

Council



Forest Heath
District Council

Minutes of a meeting of the **Council** held on
Wednesday 10 December 2014 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Andy Drummond
Vice Chairman David Bimson

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| Michael Anderson | Michael Jefferys |
| Chris Barker | Carol Lynch |
| Bill Bishop | John McGhee |
| John Bloodworth | Robin Millar |
| David Bowman | Colin Noble |
| Rona Burt | Nigel Roman |
| Simon Cole | Bill Sadler |
| Roger Dicker | Eddie Stewart |
| Stephen Edwards | James Waters |
| Warwick Hirst | Tony Wheble |
| Tim Huggan | |

1. **Apologies for Absence**

Apologies for absence were received from Councillors David Gathercole, Rachel Hood, Geoffrey Jaggard and Tony Simmons.

2. **East of England Charter for Elected Member Development**

The Chairman welcomed Councillor Jim Ranger from East Hertfordshire District Council who presented the Charter for Elected Member Development to Councillor Rona Burt. The Charter was in recognition of the investment and value of both councils collectively. Councillor Ranger was aware of the amount of effort that had been undertaken both from members and officers in achieving this charter. The comments that had been made by the assessor team reflected this hard work and some of the key points made were:

- the councils recognised the value of member development and had given a high level of commitment;
- the Joint Member Development Group had a high profile and high calibre of members;
- the joint learning and development policy had a strong reference to member development;
- the shared culture and ways of working;

- high level of engagement with 67% of Training Needs Analysis being complete;
- councillors embraced e-learning and programmes were developed to reflect the different ways in which members learn.

In response, Councillor Rona Burt expressed her thanks to officers and members who had contributed to this achievement and informed members that the two Councils were the first joint partnership to have gained the charter.

3. **Public Participation**

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

4. **Minutes**

The minutes of the Council meeting held on 8 October 2014 were accepted as an accurate record and signed by the Chairman.

5. **Chairman's announcements and itinerary**

The report was noted.

6. **The Leader's Statement**

The Leader presented his statement to the meeting, as set out in Report No. COU/FH/14/002 and passed on his thanks to all members for their hard work during the year. Members were then given the opportunity to ask the Leader of the Council questions on his statement.

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

RESOLVED:

That the Leader's Statement be received.

7. **Minutes of other meetings**

The minutes of the following Committees were received and items the subject of formal report or proposition are detailed below.

It was moved, duly seconded and unanimously

RESOLVED:

That the minutes of the respective Committees be approved and that authority is hereby given for such action to be taken as necessary to give effect thereto.

(a) **Cabinet - 16 September 2014**

Minute No. 129 - West Suffolk Housing Strategy (Report No. CAB14/163) (Decisions Plan Reference: APR14/01)

The Head of Legal and Democratic Services confirmed that the recommendations listed under this item had been determined by Council on 8 October 2014 (Report No. COU14/691 – Minute No. 166).

(b) Cabinet - 28 October 2014

Minute No. 191 – Regulation of Cosmetic Piercing and Skin Colouring Businesses (Report No. CAB14/171)

The Head of Legal and Democratic Services confirmed that a report would be presented to Council in February 2015.

Minute No. 194 – Proposed Development of 11 Industrial Units: Sam Alper Court, Newmarket (Report No. CAB14/174)

The Head of Legal and Democratic Services requested that Members noted the recommendations listed under this item, as it was subject to a further report later on the agenda (Report No. COU/FH/14/012).

Minute No. 195 – Report from the Anglia Revenues and Benefits Partnership Joint Committee: 11 September 2014 (Report No. CAB14/175)

The Head of Legal and Democratic Services requested that Members noted the recommendations listed under this item, as it was subject to a further report later on the agenda (Report No. COU/FH/14/003).

(c) Overview and Scrutiny Committee - 18 September 2014

There were no items that were the subject of formal report or proposition.

(d) Overview and Scrutiny Committee - 23 October 2014

There were no items that were the subject of formal report or proposition.

(e) Performance and Audit Scrutiny Committee - 25 September 2014

Minute No. 144 – West Suffolk Local Code of Corporate Governance/Annual Governance Statement 2013-2014 (Report No. PAS14/048)

The Head of Legal and Democratic Services requested that Members noted the recommendation for this item would be approved with the minutes.

(f) Development Control Committee - 1 October 2014

There were no items that were the subject of formal report or proposition.

