

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK COUNCIL** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Thursday, 27 September 2018

PRESENT:

Councillor: Derrick Haley (Chair)

Councillors:	Roy Barker	Gerard Brewster
	Michael Burke	David Burn
	James Caston	Rachel Eburne
	Paul Ekpenyong	John Field
	Julie Flatman	Jessica Fleming
	Elizabeth Gibson-Harries	Nick Gowrley
	Kathie Guthrie	Lavinia Hadingham
	Matthew Hicks	Glen Horn
	Sarah Mansel	Wendy Marchant
	John Matthissen	Lesley Mayes
	Suzie Morley	Dave Muller
	Mike Norris	Derek Osborne
	Penny Otton	Timothy Passmore
	Andrew Stringer	Keith Welham
	Kevin Welsby	John Whitehead
	David Whybrow	Jill Wilshaw

In attendance:

Chief Executive (AC)
Strategic Director (KN)
Assistant Director – Corporate Resources (KS)
Corporate Manager – Democratic Services (JR)
Corporate Manager – Financial Services (ME)
Governance Support Officer (RC)

Apologies:

Gary Green
Barry Humphreys MBE
Esther Jewson
Diana Kearsley
Anne Killett
John Levantis (Vice-Chair)
Jane Storey

44 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Green, Councillor Humphreys, Councillor Kearsley, Councillor Killett, Councillor Jewson, Councillor Levantis and Councillor Storey.

45 DECLARATION OF INTERESTS BY COUNCILLORS

45.1 There were no declarations of interest.

46 MC/18/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 26 JULY 2018

46.1 Councillor Eburne requested that the wording in Minute 40.8 be amended from why just one aspect of Lord Oakshott's report was included but why several aspects of other reports were not included because there had been lots of different reports from different committees on this subject.

It was Resolved:

That subject to the amendment above being added to Minute 40.8 the Minutes be approved as a true record.

47 MC/18/17 CHAIRMAN'S ANNOUNCEMENTS

47.1 The Chairman introduced his report and highlighted that the latest engagement in Hadleigh had been attended by the Vice Chairman instead of him.

47.2 The Chairman thanked everyone who had attended his Civic Service and reception for their support and informed Council that he had received an enormous amount of compliments from the people who had attended. £375 had been raised for the Chairman's charities.

47.3 Finally, the Chairman informed Council that there was going to be a memorial service for Lord Blakenham on 22nd November 2018 at 11.00am in St Martin's in the Field Church, in Trafalgar Square. The Chairman would be attending to represent the Council and he understood members from the opposition were also attending. The Chairman went on to say that he was pleased Mid Suffolk would be well represented as Lord Blakenham was an excellent councillor and well respected in this area.

48 MC/18/18 LEADER'S ANNOUNCEMENTS

48.1 The Leader introduced his report and highlighted a small error on paragraph 6 of the report namely that it should read that the Constitution Working Group held its second meeting on 2nd September 2018.

48.2 Councillor Mansel asked the Leader given that there will be fewer Members after the elections in May next year, the pool of available substitutes who've had the correct training for regulatory committees will be smaller, would it not be preferable if Members were able to substitute from outside their political groups, because it doesn't look so good to the public if decisions are made with fewer than the required Members who should be on that committee.

48.3 In response the Chief Executive stated that if the Committee was one of the committees that by law had to be politically proportionate, then it was not possible to substitute from outside of that particular political party so in those circumstances it wouldn't be possible. If it was one of the committees, and there were very few, but if was one of the committees where political proportionality was not required then absolutely that was possible to do. To clarify this the Chief Executive would ask the Monitoring Officer to provide a written briefing note for all councillors that would set out clearly what the position was.

48.4 Councillor Stringer asked the Leader that as the Council was now in receipt of quite a few planning applications from areas in villages that over a year ago tried to allocate land in the new local plan and those applications were deemed sustainable by the parishes but not now by officers, when was the Local Plan timetable coming to some kind of fruition for those sites to be adjudicated?

