

MID SUFFOLK DISTRICT COUNCIL

Minutes of the Council meeting of the **MID SUFFOLK DISTRICT COUNCIL** held at the Council Offices, Needham Market on 29 June 2016 at 5:30pm.

PRESENT:

Councillors:	Roy Barker	Anne Killett
	Gerard Brewster	John Levantis
	David Burn	Sarah Mansel
	James Caston	Wendy Marchant
	Rachel Eburne	John Matthissen
	Paul Ekpenyong	Lesley Mayes
	John Field	Suzie Morley
	Charles Flatman	Dave Muller
	Julie Flatman	Mike Norris
	Jessica Fleming	Derek Osborne
	Elizabeth Gibson-Harries	Penny Otton
	Nick Gowrley	Timothy Passmore
	Gary Green	Jane Storey
	Lavinia Hadingham	Andrew Stringer
	Derrick Haley	Keith Welham
	Matthew Hicks	Kevin Welsby
	Glen Horn	John Whitehead
	Barry Humphreys MBE	David Whybrow
	Esther Jewson	Jill Wilshaw
	Diana Kearsley	

In attendance:

Chief Executive
Deputy Chief Executive
Strategic Director (ME)
Interim Head of Democratic Services
Interim Assistant Director - Law and Governance and Monitoring Officer
Assistant Director (Corporate Resources)
Governance Support Officer (VL/KD)

Note: The Chairman explained the rules and procedures for the Council, members of the public and the press to record/film/photograph or broadcast the meeting when the public and press are not lawfully excluded.

The Chairman welcomed Councillor Anne Killett, newly elected Member for the Barking and Somersham Ward, to her first meeting of the Council.

A minute silence was held in memory of Jo Cox, MP for Batley and Spenningsdale Constituency.

CL39 PUBLIC PARTICIPATION SESSION

No requests had been received.

CL40 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors James Caston, Kathie Guthrie and Timothy Passmore.

CL41 DECLARATIONS OF INTEREST

None received.

CL42 MINUTES OF THE MEETING HELD ON 28 APRIL 2016

Report C/34/16

The minutes of the meeting held 28 April 2016 were confirmed as a correct record, subject to the following amendment to:

- Minute CL07- Page 7 – first paragraph, first sentence: “Councillor Derrick Haley addressed the *Council* and said that it had been a great privilege to be Leader of Mid Suffolk District Council.”

By a majority vote

RESOLUTION

That the minutes of the meeting held on 28 April 2016 be confirmed as a correct record

CL43 CHAIRMAN’S ANNOUNCEMENTS

Report C/35/16

The report was received.

It was noted that the Chairman description in the report was incorrect. Elizabeth Gibson-Harries is Chairman of Council.

The Leader of the Council addressed Members and spoke on the Suffolk Armed Forces Day that took place on Saturday 25 June 2016. He advised Members that it had been a very well attended and successful day, and thanked Members and Staff for their hard work and efforts. Particular thanks went to Councillor Gerard Brewster, Sarah Carter, John Buckingham and Tammy Denny.

CL44 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL’S PETITION PROCEDURE

A petition had been received regarding the potential further expansion of the Aspall Cyder business at Aspall Hall and connected planning applications.

In accordance with the Petition Scheme the petition had been dealt with as a Consultation Petition lodged in response to invitations for representations in connection with planning application 1990/16 and an associated application 1991/16 for listed building consent.

Notification of the petition was received at Development Control Committee A on 22 June 2016.

The petition had been taken into account in the consideration of applications 1990/16 and 1991/16 by the authorised officer acting under delegated powers. Regard was had to the issues raised regarding the further expansion of the Aspalls Cyder business and the officers assessment detailed the evaluation of this and other considerations.

Officers would give consideration to the appropriate publicity and consultation to be undertaken in relation to future applications as Aspalls Cyder Ltd on a proportionate case by case basis.

CL45 RECOMMENDATIONS FROM COMMITTEE

(a) Joint Annual Treasury Management Report – 2015/16

Report C/36/16

Assistant Director – Corporate Resources

Report C/36/16 set out the information previously considered by the Joint Audit and Standards Committee in Report JAC82 on 20 June 2016.

