



## **AGENDA**

# **ANNUAL COUNCIL MEETING**

**TUESDAY, 23RD MAY 2023 – 5.30 PM**

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Members of the Council are summoned to the Annual meeting of the Babergh District Council at King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Tuesday, 23rd May, 2023 at 5.30 pm.

For those wishing to attend, there will be a time for reflections 5 minutes prior to the commencement of the Council meeting.

Arthur Charvonja  
Chief Executive

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	<b>BABERGH ANNUAL COUNCIL</b>
<b>DATE:</b>	<b>TUESDAY, 23 MAY 2023 5.30 PM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH IP1 2BX</b>

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The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

**PART 1  
MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

Page(s)

**1 ELECTION OF CHAIRMAN OF THE COUNCIL**

To elect the Chairman of the Council for the Municipal Year 2023/24.

**2 ELECTION OF VICE-CHAIRMAN OF THE COUNCIL**

To elect the Vice-Chairman of the Council for the Municipal Year 2023/24.

**3 APOLOGIES FOR ABSENCE**

**4 DECLARATION OF INTERESTS BY COUNCILLORS**

**5 BC/23/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 22 MARCH 2023** 7 - 16

**6 ELECTION OF LEADER OF THE COUNCIL**

To elect the Leader of the Council for the current Term of Office.

7      **BC/23/2 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER**      17 - 18

In addition to any announcements made at the meeting, please see Paper BC/23/2 attached, detailing events attended by the Chairman and Vice-Chairman.

8      **DESIGNATION OF COMMITTEES AND JOINT COMMITTEES**

To appoint the following Committees and Joint Committees:

- Overview and Scrutiny Committee
- Planning Committee
- Licensing and Regulatory Committee
- Joint Audit and Standards Committee
- Joint Appointments Committee

9      **BC/23/3 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES**      19 - 24

Monitoring Officer

10      **ELECTION OF CHAIRS AND VICE-CHAIRS OF COMMITTEES**

In accordance with the Council's Constitution (Article 6 (6.2.1)) the Leader shall take up Chairmanship of the Cabinet.

To elect a Chair and Vice-Chair for the following Committees:

- Overview and Scrutiny Committee
- Planning Committee
- Licensing and Regulatory Committee

To elect a Co-Chair for the following Joint Committees:

- Joint Audit and Standards Committee
- Joint Appointments Committee

11      **BC/23/4 APPOINTMENTS TO OUTSIDE BODIES FOR 2023/24**      25 - 26

Leader of the Council

12      **BC/23/5 APPOINTMENT OF DIRECTORS TO THE BOARD OF BDC (SUFFOLK HOLDINGS) LTD**      27 - 28

Chair BDC (Suffolk Holdings) Ltd

13 **APPOINTMENT OF COUNCILLORS TO THE SHARED REVENUES PARTNERSHIP JOINT COMMITTEE**

The Director of Law and Governance to report that, in accordance with the joint arrangements established with Mid Suffolk District Council and Ipswich Borough Council, Council is asked to appoint two Cabinet Members and two substitutes to serve on the Committee for the current municipal year.

The political balance rules do not apply to Babergh's appointees.

14 **APPOINTMENTS TO THE SUFFOLK JOINT STANDARDS BOARD**

The Director of Law and Governance to report that, in accordance with the joint arrangements established with Mid Suffolk District Council and Suffolk County Council, Council is asked to appoint three Councillors to serve on the Board for the current municipal year.

The political balance rules do not apply to Babergh's appointees who cannot be:

- The Chairman of the Council
- Members of the Cabinet

15 **APPOINTMENTS TO THE JOINT GYPSY AND TRAVELLER STEERING GROUP**

Council is asked to appoint four Councillors to the Joint Gypsy and Traveller Steering Group for the current municipal year.

16 **APPOINTMENTS TO COUNCIL WORKING GROUPS**

Council is asked to appoint Councillors to the following Working Groups:

- Community Governance Review Working Group
- Constitution Working Group
- Member Learning & Development Working Group
- Local Plan Working Group

17 **QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12**

18 **QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 13**

## **Date and Time of next meeting**

Please note that the next meeting is scheduled for Tuesday, 20 June 2023 at 5.30 pm.

