leaders have up to 14 days in which to notify the Monitoring Officer of their nominations to committee places, on which the Monitoring Officer will appoint Members to Committees.

49. **Any Other Urgent Business**

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

50. **Exclusion of Press and Public**

See minute 51. below.

51. **Exempt Appendix: Referrals Report of Recommendations from Cabinet (para 3)**

(B) Referrals from Cabinet: 26 November 2019

2. Exempt Appendix A: Investing in Housing and Development Sites and Approval of the Barley Homes Business Plan 2019

Exempt Appendix A to the above referral was the Barley Homes Business Plan 2019; however, this had been considered earlier in the agenda in private session (minute 47. above refers).

The meeting concluded at 7.42 pm

Signed by:

Chair