Members questioned the Assistant Director – Corporate Resources on the impact of the results of the recent EU Referendum, in particular on the Country's credit rating, in relation to the Council's investments. She advised that daily updates and advice from Arlingclose (Independent Treasury Management Advisor) were being received, and there had been no immediate impact on the Council's status.

Councillor Rachel Eburne asked if the matter of the potential impact from the EU Referendum and potential General Election in October or November could be considered at a Joint Audit and Standards Committee.

By a unanimous vote

RESOLUTION

*That the Treasury Management activity for the year 2015/16 be noted.
Further, that it be noted that performance was in line with the Prudential Indicators set for 2015/16.*

CL46 QUESTIONS FROM THE PUBLIC

There were no questions from the public.

CL47 QUESTIONS FROM MEMBERS

The following question was received from Councillor Penny Otton, in accordance with Council Procedure Rule No 16 and with prior due notice given:

“The contract awarded by Suffolk County Council to the Bury St Edmunds Volunteer Centre, to provide community transport for the Mid Suffolk area includes that they will not accept the National Bus Pass.

This is at odds with Mid Suffolk’s policy on equality and the following strategic priorities;

Community Capacity Building and Engagement, Continued Support for Health and Well Being, Further Develop Local Economy and Market Towns to Thrive.

At the Mid Suffolk Budget Meeting, the Administration voted down my amendment to use Transformation Funds to support community transport.

Will you make EFFORTS TO GET Suffolk County Council to amend this contract and if that is not possible, provide financial support to rectify this ridiculous situation?”

Councillor Nick Gowrley provided a response to Councillor Otton’s question, as follows:

“I have asked Officers to explore the likely impact of the changes on our local communities and to assess whether Mid Suffolk District Council could or should intervene to provide support. I am grateful for the question and will get back to Councillor Otton, when I have the advice from Officers.”

CL48 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND JOINT COMMITTEES

Report C/37/16

Interim Head of Democratic Services

In accordance with the provisions of the Local Government and Housing Act 1989, the Council at its meeting on 28 April 2016 agreed to the sizes and numerical allocation of seats to the various groups and to the composition of Committees. Following the by-election for the Barking and Somersham Ward on Thursday 2 June it had been necessary to revise the composition of the Committees and Joint Committees.

Councillor Penny Otton advised that Councillor John Field was to be removed from Joint Scrutiny and Mid Suffolk Scrutiny Committees and would be replaced by Councillor Wendy Marchant.

By a unanimous vote

RESOLUTION 1

That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to the report

RESOLUTION 2

That Committee seats be allocated as set out in Appendix 2 to the report, with the amendment that Councillor John Field be removed from Mid Suffolk Scrutiny and Joint Scrutiny Committees and replaced by Councillor Wendy Marchant.

CL49 APPOINTMENT OF MEMBERS TO JOINT GROUPS OUTSIDE LOCAL GOVERNMENT ACT 1972

Report C/38/16

Interim Head of Democratic Services

The Interim Head of Democratic Services advised Members that there was a discrepancy within the calculations in the report, based on this she advised that she would withdraw the report, make the required corrections and bring the report back to Council in July.

CL50 DEVOLUTION FOR NORFOLK AND SUFFOLK

Report C/39/16

Chief Executive

Prior to the introduction of the report, the Chairman of the Council advised Members that she had received advice regarding amendments to this report, as follows:

“All authorities in Norfolk and Suffolk have now published their reports, and all Council meetings are taking place this week.

The short window available for Council meetings, which had to take place after the EU Referendum and before the public consultation deadline of 4 July, means that it will not be possible to make individual amendments to the Deal Document of the Scheme (other than minor amendments of a typographical or correcting nature) at the Council meetings.

That is not to rule out other amendments to the Recommendations which will be considered in line with our Constitution.”

The report set out Norfolk and Suffolk's ambition for and approach to devolution based on the East Anglia Devolution Deal announced by the Chancellor in the Budget on 16 March 2016. It built on Government's commitment to enhance local autonomy through devolution, reflected in the *Cities and Local Government Devolution Act*.