48.5 In response Councillor Horn, Cabinet Member for Planning confirmed that the Local Plan timetable would be brought forward as already timetabled. With regard to the specific sites and their allocation, if a site was not allocated in the Local Plan it did not mean that it could not be brought forward for development. Councillor Horn requested that if Councillor Stringer had a specific case could he raise it with him outside of the meeting.

49 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

49.1 There were no petitions received.

50 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

50.1 There were no questions received.

51 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

51.1 The following questions were received in accordance with Council procedure rule 12: -

Question 1:
Councillor Penny Otton to Councillor Nick Gowrley Leader of Mid Suffolk District Council

In its briefing paper "The future relationship between the UK and the European Union" the LGA has highlighted areas of concern for local government, stating "the onus will be on councils and their partners to provide evidence on the likely impact locally on any Brexit decision, whatever it may be". What have the Suffolk and even regional public sector leaders and partners been doing to prepare for any forthcoming scenario?

Answer:

As Councillor Otton may be aware the LGA are running a series of workshops across the country to enable Councils to provide such evidence to the LGA. The East of England LGA are also regularly publishing briefing notes as to the potential implications of Brexit. In addition, the Suffolk Public Sector Leaders have made Brexit a standing item on our agendas, and senior officers across Suffolk are working together to carefully consider the potential impacts for Suffolk and the public sector. More locally, as part of our corporate risk management, our officers have similarly begun to consider the more local implications for Mid Suffolk and Babergh. As you will appreciate however there is significant uncertainty at the national level at present regarding Brexit and so it is not possible to implement any definitive plans at this stage.

Supplementary Question:

Thank you. I'm obviously pleased that the public sector leaders do have Brexit as a standing item but I'm afraid Cllr Gowrley I am disappointed with your answer because we would like to have had a few more details. Obviously as you have said this is not the time for implementation, but I felt, and I was hoping that you would be able to tell us what the main areas of concern are and what these plans involve in particular on the impact to the local economy.

Answer:

I do take the point but it is really difficult to plan for something when you don't know what you're planning for and until we get some idea from national leaders it is almost impossible to answer that question other than trying to be aware of it and if anything comes out we try to think about it and what the implications might be and as soon as anything definitive is known we will come back to council and we will tell them what we will be doing to address this.

Question 2:

Councillor John Matthissen to Councillor Derrick Haley Chair of Mid Suffolk District Council

Will you arrange the issue within a week of each Council, to Members and Officers (not public), draft action minutes with a column showing responsibility for actions, supplementary answers and similar follow through?

Answer:

Thank you, Councillor Matthissen, for your suggestion. I have been advised by the Monitoring Officer that the Governance Team are working on improving the turnaround time for the production of minutes so that ultimately full draft minutes will be published within five working days of the Council meeting. However, in the interim an 'actions list' will be published within five working days detailing the resolutions made by the Council and any commitment to respond outside the meeting to supplementary questions.

Question 3:

Councillor John Matthissen to Councillor John Whitehead Cabinet Member for Finance

At the Council meeting setting the budget, 22/2/18, it was minuted:

“127.5 Councillor Whitehead also advised Council that following a meeting with the Green Party their various suggestions were discussed with the Conservative Group and he was pleased to say that they had been incorporated into the 18/19 budget initiatives to increase the uptake of disability grants, action on stalled planning sites and the tree at birth concept as these have cross party consensus.”

And the budget included: “Occupational Health support for Disabled Facilities Grants £37,000”

Please can you detail the implementation and benefits of this spending proposal?

Answer:

BDC/MSDC are in partnership with Orbit Home Improvement Agency to deliver Disabled Facilities Grants. We continue to work with Orbit HIA to improve the service and ensure our residents receive adaptations in a timely way. At the same time, we are also reviewing this area of work in order to develop not only an enhanced DFG service but also how the budget could be used to assist even more residents where adaptation is not possible. Suffolk County Council are responsible for the Occupational Therapist function and we are engaging with them during the review. This will ensure that we utilise the budget members have allocated to this important area of work. We expect to provide an update to members within the next three months.