## **Webcasting/ Live Streaming**

The Webcast of the meeting will be available to view on the Councils YouTube page:

[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Committee Services on: 01473 296472 or Email:

[Committees@babberghmidsuffolk.gov.uk](mailto:Committees@babberghmidsuffolk.gov.uk)

### **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

# Agenda Item 5

## BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH COUNCIL** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 22 March 2023

### PRESENT:

Councillor: Kathryn Grandon (Chair)  
Derek Davis (Vice-Chair)

Councillors:	Clive Arthey	Melanie Barrett
	Simon Barrett	Peter Beer
	Dave Busby	Sue Carpendale
	Siân Dawson	Mick Fraser
	John Hinton	Michael Holt
	Bryn Hurren	Leigh Jamieson
	Robert Lindsay	Elisabeth Malvisi
	Alastair McCraw	Mary McLaren
	Mark Newman	Zachary Norman
	John Nunn	Adrian Osborne
	Jan Osborne	Alison Owen
	Lee Parker	Stephen Plumb
	John Ward	

### In attendance:

Officers: Chief Executive (AC)  
Deputy Chief Executive (KN)  
Monitoring Officer (IA)  
Corporate Manager Governance & Civic Office (JR)  
Director Planning & Building Control (TB)  
Professional Lead - Key Sites and Infrastructure Development  
Manager (CT)  
Infrastructure Officer (JM)  
Professional Lead Growth & Sustainable Planning (PI)  
Corporate Manager - Strategic Planning (RH)  
Head of HR and Organisational Development (SH)

### Apologies:

Sue Ayres  
Trevor Cresswell  
Jane Gould  
Richard Hardacre  
Margaret Maybury

## 77 DECLARATION OF INTERESTS BY COUNCILLORS

77.1 There were no declarations of interest by Councillors.

**78 BC/22/45 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2023**

**It was RESOLVED:-**

**That the Minutes of the meeting held on 20<sup>th</sup> February 2023 be confirmed and signed as a true record.**

**79 BC/22/46 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER**

79.1 The Chair referred Councillors to paper BC/22/46 for noting.

79.2 The Chair thanked Councillors and officers for their support during her time as Chairman and wished all Councillors well for the future.

79.3 The Leader of the Council made the following announcements:

**End of Term**

Last month I reminded members about our end of term report, and I thought that this month, as it is the last council meeting before the election, I would take the opportunity to talk about what I think have been the highlights of the past four years. It has been a very different and unusual term, characterised by the changes in the way we work that were imposed by Covid but which have now been embedded in agile and flexible work patterns. This has been supported by the recently opened new gold floorplate design. Our officers rose to the challenge of Covid magnificently to support our businesses, communities and vulnerable residents, including the homeless and rough-sleepers.

As we emerged from Covid, our Economic Development team put together a very comprehensive and successful economic recovery plan, covering town centre regeneration, business support and skills development. I have to say, for me this has been one of the best things this council has done in my time as a councillor. It didn't just include things that our councils have done on our own, but, crucially, it also linked with wider county initiatives from SPSL and the LEP.

Over the past four years we have built or bought about 180 new council houses across the district and our HRA Business Plan commits us to further increases in our stock to help meet the affordable housing requirements of the Joint Local Plan.

Talking of the JLP, the part 1 modifications required by the inspectors have been completed and are now out for consultation. Part 1 will be ready for council to adopt towards the end of the summer. Meanwhile, work requested by the inspectors for part 2 has started.

Our Carbon reduction management plan and biodiversity action plan are starting to deliver a real impact on improving the environment. Moving from diesel to HVO for our vehicle fleet and the installation of solar panels on our leisure centres and on carports in their car parks are now delivering significant reductions in the carbon emissions of the two councils as well as generating a substantial proportion of the electricity used by the leisure centres. We have completed a ground-breaking Tree Canopy Survey so that we now know where to target new tree and hedgerow planting for maximum benefit.