It also provided a unique opportunity to access funding for the two counties, now and in the future, in an era of diminishing core funding for local authorities. Those areas entering into Devolution Agreements were being given further opportunities to secure funds for economic growth, e.g. Greater Manchester, who were on their fourth Devolution Agreement with Government.

In light of the opportunity outlined above, this report asked Full Council to endorse the Norfolk and Suffolk Devolution Agreement (Appendix A), support the Governance Review (Appendix B) and agree to publish a Scheme of Governance (Appendix C) for public consultation.

Councillor Nick Gowrley made Members aware that paragraph 12 of Appendix A, page 74, was no longer valid due to the recent EU Referendum result, and as such a corrective change would be made to remove this. He urged Members to seize the opportunity to approve the Recommendations in order that the Devolution Deal for Norfolk and Suffolk could be further progressed.

Members debated the report at length and while they agreed in principle, there was some concern that not enough detail had been provided at this stage, and that public consultation had been inadequate. Some Members felt that Devolution seemed to add a further, unnecessary level of Local Government, and was focused more on growth, than health, wellbeing and the environment. Other Members felt that Devolution would allow for greater decision making powers for Local Authorities and allow the economy of Suffolk and Norfolk to grow.

Members praised all Officers and Councillors for their efforts and hard work in producing this piece of work.

By 26 votes to 7 with 4 abstentions

RESOLUTION 1

That the Authority endorses the signing of the Norfolk and Suffolk Devolution Agreement by the Leader

RESOLUTION 2

That, on the basis of the Governance Review, and having regard to any impact on equalities explored in the Equalities Impact Assessment (EqIA) at Appendix D, the Authority concludes that the establishment of a Mayoral Combined Authority for Norfolk and Suffolk is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to this area

RESOLUTION 3

That the Authority endorses and supports the publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority as at Appendix C to this report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive in consultation with the Leader, and prior to the commencement of the formal consultation exercise. Such formal consultation, on the Scheme, to commence once all Norfolk and Suffolk Councils have considered the matters in this report and, in any event, no later than the 4 July 2016. In the event that a Constituent Authority named in the attached Scheme does not agree to endorse the Deal Agreement and/or the Scheme, the Authority authorises, through its Chief Executive, the relevant/any necessary changes to be made to the Deal Agreement, the

Scheme and the Governance Review to reflect that Authority's non-participation.

CL51 CONSTITUTIONAL UPDATE – PHASE 1

Report C/40/16

**Interim Assistant Director Law and
Governance and Monitoring Officer**

The report provided the Council with an update on the progress being made with regard to updating the Council's Constitution, which also forms part of the on-going Strengthening Governance review.

The Interim Assistant Director Law and Governance and Monitoring Officer addressed Members and advised that the Constitution attached as Appendix A had been made website friendly and allowed for links to be placed in the document that would allow readers to quickly access related items, such as Protocols, Charters etc. It was noted that Group Leaders had been asked to circulate the document with tracked changes and comments received had been incorporated into this draft.

She advised that the second phase of the Constitution Review would check for any duplications would will further align the Babergh District Council and Mid Suffolk District Council Constitutions.

Members asked the Interim Assistant Director Law and Governance and Monitoring Officer if she could check if 'Stop Now Notices' were still in use, she confirmed that she would look into this and advise outside the meeting. She further confirmed that the document would be quality checked for any typographical errors before it was placed in the public domain.

By a unanimous vote

RESOLUTION

That the Constitution attached at Appendix A to the report be adopted.

CL52 RECRUITMENT OF THE NEW JOINT CHIEF EXECUTIVE

Report C/41/16

Assistant Director (Corporate Resources)

The report outlined the process and timetable that was being used to recruit the new Joint Chief Executive and sought approval to set up a cross-party Task and Finish group to oversee the process and make recommendation to Council to appoint the successful candidate.

It was noted that the Recommendation should be for a Joint Task and Finish Group.

By a unanimous vote.

