

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH COUNCIL** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Tuesday, 22 March 2022

### **PRESENT:**

Councillor: Adrian Osborne (Chair)

Councillors:	Clive Arthey	Susan Ayres
	Melanie Barrett	Simon Barrett
	Peter Beer	Sue Carpendale
	Trevor Cresswell	Derek Davis
	Siân Dawson	Mick Fraser
	Richard Hardacre	John Hinton
	Michael Holt	Bryn Hurren
	Leigh Jamieson	Robert Lindsay
	Alastair McCraw	Mary McLaren
	Mark Newman	Zachary Norman
	John Nunn	Jan Osborne
	Alison Owen	Lee Parker
	Stephen Plumb	John Ward

### **In attendance:**

Officers: Chief Executive (AC)  
Strategic Director (KN)  
Monitoring Officer (EY)  
Corporate Manager – Governance & Civic Office (JR)  
Assistant Director – Corporate Resources (KS)  
Corporate Manager – Finance, Commissioning & Procurement (ME)  
Corporate Manager – Elections & Land Charges (EM)  
Head of HR & OD (SH)

Guests: Steve Davies – Employer Services London Councils

### **Apologies:**

David Busby  
Jane Gould  
Kathryn Grandon (Vice-Chair)  
Elisabeth Malvisi  
Margaret Maybury

## **95 DECLARATION OF INTERESTS BY COUNCILLORS**

95.1 There were no declarations of interests by Councillors.

**96 BC/21/34 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2022**

**It was RESOLVED:-**

**That the Minutes of the meeting held on 21 February 2022 be confirmed and signed as a true record.**

**97 BC/21/35 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER**

97.1 The Chair referred Councillors to paper BC/21/35 and reminded Councillors about his charity dinner being held at Hintlesham Hall on 13<sup>th</sup> May 2022.

97.2 Councillor Ward made the following announcements:

**Covid**

The Leader was pleased to say he didn't have much to report about Covid: although infection rates were very high, it did seem to be much less of a threat now that there were effective vaccinations and therapies, and he hoped that everyone could look forward to a better year – and see more of everyone working back in Endeavour House.

**Ukraine**

The Leader did not say too much about the terrible events in Ukraine as there was a motion to debate later. However, Councillor Ward stated that our council would do everything it could to support the Homes for Ukraine scheme in line with the guidance provided by the DLUHC. It was essential that this scheme was a success and that we could house as many refugees as possible. Councillor Ward said the Council would continue to support our residents and communities so that they can offer those fleeing the Russian atrocities the warmest welcome to the UK.

**Peer Challenge**

The Leader reported that the LGA peer review team had visited last week. The Leader thanked those who had participated in the focus groups for giving up their time and he hoped they had found the sessions worthwhile. The reviewers spoke to over 200 people – members, officers and external partners – which gave them plenty of material for their task. They felt that everyone really engaged with the process and they particularly enjoyed their visits to Sudbury and Stowmarket. The feedback the Council had got so far overall was positive but, as expected, there were things that needed to be focussed on that needed improving. Members have been sent the presentation with the initial findings and recommendations and a full report will be published soon.

## **DCN Mini-Conference**

The Leader had attended the spring DCN Mini-conference in London. It was well-supported by representatives from around the country as well as senior government and opposition MPs. It was good catching up again with colleagues on a lovely Spring day.

Stuart Andrew, the new minister for Housing, gave an update on what we can expect from DLUHC. He said that we could expect announcements soon about the Local Plan process, expanding the availability of planning resources and skills, and enhanced CPO powers. He tackled some probing questions about housing targets and local need; permitted development rights; empowering councils to build, particularly to deliver affordable and social housing; financing to invest in infrastructure ahead of CIL receipts; use of RTB receipts; and problems with PINS.

There was also an excellent panel discussion about revitalising high streets. This addressed a number of themes, including the lack of enough public funding, the need to include private partners and therefore the need for robust business cases. We also heard that some councils had made good use of section 215 notices to protect assets at risk where the condition is harmful to the area and to tidy up land and buildings.

It was good to hear from others and to know that we are all, irrespective of political control, facing the same challenges and looking for the same solutions.

### **98 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

98.1 There were no petitions received.

### **99 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

99.1 None received.

### **100 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

100.1 None received.

### **101 BC/21/36 OVERVIEW AND SCRUTINY COMMITTEE REPORT**

101.1 Councillor McLaren referred Councillors to paper BC/21/36 and requested that any questions were sent to her by email.