I just want to list several other highlights – it is by no means an exhaustive list, but it does represent the breadth of what we have been able to do:

- Virtual High Street, Innovation Labs, Innovate Local, and the Innovate to Elevate programmes, two innovation awards events, and events and competitions for school children and young adults entering the workforce
- Cultural, Heritage and Visitor Economy Strategy
- New customer access points, digital improvements, with a new website imminent, and digital skills sessions for residents
- LCWIP
- Hadleigh commercial workspace project
- The new Hadleigh swimming pool
- Refurbishment of the Kingfisher leisure centre
- Communities and Wellbeing Strategies
- The new combined in-house public realm service
- Our support for Gainsborough's House and St. Peters in Sudbury
- The many community grants and CIL grants we have made for projects and groups across the district
- Cost of living action plan

So, a very busy term which has delivered a huge amount for our residents. However, there are still some unresolved issues that the new council and cabinet will have to address:

- The further development of our partnership with Mid Suffolk
- Parking charges
- The regeneration of the Hamilton Road area of Sudbury
- Building services and our programme of repairs and energy saving retrofitting for our council houses.

The new council term will, I am sure, see a significant change in the membership of the council. These are still difficult times, although, as you have heard, we have had many achievements that have helped our businesses and communities. All the new councillors will have to grapple with the ongoing challenge of how to deliver services with continuing pressures on funding and costs, but they will inherit a council that is in good shape to meet that challenge. However, we must remain responsible and credible and not make promises that are impossible to deliver or which may impair our ability to deliver, or indeed waste money.

Finally, despite the problems along the way, I want to thank you all for your support and allowing me to form two very effective coalitions. It has been difficult at times, but I have enjoyed it and I am proud of our record. It will be interesting to see how many of us will still be here when the new council convenes in May.

I would also like to thank the Chief Executive, SLT and officers who have given me a huge amount of support and help and encouragement and I think that we are well rewarded with the staff we have here at Babergh.

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

80.1 None received

**81 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

**Question 1**

**Question 1 Deborah Dwyer to Councillor Jan Osborne Cabinet Member for Housing**

Local budgets are already under enormous strain, and there is concern that any intake of Economic Refugees to the area will be given precedence to access to local services such as housing, healthcare, and social services. How will Babergh Council ensure that the needs of local people are protected?

**Response from Councillor Jan Osborne Cabinet Member for Housing**

**The Localism Act 2011 brought in local connection rules, which allow the Council to protect the needs of local people regarding housing. This ensures that local residents are given preference for housing within the district.**

**Babergh Council uses several schemes to ensure that local connection rules protect the needs of local people; these include a local connection rule meaning that applicants will be placed one band below their assessed band if they do not have a local connection.**

**If applicants claim a location connection to the district through family, this is defined as a son, daughter, brother, sister, mother or father aged 18 or over who lives in the scheme area and has done so for at least five years.**

**This is checked during the application process.**

**When properties are shortlisted, officers review applications again to ensure that circumstances and housing needs qualify an offer, including local connections.**

**We will continue to work with communities, developers and Registered Providers to increase the supply of housing within the Babergh; the Joint Local Plan underpins these. Healthcare and social care fall outside the scope of our responsibilities; these will fall under the CCG/NHS and Suffolk County Council.**

## Supplementary Question

Would there be any interference from Government in terms of having to take Economic migrants – any pressure from Government to house them?

## Response from Councillor Jan Osborne Cabinet Member for Housing

Cllr Osborne confirmed that a response would be provided by email outside of the meeting.

## 82 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

82.1 None received.

## 83 BC/22/47 OVERVIEW AND SCRUTINY COMMITTEE REPORT

83.1 The Chair invited Councillor Hinton - Chair of Overview & Scrutiny Committee to introduce paper BC/22/47 which was for noting.