RESOLUTION

That a Joint Task and Finish group is established to work with officers to select and make recommendation to Council on the recruitment of a new Joint Chief Executive in accordance with the details set out in Appendix A

CL53 AMENDED PAY POLICY STATEMENT FOR 2016/17

**Report C/42/16
Resources)**

Assistant Director (Corporate

The Pay Policy Statement for 2016/17 was approved by Council in February 2016. Amendments to this Policy were required in view of a change to the Chief Executive salary range, in advance of the recruitment of a new Joint Chief Executive, the introduction of a Deputy Chief Executive post and some other minor changes as outlined in paragraph 10.5.

Members debated the report and requested further information on pension contributions by the Council.

The Assistant Director – Corporate Resources advised that she would look into this and provide the requested information outside the meeting.

By a unanimous vote

RESOLUTION

That the amended Pay Policy Statement for 2016/17, as attached at Appendix A, is approved

CL54 CONSTITUTIONAL UPDATE REVIEW – PHASE 2

Report C/43/16

**Interim Assistant Director of Law and
Governance
and Monitoring Officer**

The report provided the Council with an update on progress being made with regard to updating the Council's Constitution, which also formed part of the on-going Strengthening Governance review.

The Interim Assistant Director of Law and Governance and Monitoring Officer advised Members that the report was to seek delegation to make draft changes to the Constitution, as agreed with the Joint Task and Finish Group. The amended version would then be brought back to Council for Members to approve.

By 36 votes with 1 abstention

RESOLUTION 1

That the Constitution be updated as set out in this report and the changes to be carried out be delegated to the Monitoring Officer

RESOLUTION 2

That on completion of the proposed changes the Monitoring Officer to report back to Council with a revised Constitution for further approval

CL55 LEADER (AND ASSETS AND INVESTMENTS PORTFOLIO)

Report C/44/16

Councillor Nick Gowrley

The report was received.

Members requested information regarding how many families were on the Housing Register. Councillor Nick Gowrley said he would investigate this and advise outside of the meeting.

CL56 EXECUTIVE COMMITTEE FORWARD PLAN

Report C/45/16

The report was received.

Councillor Paul Ekpenyong asked that when investing in property the Council ensure that those providing the housing are aware that a communication utility was required.

CL57 BUSINESS GROWTH AND INCREASED PRODUCTIVITY PORTFOLIO

Report C/46/16

Councillor Gerard Brewster

The report was received.

Councillor Andrew Stringer asked if there had been any progress with regard to the Morrisons, Stowmarket site and whether the Council could consider a Business Rates 'holiday' to encourage businesses. Councillor Brewster replied that this could be considered in the future.

Councillor Penny Otton asked if the Council could acknowledge applications when received. Councillor Brewster replied that this would be done but there would be a delay in considering whether sites were strategically placed and acceptable.

Note: Amendment to paragraph 3; should be July and not June.

CL58 ENVIRONMENT PORTFOLIO

Report C/47/16

Councillor David Burn

The report was received.

Councillor Wendy Marchant expressed concern that the Environment Programme Steering Board had not met for some time.

Councillor Nick Gowrley advised that Programme Steering Boards were being examined under the Governance Review and a report with this detail would be brought to Council.

CL59 COMMUNITY CAPACITY BUILDING AND ENGAGEMENT PORTFOLIO

Report C/48/16

Councillor Julie Flatman

The report was received.

Councillors expressed their concern on the following matters:

- Not all residents had received leaflets regarding the Community Engagement Campaign.
- Invitations to Crucial Crew had arrived at short notice.

Councillor Julie Flatman advised that she would look into this and report outside the meeting.

Councillor Keith Welham asked that leaflets be delivered to residents of Stowupland before the consultation event to be held in three weeks' time. Councillor Julie Flatman confirmed she would raise this with Officers to ensure leaflets were delivered.

CL60 ENABLED AND EFFICIENT ORGANISATION / FINANCE PORTFOLIO

Report C/49/16

Councillor Glen Horn / Councillor John Whitehead

The report was received.

CL61 HOUSING DEVELOPMENT PORTFOLIO

Report C/50/16

Councillor John Levantis

The report was received.

CL61 JOINT SCRUTINY COMMITTEE

Report C/51/16

Councillor Rachel Eburne (Joint Chair)

The report was received.

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Chairman