### **102 BC/21/37 REVIEW OF THE GOVERNANCE MODEL OPERATED BY BABERGH DISTRICT COUNCIL**

102.1 The Monitoring Officer Introduced paper BC/21/37 which explored the advantages and disadvantages of different governance models and summarised the key points investigated by the Constitution Working Group.

- 102.2 Councillor Ward **MOVED** recommendation 3.1a as this would allow some of the recommended changes to be implemented and allow the next council in 2023 to make a final decision based on how those changes have worked in practice.
- 102.3 Recommendation 3.1a was **SECONDED** by Councillor Arthey.
- 102.4 Councillor Beer enquired who was on the Constitution Working Group and when where they appointed.
- 102.5 The Monitoring Officer replied that Councillors Plumb, Busby, Jamieson, McLaren and Malvisi had been appointed to the working Group and the appointments had been made by full Council at the last Annual Council meeting.
- 102.6 Councillor Hinton asked the Monitoring Officer how many questions had been received in advance before the meeting as requested.
- 102.7 The Monitoring Officer explained the reason for asking for questions to be sent to her by email before the meeting and reported that no questions had been received.
- 102.8 Councillor Hinton asked for clarification of the timing of implementing a changed governance system and if it was a statutory requirement for the implementation to be made at the Annual Council meeting.
- 102.9 The Monitoring Officer replied that it was a statutory requirement that any change to the governance model would come into effect at the Annual Council meeting, therefore if a decision to change the governance model was made at this meeting it could be implemented at the Annual Council meeting in 2022, if the decision was made not to change the governance model the next opportunity would be May 2023.
- 102.10 Councillor Hardacre questioned if the Cabinet members had an interest in this item as they received an allowance and therefore should not vote.
- 102.11 The Monitoring Officer replied that all councillors are granted a dispensation to allow them to participate in discussions about governance models or allowances.
- 102.12 Councillor Lindsay stated that he would prefer the committee system and gave examples in his opinion why the Cabinet model has not worked.
- 102.13 Councillor Hinton drew councillors' attention to paragraph 4.15 of the report which in his opinion outlined one of the problems with the existing Cabinet governance system as ordinary councillors feel left out of the decision making process.

- 102.14 Councillor Melanie Barrett stated that the number of councillors had reduced since the Council last had a committee system and there may be a problem filling all committee placings and changing to a committee system would not address councillors feeling excluded.
- 102.15 Councillor Davis gave his experiences of being a member of various Cabinets.
- 102.16 Councillor Beer stated that Cabinet were removed from councillors and the general public and summarised issues which had made councillors feel disconnected.
- 102.17 Councillor McCraw stated that a decision should not be made that committed the next Council to a particular governance model.
- 102.18 Councillor Parker gave his opinion that a Cabinet system worked well with a political majority, but a committee system was a better system overall, however he felt that it was not for this Council to determine the next Councils governance model.
- 102.19 Councillor Ward stated that he was happy with the current membership of the Cabinet and additional members had been added for specific reasons.
- 102.20 Councillor Beer left the meeting before the vote at 18.15pm and Councillor Newman left the meeting after the vote at 18.17pm

**It was RESOLVED:**

**That the Leader and Cabinet model of governance be retained, and additional measures implemented to engage with all members of Babergh District Council, and that a further review of governance arrangements be undertaken after the ordinary elections in 2023.**

**103 BC/21/38 NEW CODE OF CONDUCT FOR COUNCILLORS**

- 103.1 The Monitoring Officer introduced paper BC/21/38 and summarised key points within the report.
- 103.2 Councillor Parker asked to what extent the disclosure rules for non-pecuniary interests differed from the existing code of conduct.
- 103.3 The Monitoring Officer replied that the current system of pecuniary and non-pecuniary interests was based on wording in the Localism Act 2011. The recommendations by the Committee for Standards in Public life were that there should be an additional category of interests which would cover interest such as trustees, directorships, management positions on outside bodies and charitable groups. Information was available in the guidance document provided but training would be delivered to members in the near future.