## 84 TO RECEIVE REPORTS FROM CABINET MEMBERS

### CMU1 – Cabinet Member for Planning

84.1 The Chair invited Councillor Arthey – Cabinet Member for Planning to introduce paper CMU1 which was for noting.

## 85 BC/22/48 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE FRAMEWORK FIFTH REVIEW - MARCH 2023

85.1 The Chair invited Councillor Arthey – Cabinet Member for Planning to introduce paper BC/22/48 and to move the recommendations in the report.

85.2 Councillor Arthey introduced the report, highlighted the key points and **PROPOSED** the recommendations within the report. Councillor Arthey thanked members of the Joint Member Panel and the officers for their guidance throughout the Review.

85.3 Councillor Ward **SECONDED** the recommendations.

85.4 Councillor Parker asked for more information regarding the claw back provision and why it had been introduced.

85.5 Councillor Arthey responded that the claw back was introduced as a result of a specific CIL bid and Christine Thurlow, Professional Lead - Key Sites and Infrastructure Development Manager provided further information.

85.6 Councillor M Barrett asked about failed CIL bids and the process for bids and projects that didn't meet the framework criteria.

85.7 Councillor Arthey responded that some bids failed and were then re-submitted modified. He also advised that some bids took a couple of years to be completed.

85.8 The Professional Lead - Key Sites and Infrastructure Development Manager further responded that negotiations took place and help was provided to assist bids and projects that didn't quite meet the framework criteria. She confirmed that no CIL bids had been refused and that there had been changes to the framework year on year to allow new bids to be submitted.

85.9 Councillor Holt asked about funding for the maintenance of village halls.

85.10 Councillor Arthey responded that the framework didn't allow for bids for repairs and maintenance, but this could be provided through Neighbourhood CIL applications.

85.11 Councillor Hinton asked a number of questions regarding the framework and information contained in Appendix E – Infrastructure List for Babergh.

85.12 Councillor Arthey, the Professional Lead - Key Sites and Infrastructure Development Manager and Tom Barker, Director – Planning & Building Control responded to advise on the bid process and explained the information contained in Appendix E.

85.13 During the debate, Councillor Parker expressed his support for the report and commented that it was important for Members to work with their parishes to help them understand how the process worked and how the money could be spent.

85.14 Councillor McLaren reiterated the benefit of parish liaison meetings and commented that Members should be encouraging their parishes to attend. She thanked Christine Thurlow's team for their work.

By a unanimous vote,

**It was RESOLVED:**

- 1.1 That Babergh Council approve the amendments to the CIL Expenditure Framework– March 2023 (arising from the fifth review) - (Appendix A) and the CIL Expenditure Framework Communications Strategy – March 2023 (Appendix B).
- 1.2 That Babergh Council agree that the CIL Expenditure Framework and the CIL Expenditure Framework Communications Strategy be reviewed again whilst Bid round 12 is being considered (October 2023) so that any amended scheme can be in place before Bid round 13 occurs (May 2024).
- 1.3 That Babergh agree that the Joint Member Panel be retained to inform this (sixth) review.

**86 BC/22/49 DRAFT JOINT LOCAL PLANNING ENFORCEMENT PLAN 2023**

86.1 The Chair invited Councillor Arthey – Cabinet Member for Planning to introduce paper BC/22/49 and to move the recommendations in the report.

86.2 Councillor Arthey introduced the report, highlighted the key points and **PROPOSED** the recommendations within the report, which was **SECONDED** by Councillor McCraw.

86.3 Councillor McLaren asked, once the Plan had been adopted, whether there were any plans to hold parish liaison meetings or training for parishes.

86.4 Councillor Arthey agreed that briefings for parishes would be a great idea and asked Phil Isbell – Chief Planning Officer to respond.

86.5 The Chief Planning Officer confirmed that appropriate training would be needed for parish councils and his team would be looking to do that in the coming months.

86.6 Councillor McLaren asked if there were sufficient resources in the team to deal with this extra work.

86.7 The Chief Planning Officer responded that he now had a full team who were undergoing training and development and once completed they would have the resource needed to do the work.