(g) Development Control Committee - 5 November 2014

There were no items that were the subject of formal report or proposition.

(h) Licensing Committee - 10 November 2014

The Chairman confirmed to Members that he would make an announcement at the start of the next Licensing Committee meeting asking all parties to ensure they conduct themselves in a proper manner.

There were no items that were the subject of formal report or proposition.

8. Shared Enforcement Agency - Anglia Revenues Partnership (ARP)

The Cabinet Member for Resources, Governance and Performance presented this report which sought approval for the establishment of an Enforcement Agency. This would ensure that residents were treated fairly, fees were kept as low as possible and any income generated by enforcement actions would be retained by the partner authorities.

In response to questions, the Cabinet Member confirmed that the collection rate was above the level achieved last year even though additional authorities had recently joined the partnership.

It was moved by Councillor Stephen Edwards, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That one of the two Directors, in consultation with the Portfolio Holder for Resources, Governance and Performance, be given delegated authority to introduce a shared Enforcement Agency for the Anglia Revenues Partnership (St Edmundsbury Borough Council, Forest Heath District Council, Fenland District Council, Breckland Council and East Cambridgeshire District Council) Waveney District Council and Suffolk Coastal District Council through discussion via the ARP Operational Improvement Board, as outlined in Appendix A to Report No. CAB14/175 and detailed in the full business case appraisal presented to the Anglia Revenues and Benefits Partnership Joint Committee.

9. Recommendations from the Performance and Audit Scrutiny Committee - 26 November 2014: Delivering a Sustainable Budget 2015-2016 and Budget Consultation Results

The Cabinet Member for Resources, Governance and Performance presented this report which set out the context of the 2015-16 budget process, including a summary of the budget consultation focus group results and the proposed

saving and income generation items for delivering a balanced budget for 2015-16.

The report had been thoroughly scrutinised by the Performance and Audit Scrutiny Committee and by Cabinet. At the start of the process, the budget gap was in the region of £1.1m but this was now down to £72k. A number of focus group meetings had been held with the public, and with town and parish members. The Cabinet Member was confident that the Council would achieve a balanced budget for 2015/2016.

It was moved by Councillor Stephen Edwards, seconded by Councillor Tony Wheble and with the vote being unanimous, it was

RESOLVED:

That, taking into account the public consultation results outlined in Appendix A to Report No. PAS/FH/14/008:-

- (1) the proposals, as detailed in Table 2 at paragraph 1.5.1 of Report No. PAS/FH/14/008 be included; and
- (2) the proposals, as detailed in paragraph 1.5.3 of Report No. PAS/FH/14/008 be removed.

10. **Recommendations from the Performance and Audit Scrutiny Committee - 26 November 2014: Accounting for a single West Suffolk staffing structure and the move to a West Suffolk Cost Sharing Model**

The Cabinet Member for Resources, Governance and Performance presented this report which informed members that the allocation of the single staffing structure between Forest Heath District and St Edmundsbury Borough Councils had been driven by the savings generated from the baseline position in 2012. This method of sharing costs was too cumbersome and a new approach to cost sharing was required which recognised the shared nature of service delivery whilst acknowledging that the councils remain separate legal entities.

The proposed model was to use a split for the majority of costs of 35% to Forest Heath and 65% to St Edmundsbury. A similar method of apportionment had been successfully used by Anglia Revenues Partnership for a number of years. Thorough testing had taken place and it was concluded that this method produced similar results to the current method but was much simpler and less time consuming to calculate.

This report was welcomed by members who agreed that it was a pragmatic way to deal with the issue and a good decision.

It was moved by Councillor Stephen Edwards, seconded by Councillor Tony Wheble and with the vote being unanimous, it was

RESOLVED:

That:-

- (1) As part of the 2015/16 budget setting process and subject to external audit support, the proposed cost sharing model for income and employee costs as detailed in Table 2 and 3 and at paragraph 2.17 of Report No. COU/FH/14/005, be approved; and
- (2) The proposed model, as detailed in Table 2 and 3 and at paragraph 2.17 of Report No. COU/FH/14/005, be reviewed annually as part of the budget setting process with any necessary amendments to the model (in order to secure delivery against the principles set out in paragraph 2.12 of Report No. COU/FH/14/005, be reported through the Performance and Audit Scrutiny Committee in the Autumn.