- 103.4 Councillor Dawson asked for clarity on the Code of Conduct and when it applied to members external roles and sought confirmation that treating fellow councillors with respect included a member's role or subsequent employment outside of immediate council business but where council business was potentially influencing it.
- 103.5 The Monitoring Officer replied that a councillor had to be acting in an official capacity to be captured by the Code of Conduct. The new Code of Conduct differed slightly as it changed the emphasis in terms of making it clear to an ordinary person that a councillor was making a comment in an official capacity or because of knowledge that the councillor may have gained through their role as a councillor. This will now be treated as acting in their official capacity and will fall under the Code of Conduct.
- 103.6 Councillor McLaren enquired what the Council or councillors could do to enable and empower parish and town councils regarding the new Code of Conduct.
- 103.7 The Monitoring Officer replied that the Suffolk Monitoring Officers were working with SALC to provide a training package in a variety of ways.
- 103.8 Councillor Arthey asked if there was clarity with regards to being a Freemason and whether this should be declared under the new Code of Conduct.
- 103.9 The Monitoring Officer replied that there was no requirement for councillors to declare membership of freemason societies, however officers of the Council did have to declare this.
- 103.10 On the proposal of Councillor Hurren and seconded by Councillor McCraw,

**It was RESOLVED:**

**That the Local Government Association Model Code of Conduct be adopted as the Local Code of Conduct for Councillors for Babergh District Council with effect from the Annual Council meeting in May 2022.**

#### **104 BC/21/39 COMMUNITY GOVERNANCE REVIEW**

- 104.1 Councillor Ward introduced paper BC/21/39.
- 104.2 Councillor Hinton asked for clarification of which boundaries were being reviewed.
- 104.3 The Corporate Manager for Electoral Services and Land Charges replied that this review was for all local government parish and town structures and technically boundaries could be changed or merged.
- 104.4 Councillor Lindsay enquired why the review was being requested at this time.

- 104.5 The Corporate Manager for Electoral Services and Land Charges replied that it was an outstanding review and it was hoped that any changes could be implemented before the elections in May 2023.
- 104.6 Councillor Holt asked if it was possible that parishes could be lost.
- 104.7 In response, the Corporate Manager for Electoral Services and Land Charges informed Council that this was a possibility but only within district boundaries.
- 104.8 Councillor McCraw stated that civil parishes and ecclesiastical parishes may have different boundaries.
- 104.9 The Corporate Manager for Electoral Services and Land Charges confirmed that this review was looking at civil parish boundaries.
- 104.10 Councillor Hinton enquired which parishes had requested a review.
- 104.11 In response, the Chief Executive stated that the Council was obliged to carry out a review and as it was overdue, it needed to be carried out regardless of any requests made by parishes.
- 104.12 Councillor Hurren speculated whether parishes would be clear on what was being reviewed.
- 104.13 In response, the Corporate Manager for Electoral Services and Land Charges informed councillors that the Elections Team would be writing to all parishes explaining the review and inviting any suggestions for changes.
- 104.14 On the proposal of Councillor Ward and seconded by Councillor Jan Osborne,

**It was RESOLVED:**

- 1.1 That a Community Governance Review be undertaken and the terms of reference at appendix A of the report be agreed.**
- 1.2 That the Community Governance Review Working Group be tasked with conducting the review.**
- 1.3 That the Community Governance Review Working Group be required to report its findings and recommendations to the full Council for decision.**

**105 BC/21/40 DESIGNATION OF THE SECTION 151 OFFICER ROLE**

- 105.1 The Chief Executive introduced paper BC/21/40.
- 105.2 On the proposal of Councillor Simon Barrett and seconded by Councillor Ward,

**It was RESOLVED:**

**That, having been appointed as the Assistant Director for Resources, Melissa Evans be designated to the statutory role of 'Section 151 Officer' for Babergh and Mid Suffolk District Councils.**

**106 BC/21/41 PAY POLICY REPORT**

- 106.1 The Chief Executive introduced paper BC/21/41 and summarised the recommendations in the report.
- 106.2 Councillor Ward **MOVED** the recommendations in the report and stated that all 27 issues raised had been addressed within the report. Councillor Jamieson **SECONDED** the recommendations.
- 106.3 Councillor M Barrett asked for clarification on performance targets and whether they needed to be met or exceeded.
- 106.4 The Chief Executive replied that this was still to be decided and he welcomed councillor input.
- 106.5 Councillor M Barrett asked if the need to be mindful that public money was being spent was addressed in the report.
- 106.6 The Chief Executive stated that it was not directly addressed in the report but everything that the Council did was mindful of the public money being spent.
- 106.7 Councillor M Barrett asked if any thought had been given to the potential cost as a result of the commitment to review all staff pay.
- 106.8 The Chief Executive stated that he anticipated that the pay review for all staff would not be carried out in house and would result in number of options for Council's consideration.
- 106.9 Councillor McLaren asked if an increase in pay would mean an increase in responsibilities and if there were any corporate competencies.
- 106.10 The Chief Executive replied that there were values and behaviours, but these were not static.
- 106.11 Councillor Fraser asked how the recommended increases compared with other sectors in public service.
- 106.12 The Chief Executive stated that local government was not the civil service and the roles were not comparable.
- 106.13 Councillor M Barrett began the debate by stating that she felt the proposals were excessive and asked if the Council could afford them.