86.8 Councillor Arthey responded to a question from Councillor J Osborne regarding wording in Appendix A, page 216.

86.9 Councillor Arthey and the Chief Planning Officer responded to a question from Councillor S Barrett regarding the flow-chart contained in Appendix C.

86.10 The Chief Planning Officer responded to a question from Councillor Hinton regarding legal issues and response times.

86.11 During the debate, Councillor McCraw welcomed the report and stated that the Plan was much needed.

By a unanimous vote,

**It was RESOLVED:**

- 1.1 That the draft Joint Local Planning Enforcement Plan 2023 (JLPEP) set out at Appendix A be adopted and published on the Councils website.**
- 1.2 That the Director of Planning and Building Control be authorised to make any necessary consequential amendments to finalise and publish the JLPEP.**

**1.3 That the plan be reviewed by a Joint Member Working Group within 12 months of its implementation**

**87 BC/22/50 SPECIAL URGENT DECISIONS TAKEN BY OFFICERS UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 2 OF THE CONSTITUTION**

87.1 The Chair invited the Chief Executive to introduce paper BC/22/50 which was for noting.

**It was RESOLVED:**

**That Council notes the decision taken under delegated powers by the Deputy Chief Executive as detailed in Appendix A.**

**88 BC/22/51 COUNCILLORS PARENTAL LEAVE POLICY**

88.1 The Chair invited Councillor Ward – Leader of the Council to introduce paper BC/22/51 and to move the recommendation in the report.

88.2 Councillor Ward introduced the report, highlighted the key points and **PROPOSED** the recommendation within the report.

88.3 Councillor S Barrett **SECONDED** the recommendation and expressed his support for the Policy.

88.4 Councillor M Barrett asked what the arrangements were for cover if a Councillor is on parental leave for 6 months.

88.5 Councillor Ward responded to confirm there was provision in the Policy to arrange cover for Councillors on leave.

88.6 Councillor Ward responded to a question from Councillor Hinton regarding remuneration and special responsibility allowances for Councillors taking parental leave.

88.7 Jan Robinson, Corporate Manager – Governance & Civic Office clarified that both Councillors taking parental leave and Councillors covering would be able to claim any applicable special responsibility allowance, but that Councillors had the discretion to refuse any allowance they did not wish to take up.

88.8 The Corporate Manager – Governance & Civic Office responded to a question from Councillor Grandon to confirm that the Policy was for parental leave only and that carers allowances were already provided for in the Members Allowances Scheme.

88.9 The Corporate Manager – Governance & Civic Office responded to a question from Councillor Parker to confirm that there was a legal requirement for Councillors to attend a meeting within six months but that dispensation could be granted as appropriate.

Councillor Peter Beer and Councillor Mark Newman left the meeting at 7.02pm.

By a vote of 24 for and one abstention,

**It was RESOLVED:**

**That Council approves the adoption of a Parental Leave Policy for Councillors.**

Councillor Zac Norman left the meeting at 7.09pm.

**89 BC/22/52 PAY POLICY STATEMENT 2023/2024**

89.1 The Chair invited Councillor Ward – Leader of the Council to introduce paper BC/22/52 and to move the recommendations in the report.

89.2 Councillor Ward introduced the report, highlighted the key points and **PROPOSED** the recommendations within the report, which was **SECONDED** by Councillor Barrett.

By a vote of 23 for and 1 abstention,

**It was RESOLVED:**

- 1.1 That the proposed pay policy statement for 2023/24 as set out in section 3 be approved.
- 1.2 That publication of the Council's gender pay gap, as of 31st March 2022, be noted.

**90 BC/22/53 REVIEW OF JOINT CHIEF EXECUTIVE REMUNERATION**

90.1 This item had been withdrawn.

**91 COUNCILLOR APPOINTMENTS**

91.1 There were no changes to Councillor appointments.

**92 MOTIONS ON NOTICE**

92.1 None received.

The business of the meeting was concluded at 7.13pm.