Question 4:

Councillor Rachel Eburne to Councillor Glen Horn Cabinet Member for Planning

Since reporting the establishment of a 6.5 year housing land supply for Mid Suffolk District on 11th July 2018, how many planning applications have been reviewed, how many are still to be reviewed and by when?

Answer:

All planning applications ‘in the system’ have been reviewed following the change in circumstances following publication of the Annual Monitoring Report and 5 Year Housing Land Supply statement. In more specific terms, 6 applications that had previously been to committee, but hadn’t had their decision issued prior to the change in circumstances, have been reviewed. One of those applications - in Union Road, Stowmarket - has now been issued following legal advice. Others will either be determined, returned to committee, amended or withdrawn depending on their individual circumstances. As with all planning applications a range of issues can arise during consideration and if you have queries about any specific application then can I suggest that we deal with those directly with Officers outside the meeting?

Supplementary Question:

How many houses in those applications that are still to be reviewed, how many actual houses are there Is it just one house per application or is it 100, 200 houses. So if I could know how many houses are in those remaining 5 applications being reviewed.

Answer:

One of the five applications has been withdrawn but the other four will be returned to committee in due course. There are 169 dwellings included in those 4 applications.

Question 5:

Councillor Keith Welham to Councillor Julie Flatman Cabinet Member for Communities

There is a clear correlation between health and wellbeing and taking part in sport and leisure activity. Compared with previous generations, fewer and fewer people take part in regular physical exercise. Will the Cabinet member confirm that the Council has a role to play and will she please give details of what is being done to encourage and enable more people in rural areas to take part?

I asked at the Council meeting in July what was being done to build a legacy upon the visit of the Women's Tour of Britain Cycle Race. I have not received a response, nor to my suggestion that the Council should, with partners, arrange local events.

Answer:

The Council clearly has a role to play in helping people support their own health and wellbeing, and in helping to stimulate and encourage increased levels of physical activity. I refer you to the Councils Leisure, Sport and Physical Activity Strategy which was adopted in November last year. If you would like to discuss any parts of this strategy in more detail then perhaps we can do so outside of the meeting?

In relation to the second part of your question, I did provide a response to you and would draw your attention to my email to all Councillors of 15th August, which I re-circulated on Monday this week.

Supplementary Question:

We have sight of what we might be doing but unless someone takes the lead and there is good publicity nobody knows what we're doing or not doing or could do. When it was the Women on Wheels event in Debenham. What publicity has there been, has it already taken place, we don't know. How can members get involved in the new active schools programme to encourage our schools to take part. Which villages are involved in the fit villages project. How do we promote them? Did we have a programme of walks in Mid Suffolk this year? I led walks last year in Stowupland but there was no follow up this year to my request or my offer to do so again. Mid Suffolk District Council really does need to be more involved in events for people of all ages and all abilities. So will the cabinet member look into ways of taking a lead and promoting events more widely?

Answer:

Yes and I'll gladly have a meeting with Councillor Welham. The Women on Wheels was cancelled actually at Debenham, there was not enough take up for it although it was laid on and also running in connection with the Debenham Leisure Centre. We are trying to run these projects along with other people with other partners and if I was Tinkerbell and I had a magic wand I'd give as much money as I could to everybody.

We are picking up on the major projects, as you can see in the report I sent you. But we can have a 1 to 1 and if you've got some wonderful ideas I'm sure we could work together on that.

Question 6:

Councillor Keith Welham to Councillor Gowrley Leader of the Council

At a recent meeting of Creting St Peter Parish Council, concern was expressed concerning the communications in respect of Electoral Registration. The Council asked: Why were two separate letters sent to households and what was the additional cost to the taxpayer? I would also like to know if this duplication of effort was more widespread than the parish of Creting St Peter?