- 106.14 Councillor McCraw disagreed that the proposals were excessive and stated that employing interims would be more expensive.
- 106.15 Councillor Hinton stated that the review for all staff should not be dependent on agreeing the increases for SLT and suggested that recruitment should be widened so not to encourage poaching from neighbouring authorities.
- 106.16 Councillor Davis stated that there was a need to be realistic and promotion for existing staff should be encouraged.
- 106.17 Councillor Holt stated that there were affordability questions and suggested a cap be introduced.
- 106.18 Councillor Jamieson said that the Council should not be in the position where the senior leadership team salaries had not been reviewed for 11 years.

**It was RESOLVED:**

- 1.1 That the salary for the Assistant Directors should be set at £78,000 to £90,000 with a scale of 5 points (£78,000, £81,000, £84,000, £87,000, and £90,000)
- 1.2 That the salary for the Strategic Director should be set at £100,000 to £120,000 with a scale of 5 points (£100,000, £105,000, £110,000, £115,000 and £120,000)
- 1.3 That the Head of Paid Service be asked to review again the job titles 'Assistant Director' and 'Strategic Director' to determine whether these should be amended to more modern titles that better reflect the nature of the roles, and in line with job titles adopted by other Councils for similar roles.
- 1.4 That, subject to approval of recommendations 1.1 and 1.2, it be noted that the Head of Paid Service will commission a review of pay across the whole workforce, as set out in paragraph 5.3; to be completed before 31 March 2023.
- 1.5 That it be noted, in line with paragraph 5.4, that the Head of Paid Service will commission a review of the pay progression policy for SLT during 2022.
- 1.6 That the Pay Policy Statement (Appendix C) be approved subject to any consequential amendments arising from the consideration of recommendations 1.1 to 1.3 being incorporated.
- 1.7 Although the Council's Pay Policy Statement is already reviewed on an annual basis it is recommended that SLT's pay scales be reviewed in detail at least every 4 years.

**107 BC/21/42 DECISIONS TAKEN BY THE CHIEF EXECUTIVE UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 2 OF THE CONSTITUTION**

- 107.1 The Monitoring Officer introduced paper BC/21/42 and summarised the decisions taken by the Chief Executive under delegated powers.

**It was RESOLVED:**

**That Council notes the decisions taken under delegated powers by the Chief Executive as detailed in Appendix A of the report.**

**108 COUNCILLOR APPOINTMENTS**

108.1 There were no Councillor appointments.

**109 MOTIONS ON NOTICE**

**109a TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR WARD**

109a.1 Councillor Ward **MOVED** the motion which was **SECONDED** by Councillor Norman.

109a.2 Councillor Hinton asked for clarification on single occupancy homes and asked if residents would lose their council tax discount if they were to offer refuge for Ukrainians.

109a.3 The Chief Executive stated that he would take it that it was the wish of the council that no council tax discount would be affected if residents were to offer assistance to Ukrainian refugees.

109a.4 Councillor Davis asked if pressure could be put on Government to speed processes up.

109a.5 Councillor Ward replied that the message was being made clear to Government and he understood the frustration that details on how to help were not clear.

109a.6 Councillor McCraw asked for any information received to be communicated to all Councillors.

109a.7 The Chief Executive stated that he would circulate information received to date to all Councillors.

**It was RESOLVED:**

**That this Council:**

- a. Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Suffolk.**
- b. Stands ready to provide support to those affected by this war and will open our arms to people displaced and affected.**
- c. Will work with and support the efforts of our local communities to provide help and comfort to those in need.**

**110 TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR JAMIESON**

110.1 Councillor Jamieson introduced and **MOVED** the motion which was **SECONDED** by Councillor Owen.

110.2 Councillor Ward stated that the motion referred to City of Sanctuary but the website refers to Council of Sanctuary which was more appropriate.

**It was RESOLVED:**

**That this Council pledge to:**

- **Welcome to Babergh those fleeing violence and persecution in their own countries;**
- **Value the contribution those seeking sanctuary can make to our district;**
- **Support taking practical steps to welcome and integrate all people into our communities, activities and culture;**
- **Add our organisation's name to the body of supporters and we will offer relevant and practical action as appropriate.**
- **This council will work to implement the City of Sanctuary pledges through its actions and policies, and with its partners in the statutory and voluntary sectors.**

The business of the meeting was concluded at 8.04pm.

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Chair