11. **Local Council Tax Reduction Scheme and Technical Changes 2015/2016**

The Cabinet Member for Resources, Governance and Performance presented this report which provided Members with an overview of the first year review (2013/2014) on the new Local Council Tax Reduction Scheme (LCTRS) and the technical changes on some empty properties and second homes, introduced from 1 April 2013. The report also set out recommendations for members on the 2015/2016 LCTRS and the technical changes from 1 April 2015.

The Cabinet Member explained that this was a cost neutral scheme. The main change proposed for 2015/16 was to charge 100% for second homes.

The Cabinet Member congratulated ARP on achieving nearly 90% collection rate after only one year of the LCTR scheme, whilst the target to achieve this level of collection was after 2 years. He also confirmed that the level of queries was now back to same level as prior to the new scheme being introduced.

In response to questions, the Cabinet Member confirmed that:

- members of the public were informed about the hardship fund on contacting the authority and that the Citizens Advice Bureau were also fully aware of this fund. As yet, no one undergoing the eligible criteria was found to be eligible for the fund;
- ARP had not increased their staffing costs and in fact the contribution made by Forest Heath District Council to ARP was proposed to be £32k less than last year;

It was moved by Councillor Stephen Edwards, seconded by Councillor Eddie Stewart and with the vote being unanimous, it was

RESOLVED:

That:-

- (a) the 1st year review for 2013/2014 be noted;
- (b) no change is made to the current Local Council Tax Reduction Scheme for 2015/2016; and

(c) the 5% second homes discount be removed from 1 April 2015.

12. **Council Tax Base for Tax Setting Purposes 2015/2016**

The Cabinet Member for Resources, Governance and Performance presented this report which set out the basis of the formal calculation for the Council Tax Base for the financial year 2015/2016.

The report confirmed the number of equivalent Band 'D' dwellings for the whole of Forest Heath and the tax base for 2015/16 for the different parts of its area.

It was moved by Councillor Stephen Edwards, seconded by Councillor David Bowman and with and with the vote being unanimous, it

RESOLVED:

That:-

- (1) the tax base for 2015/2016, for the whole of Forest Heath is 16,557.34 equivalent Band 'D' dwellings, as detailed in paragraph 1.4 be approved; and
- (2) the tax base for 2015/2016 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. COU/FH/14/007, be approved.

13. **Constitution Review**

The Cabinet Member for Resources, Governance and Performance presented this report which sought approval of the principles on which to base the drafting of a new constitution.

The next stage would be to draft a constitution based on these principles which would be brought to a Joint Council meeting in March for approval.

Some members raised concerns about the principles contained in 4.3 and 4.4 of Appendix A to Report No. COU/FH/14/008. These principles proposed that Council would receive a 'Referrals Report' which summarised the recommendations from cabinet and other committees; and that members should be limited to one question and one motion on notice.

Councillor Tim Huggan moved an amendment to ensure gender neutrality throughout the constitution. This was seconded by Councillor Michael Jefferys: following a vote, and with three voting for the motion and 20 against, this motion was lost.

Councillor Bill Bishop then moved an amendment to exclude the principles at 4.3 and 4.4 from recommendation (1) (this is shown in **bold** below). This was seconded by Councillor Simon Cole and with the vote being unanimous, it was

RESOLVED:

That:-

- (1) the principles set out in the final column of Appendix A to Report No. COU/FH/14/008, **except at 4.3 and 4.4**, be approved;
- (2) the principles that the constitution be only as long as necessary, and the same for Forest Heath and St Edmundsbury unless differences are essential be approved;
- (3) delegated authority was given to the Monitoring Officer, in consultation with the Joint Constitution Review Group, to draw up a new constitution based on the above principles; and
- (4) delegated authority was given to the Monitoring Officer, in consultation with the Head of Paid Service, to amend the Scheme of Delegation to Officers from time to time to reflect changes in statutory responsibilities, staffing structures and so on, so long as those changes do not materially affect the constitution;
- (5) the new constitution would be brought to a joint meeting of both councils for adoption on a date before 7 May 2015; and
- (6) the Ward Councillor Job Description be approved for distribution to prospective district council candidates.

14. **Polling District Review**

(Councillors Simon Cole and Robin Millar left before the consideration of this item.)

The Cabinet Member for Resources, Governance and Performance presented this report which sought approval of the Schedule of Polling Districts.