Answer:

In the absence of more detail I have assumed that the letters that you have referred to are the Household Enquiry Forms which have been sent out during the Annual Canvass of Electors. The Electoral Registration Officer is required *by law* to send a form to every household in the district to gather information about residents who should be registered to vote. This equates to around 43,000 forms at a cost of approximately £17,300. A second form *must* be sent to any household where no response to the first form has been received. If there is no response to this second form, a third form *must* be sent and a personal visit to the property *must* be undertaken. Happily, after much lobbying by Electoral Registration Officers and their teams, the Cabinet Office is now looking to reform the annual canvass process; making it more efficient and cost effective.

Supplementary Question:

My understanding from the chair and the clerk of Creting St Peter Parish Council is that everyone they spoke to in the village had received 2 letters. I know some of them immediately after receiving the first letter responded on line but they subsequently got the follow up letter. I just wondered if there's a glitch in the system. Well they wondered if there was a glitch in the system and I said I would put this to council and they also asked how much it cost them.

Response Corporate Manager Democratic Services:

I am not aware of any glitch in the system, unfortunately though, there is a cut off date, from when the second letters are prepared and to when they are sent, therefore anybody responding within that time will still get a second letter.

Question 7:

Councillor John Matthissen to Councillor Gerard Brewster Cabinet Member for Economy

Are there plans to publish a summary of the public opinions expressed at the open day June 16th in relation to the Stowmarket Vision for Prosperity?

Answer:

MSDC published an 'All Issues Response' document following the open day events. It has been a little overlooked but has been available for some time in PDF format on the website (linked here <https://www.midsuffolk.gov.uk/assets/Economic->

[Development/VFPStowmarket-All-Issues-Response-print.pdf](#))

This is a detailed document, with information and commentary about every point made through the drop-in consultation, emails, letters and social media. It is drafted in an accessible style of writing, addresses the topics in order and uses visuals. Many people did not respond directly to the questions in the display material, instead choosing to make more generalised comments on post-it notes. Because of this, the analysis does not always directly follow the format used in the displays.

Question 8:

Councillor John Matthissen to Councillor Gerard Brewster Cabinet Member for Economy

Has the 'Stowmarket Vision for Prosperity' been assessed for its contribution to reducing the town's CO2 emissions and thus combatting climate change?

Answer:

This stage of the VFP does not have any proposals – it is a round-up of existing planned projects and as such there is no impact to directly assess. Each component project may have to undergo testing through its own route to delivery, but the VFP Action Plan itself is simply a signposting document and as such will have no impact on CO2.

However, the next stages of VFP will suggest building works and other interventions that will have an impact, and despite them being high-level ideas, there will be the opportunity to make an assessment of environmental impact. However, we will not focus solely on CO2 indicator, but on a range of indicators used in the EIA Screening.

The *VFP All-Issues Response* makes numerous references to improving local environments such as the River Gipping corridor, and also to broader environmental improvements such as making an attractive and sustainable town centre that reduces the need to travel elsewhere. Indeed, the VFP project is about improving all aspects of society: the social, economic and environmental quality of life for residents in Stowmarket and its catchment area.

52 RECOMMENDATIONS AND REPORTS FROM CABINET / COMMITTEES

53 JAC/18/3 JOINT ANNUAL TREASURY MANAGEMENT REPORT - 2017/18

Councillor Muller introduced the report and **MOVED** the recommendations in the report which Councillor Morley seconded.

53.2 In his introduction Councillor Muller informed Council that the report had been presented and discussed at the Joint Audit and Standards Committee meeting on 30 July 2018. There were no changes to the report as a result of that meeting. The report covered the year to 31 March 2018 and provided details of the performance and effects of decisions taken throughout the year.

53.3 Councillor Muller went on to say that the report also demonstrated that the Council's performance was in line with the Prudential indicators set for 2017/18 and was in accordance with the approved Treasury Management Strategy. Apart from one occasion when the council exceeded its daily bank account limit with Lloyds by £79,000 as mentioned in paragraph 4.7 of report JAC18/3. the Council had complied with all treasury management indicators for that period.

53.4 Councillor Otton asked a question relating to the Funding Circle and asked whether the Council should feel concerned or optimistic about their investment?