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Chair

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### BABERGH DISTRICT COUNCIL - 23 MAY 2023

#### CHAIRMAN'S ANNOUNCEMENTS

EVENT	LOCATION	DATE	CHAIRMAN	VICE CHAIR
<b>MARCH 2023</b>				
Official Opening of the new Breast Care Centre	Breast Care Centre, Ipswich Hospital	24-Mar	✓	
The Suffolk Justice Service	St Edmundsbury Cathedral, Bury St Edmunds	26-Mar	✓	
<b>APRIL 2023</b>				
Suffolk County Council Chairman's Civic Reception	St Edmundsbury Cathedral, Bury St Edmunds	27-Apr	✓	
Tea at the Mayor's Parlour	Mayor's Parlour, Ipswich Town Hall	30-Apr	✓	
<b>MAY 2023</b>				
Cheque presentation to Chairman's charity - The Blossom Appeal	Breast Care Centre, Ipswich Hospital	17-May	✓	

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# Agenda Item 9

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Annual Council	<b>REPORT NUMBER:</b> <b>BC/23/3</b>
<b>FROM:</b> Monitoring Officer	<b>DATE OF MEETING:</b> 23 May 2023
<b>OFFICER:</b> Janice Robinson, Corporate Manager – Governance and Civic Office	<b>KEY DECISION REF NO.</b> N/A

### POLITICAL BALANCE AND COMPOSITION OF COMMITTEES

#### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to comply with the provisions of the Local Government and Housing Act 1989 which require a Local Authority to review the allocation of seats to Political Groups at every annual meeting of the Council or as soon as practicable after that meeting.
- 1.2 The report also seeks the Council's approval of the composition of Committees which must be agreed each year at the Annual Council meeting.

#### 2. RECOMMENDATIONS

- 2.1 That the Committees' size and numerical allocation of seats be approved as detailed in Appendix A to this report.
- 2.2 That Committee members be appointed as set out in Appendix B to this report.

#### 3. KEY INFORMATION

##### Political Composition and Appointments to Committees

- 3.1 Under the provisions of the Local Government and Housing Act 1989 where a local authority is grouped for Committee composition purposes, the Authority is required to make arrangements to ensure that its Committees share the same political balance as the full Council.
- 3.2 The Local Government (Committees and Political Groups) Regulations 1990 allow ungrouped members to receive Committee seats if any are left over once allocations have been made to the political groups in proportion to their membership of the authority. Babergh has one ungrouped member of the Council.  
  
The current Committee structure has 35 available seats.
- 3.3 Separate items on the composition of the Suffolk Joint Standards Board and the Shared Revenues Partnership Committee appear elsewhere on the agenda.

3.4 The first step, therefore, is for the Council to approve the numerical allocation of Committee seats, and the calculation in accordance with the provisions of the Local Government and Housing Act 1989 is shown in Appendix A to this report. The calculation provides for 35 Committee seats to the various groups as follows:-

- Conservative 8 seats
- Independent 10 seats
- Green Party 11 seats
- Liberal Democrats 5 seats
- Labour 1 seat (ungrouped)

#### **4. LINKS TO CORPORATE PLAN**

4.1 Strong and effective governance underpins all the key priorities contained within the Corporate Plan.

#### **5. FINANCIAL IMPLICATIONS**

5.1 There are no financial implications arising from this report.

#### **6. LEGAL IMPLICATIONS**

6.1 The approval of the recommendations will ensure compliance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

#### **7. RISK MANAGEMENT**

7.1 Key risks are set out below:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
Sufficient members are not appointed and the Committee is inquorate and unable to take decisions	1 – Highly unlikely	3 - Bad	Early discussions with Group Leaders regarding Committee placements

#### **8. CONSULTATIONS**

8.1 The Group Leaders have been consulted on the relevant aspects of this report.

**9. EQUALITY ANALYSIS**

9.1 An Equality Impact Assessment is not required as none of the protected characteristics will be affected by the recommendations within this report.