The Electoral Services Manager confirmed that no responses requiring changes had been received from the consultation process. In response to questions he confirmed that:-

- the Catholic Church was currently designated as the polling station for Great Heath Part 2. The Community Centre in St John's Close would be inspected once it had been re-built to determine its suitability for use as a polling station;
- each parish should be a separate polling district, unless there are special circumstances and a polling place within each polling district must be designated. Although an elector may reside closer to a polling station in a neighbouring parish, they would only be able to vote in their own polling district;
- the Old School House in Brandon was the designated polling place for Brandon East Parts 1 and 2 with two polling stations, each being located in a different room within the building;
- the Pavilion had been used as the polling station for Tuddenham St Mary since the village hall had closed. If an alternative venue was found, this would be reviewed.

It was moved by Councillor Stephen Edwards, seconded by Councillor Tony Wheble and with the vote being unanimous, it was

RESOLVED:

That the Schedule of Polling Districts as set out in Appendix B to Report No. COU/FH/14/009 be approved.

15. **Appointment of Temporary members of Icklingham Parish Council**

The Solicitor to the Councils presented this report which sought to appoint two members to Icklingham Parish Council. At the time of writing the report, it was understood that due to resignations, the Parish Council were inquorate and unable to undertake business. However, it had recently been confirmed that the resignations had not been official and that, currently, the Council was not inquorate.

Therefore, with the consent of Portfolio Holder, it was suggested that the recommendation be amended so that, only when confirmation was received that Icklingham Parish Council were inquorate, would the council make such an order. (The amendment is shown in **bold** below)

It was moved by Councillor Stephen Edwards, seconded by Councillor David Bowman and with and with the vote being unanimous, it was

RESOLVED:

That, **subject to clarification that Icklingham Parish Council is inquorate**, an order be made to appoint Councillors Bill Sadler and Colin Noble as Parish Councillors of Icklingham Parish Council under the terms of Section 91 Local Government Act 1972.

16. **Developing a Community Energy Plan**

The Cabinet Member for Resources, Governance and Performance presented this report which put forward investment proposals to develop a Community Energy Plan based on an appraisal of options for renewable energy generation. Appendix A to Report No. COU/FH/14/011 provided an outline of the 8 options that had been considered

It was moved by Councillor Stephen Edwards, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That

- (1) the development of a West Suffolk Community Energy Plan, be supported;
- (2) appraisal of other energy-related options set out in the report with a view to receiving further investment proposals, be supported;

- (3) the following be allocated:
- (a) £15,000 to continue the West Suffolk Greener Business Grant in support of energy efficiency improvements, as outlined in paragraphs 1.1.4 and 1.1.5 of Report No. COU/FH/14/011;
 - (b) £500,000 to improve business resource efficiency and install the next phase of solar schemes on Council property (Option 1), as outlined in Appendix A to Report No. COU/FH/14/011;
 - (c) as part of the 2015/2016 budget setting process, £1.62 million over three years to develop rent-a-roof solar schemes in partnership with local businesses (Option 3), as outlined in Appendix A to Report No. COU/FH/14/011; and
 - (d) as part of the 2015/2016 budget setting process, £50,000 to cover the identification, detailed feasibility and associated community engagement activities in support of potential sites for larger scale solar and renewable energy generation technologies (Options 5 and 8) where supported and/or led by communities in the District, as outlined in paragraph 1.3.5 to Report No. COU/FH/14/011.

17. Proposed Development of 11 Industrial Units: Sam Alper Court, Newmarket

The Cabinet Member for Resources, Governance and Performance presented this report which sought an 'in principle' approval of the release of capital funding in the region of £1.67million for the construction of circa 11 new industrial units at Sam Alper Court.

The land in question was owned by the council and the existing 6 industrial units were currently all occupied. The demand for units in Newmarket was deemed to be strong and it was considered that the new units would be easy to let with an estimated rate of return likely to exceed 9%.

It was moved by Councillor Stephen Edwards, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That:-

- (1) the business case outlining the proposed development at Sam Alper Court, Newmarket, as detailed in Appendix A to Report No. COU/FH/14/012 (exempt) be approved; and
- (2) £1.67m is allocated from capital reserves to fund the construction of industrial units.

18. Exclusion of press and public

Refer to minute no. 21.

19. **Exempt Appendix: Proposed Development of 11 Industrial Units: Sam Alper Court, Newmarket**

The council considered Exempt Appendix A to Report No. COU/FH/14/012 (previously circulated), however no reference was made to specific detail and therefore this item was not held in private session.

The Meeting concluded at 7.38 pm

Signed by:

Chairman