53.5 In response the Section 151 Officer stated that the Council had taken a decision in the last financial year not to put any more funding into the Funding Circle. As illustrated in the Treasury Management six monthly report, the Council was seeing some failures and some losses and were not achieving the rate of return, Funding Circle had also changed the basis of which you could invest with them, which would mean that the Council would have to take significantly more risk than it actually wanted to. The position that the Council was currently in was that it was letting the existing loans run their life course and the Council would not be putting any further money in, so over a period of time would be withdrawing from the Funding Circle.

53.6 Councillor Otton sought assurance that the Council was not put at any risk and it would be monitoring performance.

53.7 In response the Section 151 Officer stated that the Council could not actually do anything about the loans that had already been made as those loans had been made to external companies, so at this point in time the Council were just letting their loans run until they ended.

53.8 Councillor Hadingham raised concerns about the rise in Council debt to £40m and asked if the operational boundary would increase from its current level of £140m.

53.9 In response the Section 151 Officer informed Council that there were two reasons for the increase, firstly, CIFCO the capital investment company, the Council was putting £25m into the Company to purchase commercial properties and also with the planned figures that the Council had, it was starting to build in some assumptions around Gateway 14 and the investment that was needed to be made there. The operational boundary was reviewed each year in line with the actual borrowing increasing so yes.

53.10 Councillor Wilshaw queried why the actual debt was £40m different from the estimate.

53.11 In response the Section 151 Officer informed Council that this was for the same reasons as previously stated around CIFCO and Gateway 14, because they didn't happen at the rate that was anticipated when the estimate was put together, it has taken slightly longer to invest the £25m in CIFCO and in 17/18 the Council had not actually put anything into Gateway 14 as it was purchased in this financial year.

53.12 Councillor Mansel sought clarification on the figures on page 45 of the report relating to the estimated capital expenditure of £39m and the fact that the Council had actually only spent £21m.

53.13 The Section 151 Officer confirmed that this was for the same reasons as explained previously.

53.14 The Chairman asked under page 34 of the report table 3, why there was a difference between the average loan rates between Babergh and Mid Suffolk from the PWLB?

53.15 In response the Section 151 Officer informed Council that this was purely historic as to when debt was taken out from PWLB, whatever the prevailing interest rates were at the time they were fixed at the point you take the loan out, that rate was then fixed for the life of the loan.

53.16 Councillor Eburne requested that this information was included in any future reports. She then went on to ask about the overrun of the daily bank limit of £79,000 and whether there was any specific reason for that or any circumstances around it that Council should be aware of.

53.17 The Section 151 Officer in response stated that it was just on that particular day extra money came into the bank account that the Council hadn't been notified of. This does happen from time to time, The Finance Team obviously try and keep the levels as close to the limits as they can so when something does come in that's unforeseen it can have the unfortunate circumstance of just pushing the Council over its limit and as it's Lloyds that the Council bank with, it's that account where this will impact .

53.18 Councillor Mathissen asked if the Council had got any Lobo loans?

53.19 In response the Section 151 Officer stated that the Council had taken out 50-year Lobo loans before she had actually joined MSDC. So yes the Council had Lobo loans.

53.20 Cllr Hicks queried page 3.52 of the report relating to the Schroder Income Maximiser Fund and asked if the capital decrease was taken into account when working out the rate of return, and whether it was annualised every year or only when the units were sold?

53.21 In response the Section 151 Officer stated that this would only be taken into account should the Council sell the units in that particular fund. The annualised figure on an annual basis was based on the income that the Council has generated from having the investment. The Council would obviously not want to sell the investment while it was below the limit of what it actually invested in the first place so that comes into effect at the point you sell it. The Council when it went into these types of investments did so for a medium term, probably at least 3-5 years so that it didn't have that impact of the net asset of the value reducing.

53.22 Councillor Hicks queried whether this was a standard accounting practice because the Council has lost £74,000 if it were to sell it.

53.23 In response the Section 151 Officer stated that it was the accounting practice at the moment to show it as it was. The Government was actually consulting over whether that should change in the future, so if it does the Council would have to show it differently. Obviously for transparency the figures are included in the Treasury Management report so as members of the Council you can see what the current valuation was.