**10. ENVIRONMENTAL IMPLICATIONS**

10.1 There are no environmental implications associated with this report.

**11. APPENDICES**

Title	Location
A. Numerical allocation of Committee places	Attached
B. Appointments to Committees	To follow

**12. BACKGROUND DOCUMENTS**

12.1 None.

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## Babergh District Council – Allocation of Committee Placements 2023-24 (35 positions)

COMMITTEES	NO. OF SEATS	CONSERVATIVE GROUP (7 MEMBERS)		INDEPENDENT GROUP (9 MEMBERS)		GREEN PARTY (10 MEMBERS)		LIBERAL DEMOCRATS (5 MEMBERS)		LABOUR (Ungrouped) (1 MEMBER) *Unallocated seat)	
OVERVIEW AND SCRUTINY	6	1.31	1	1.69	2	1.87	2	0.94	1	0.18	0
JOINT AUDIT AND STANDARDS	5	1.09	1	1.40	1	1.56	2	0.78	1	0.16	0
PLANNING	11	2.41	3	3.09	3	3.43	3	1.72	2	0.34	0
LICENSING & REGULATORY	10	2.18	2	2.81	3	3.13	3	1.56	1	0.31	1*
JOINT APPOINTMENTS	3	0.66	1	0.84	1	0.93	1	0.46	0	0.09	0
<b>TOTAL TARGET</b>	<b>35</b>	7.65	8	9.83	10	10.92	11	5.46	5	1.08	1

11/05/2023

\* 1 unallocated seat allocated to ungrouped Member.

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# Agenda Item 11

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Annual Council	<b>REPORT NUMBER:</b> <b>BC/23/4</b>
<b>FROM:</b> Leader of the Council	<b>DATE OF MEETING:</b> 23 May 2023
<b>OFFICER:</b> Janice Robinson, Corporate Manager – Governance and Civic Office	<b>KEY DECISION REF NO.</b> N/A

### APPOINTMENTS TO OUTSIDE BODIES FOR 2023/2024

#### 1. PURPOSE OF REPORT

- 1.1 To consider appointments to Outside Bodies for 2023/2024 as outlined in Appendix A.

#### 2. RECOMMENDATION

- 2.1 That Councillors be appointed to the Outside Bodies detailed in Appendix A.

#### 3. KEY INFORMATION

- 3.1 The Leader of the Council has put forward nominations for the Bodies listed in Appendix A, which are those to which appointments were made in 2022/23.

##### Review process

- 3.2 A regular review of the list of Outside Bodies will help to ensure relevance and appropriateness of membership by applying basic criteria such as the following:
- The appointment is necessary to fulfil one of the Council's statutory functions
  - The appointment is necessary to protect the Council's investment and assets
  - There was not a significant cost and resource implication for the Council when measured against any accrued benefit.
  - The balance or risk of any detrimental impact on the Council if it were not represented.
  - The appointment raises the profile of the Council at a national or regional level.
  - The appointment furthers the Council's strategic priorities.
  - The Council works in partnership with a number of the Outside Bodies in a variety of ways, some more directly than others because of the existence of service level agreements or by holding corporate positions on organisations because of legal agreements.

#### 4. LINKS TO CORPORATE PLAN

- 4.1 The annual review process agreed by the Council, enables it to review the appropriateness of the appointments in the context of key priorities.

## 5. FINANCIAL IMPLICATIONS

- 5.1 Councillors appointed to Outside Bodies are able to claim expenses in accordance with the Council's Members Allowance Scheme.

## 6. LEGAL IMPLICATIONS

- 6.1 Appointments to Outside Bodies may be made under the general power in Section 2 of the Local Government Act 2000 - to do anything which is likely to promote the economic, social or environmental wellbeing of the area, unless specifically prohibited.

## 7. RISK MANAGEMENT

- 7.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Members not appointed and therefore not able to represent the Council's strategic priorities on Outside Bodies	Unlikely (2)	Bad (3)	Members appointed to Outside Bodies to provide an Annual Report to the relevant Committee and to discuss key issues with their Group Leader on a regular basis.

## 8. CONSULTATIONS

- 8.1 Consultations have been undertaken with all political groups.

## 9. EQUALITY ANALYSIS

- 9.1 The Outside Bodies represent the diverse range of communities across the District. This will be continuously reviewed by officers to ensure that the range of Bodies continues to be diverse and inclusive of our communities.

## 10. ENVIRONMENTAL IMPLICATIONS

- 10.1 There are no environmental implications arising from this decision.

## 11. Appendices

Title	Location
A. Appointment of Representatives on Outside Bodies/Partnerships 2023/24	To follow

## 12. Background Papers

None.

# Agenda Item 12

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Council	<b>REPORT NUMBER:</b> <b>BC/23/5</b>
<b>FROM:</b> Chair BDC (Suffolk Holdings) Ltd	<b>DATE OF MEETING:</b> 23 May 2023
<b>OFFICER:</b> Emily Atack – Assistant Director Assets and Investments	

### APPOINTMENT OF DIRECTORS TO THE BOARD OF BDC (SUFFOLK HOLDINGS) LTD

#### 1. PURPOSE OF REPORT

- 1.1 This report proposes the election of Directors, to the board of BDC (Suffolk Holdings) Ltd to fill posts which have become vacant following the recent elections. This will increase the resilience of the Board and mitigate the risks of the Board being unable to form a quorum and consequently unable to act. The company's Articles of Association state that there must be a minimum of two Directors to form a quorum.

#### 2. OPTIONS CONSIDERED

- 2.3 The Board has two vacancies, no further options were considered.

#### 3. RECOMMENDATION

- 3.1 That Council approve the appointment of Directors to BDC (Suffolk Holdings) Ltd.

#### REASON FOR DECISION

- 3.2 To protect the resilience of the Board, address vacant Directorships and ensure that Board decisions can continue to be made.

#### 4. KEY INFORMATION

- 4.1 At its meeting on 19<sup>th</sup> March 2019 Council agreed that the Board of BDC (Suffolk Holdings) Ltd should consist of four elected members appointed as Directors by the shareholder. The Holding Company Articles of Association state that Directors will cease to be Directors of the company if they are no longer Councillors for the Shareholding authority.
- 4.2 Following the recent local elections there are now two vacancies on the Board of BDC (Suffolk Holdings) Ltd. Cllr David Busby and Cllr Elizabeth Malvisi are currently the only directors of BDC (Suffolk Holdings) Ltd.
- 4.3 A skills audit is required to be completed by all Councillors seeking to take on Directorships with the Council owned companies. Councillors will complete a skills assessment, and training will be provided to ensure directors have the necessary skills for the roles.

## **5. LINKS TO JOINT STRATEGIC PLAN**

- 5.1 A resilient and robust board of MSDC (Suffolk Holdings) Ltd will contribute to the delivery of the Council's strategic objectives.

## **6. FINANCIAL IMPLICATIONS**

The appointment of new Councillor Directors has no financial implications.

## **7. LEGAL IMPLICATIONS**

- 7.1 Birketts are appointed by the Holding Company and will assist the Holding Company updating its statutory books as appropriate.

## **8. RISK MANAGEMENT**

- 8.1 The key risks associated with this report are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
The board of BDC (Suffolk Holdings) Ltd may not be a quorum meaning board resolutions cannot be sought. This in turn could delay progress and impact significant decisions for both the BDC (Suffolk Holdings) Ltd and its trading companies.	3 (Probable)	3 (Bad)	To maintain the resilience to the board of BDC (Suffolk Holdings) Ltd by filling vacant director posts.

## **9. CONSULTATIONS**

The Chair of BDC (Suffolk Holdings) Ltd has been consulted together with the Chief Executive, Deputy Chief Executive, Monitoring Officer, Director of Assets & Investments and the Leader of the Council.

## **10. EQUALITY ANALYSIS**

- 10.1 Equality Impact Assessment (EIA) is not required as the contents of the report will have no impact on persons covered by the protected characteristics - age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

## **11. ENVIRONMENTAL IMPLICATIONS**

- 11.1 An assessment of environmental impact is not considered relevant to the subject matter contained within this report.

## **12. APPENDICES**

None.

## **13. BACKGROUND DOCUMENTS**

None.