53.24 Cllr Field asked what direction the CCLA investment in the property portfolio was heading because some property values were fairly challenged at the moment?

53.25 The Section 151 Officer in her response said she could not answer exactly which direction it was travelling, however this was a similar situation to the previous question, this was a holding for a period of time where the property market fluctuated up and down over a period of time. The reason the Council invested in CCLA was to generate the income return from the rental in those properties and that's what the Council was still securing. When the money was originally invested it was known that the investment would be for at least 3-5 years knowing that the property markets do fluctuate. There was no reason for the Council to take it out at the moment because it still wanted the income return from it.

By unanimous vote

It was Resolved:-

- (i) That the Treasury Management activity for the year 2017/18 be noted. Further, that it be noted that performance was in line with the Prudential Indicators set for 2017/18.**
- (ii) That it be noted that Mid Suffolk District Council Treasury Management activity for 2017/18 was in accordance with the approved Treasury Management Strategy, and that, except for one occasion when the Council exceeded their daily bank account limit with Lloyds by £79k, as mentioned in Paragraph 4.7 of the report, the Council has complied with all the Treasury Management Indicators for this period.**

54 MC/18/19 OVERVIEW AND SCRUTINY COMMITTEE REPORT

54.1 Councillor Welham introduced his report and referred to the review of the Western Suffolk Community Safety Partnership, the two chairs had invited members of both councils to that meeting because it was felt it was of importance to every ward member. The Chair of Scrutiny was disappointed that only three councillors had turned up who were not members of scrutiny and felt it was a lost opportunity to hear from senior officers of all the members of the partnership. However, Councillor Welham informed Council that his next report to Council would cover the main aspects of that review.

54.2 Councillor Otton queried what the areas were that needed further attention following the review of pre-application fees?

54.3 In response the Chair of Scrutiny stated that they were mainly around the area of when an agent or a householder asks for some advice and asks for a site visit, there has sometimes been a delay in the information getting back to the person who has asked for that advice, but also, and of more concern, some of the people who responded to the survey said that the advice that they were given on site was different from the advice that they were given when they had the letter detailing that advice. And through mentoring and training we believe that, that problem can be solved.

54.4 The Chairman thanked the Chair of Overview and Scrutiny for his update.

55 MC/18/20 LOCALISM ACT 2011 - APPOINTMENT OF INDEPENDENT PERSONS

55.1 On the proposal of Councillor Gowrley and seconded by Councillor Flatman

By unanimous vote

It was Resolved:-

That the four individuals included in Appendix A of the report be appointed as the Council's Independent Persons pursuant to section 28(7) of the Localism Act 2011 for a term of two years with an option to extend the appointment for a further two years.

56 MC/18/21 TIMETABLE OF MEETINGS 2019/20

56.1 The Corporate Manager presented the draft timetable to Council and requested that Councillors with any amendments to the timetable write to her and she would review those requests, any amendments would be brought back to the next meeting.

56.2 Councillor Field asked if it would be possible to incorporate the committee dates into members calendars.

56.3 In response the Corporate Manager for Democratic Services confirmed that the Committee Team were looking at this and it hoped to role out a solution shortly.

57 COUNCILLOR APPOINTMENTS

57.1 There were no changes to placings.

58 EXCLUSION OF THE PUBLIC (WHICH INCLUDES THE PRESS)

58.1 After discussion Council **AGREED** not to exclude the press as they felt there was no confidential information contained in the Minutes.

59 MC/18/22 CONFIRMATION OF THE CONFIDENTIAL MINUTE OF THE MEETING HELD ON THE 26 JULY 2018

59.1 Councillor Brewster drew attention to a grammatical error in Minute 42.1 which should read JLL not JAL.

It was Resolved:

That subject to the grammatical errors being corrected the Minutes be approved from the meeting held on 26th July 2018.

The business of the meeting was concluded at 6.34 pm.

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Chair