

MINUTES OF A MEETING OF BABERGH DISTRICT COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON
TUESDAY, 24 JUNE 2014

PRESENT: James Long – Chairman

Jenny Antill	Bryn Hurren
Clive Arthey	Jennie Jenkins
Michael Bamford	Desmond Keane
Simon Barrett	Robert Lindsay
Tony Bavington	Mary Munson
Peter Beer	Mark Newman
Peter Burgoyne	Adrian Osborne
Dave Busby	Jack Owen
Sue Carpendale	Brian Riley
James Cartlidge	Tony Roberts
Richard Cave	Ray Smith
John Deacon	Trot Ward
Kathryn Grandon	Sue Wigglesworth
David Grutchfield	David Wood
John Hinton	

The following Members were unable to be present:

Nigel Bennett, Peter Jones, Richard Kemp, Frank Lawrenson, Neil MacMaster, Jack Norman, John Nunn, Kathy Pollard, Nick Ridley, David Rose, John Sayers, Rex Thake and Len Young.

Members observed a minute's silence in memory of the son and daughter of members of staff who had died recently as a result of tragic road accidents.

The Chairman welcomed Councillor Robert Lindsay, newly elected Member for the South Cosford Ward.

18 PUBLIC PARTICIPATION SESSION

There were no questions or statements from the public.

19 MINUTES

RESOLVED

That the minutes of the Annual meeting held on [22 April 2014](#) be confirmed and signed as a correct record.

20 DECLARATION OF INTERESTS

None declared.

21 CHAIRMAN'S ANNOUNCEMENTS

Events Attended

The Chairman referred to [Paper P25 outlining](#) recent events attended by the Chairman and Vice-Chairman of the Council.

22 PETITIONS

None received.

23 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Annual Report of the Planning Committee for 2013/14 (Planning Committee Minute No 13)

Peter Beer, Chairman of the Planning Committee, introduced the Committee's Annual Report (Paper P26). The Chairman, together with the Corporate Manager – Development Management responded to questions from Members and explained some of the trends which were indicated by the statistics. Members also queried the format used for detailing some of the information, which the Corporate Manager agreed to review.

Members were advised that the reference in Table 7 to five enforcement notices having been served during the last year was incorrect, and in fact none was served. Peter Beer emphasised that serving an enforcement notice would be a last resort, and that wherever possible, negotiation would be used to achieve a satisfactory resolution of any confirmed breach of planning control.

RESOLVED

That Paper P26 be adopted as the Annual Report of the Planning Committee for 2013/14, subject to the number of enforcement notices recorded in Table 7 being corrected to read '0'.

(b) Babergh and Mid Suffolk Joint Strategic Plan 2014-2019 (Strategy Committee 12 June 2014)

Jennie Jenkins, Chairman of the Strategy Committee, introduced the Committee's recommendation asking Members to approve the Joint Strategic Plan as set out in Appendix A to [Paper P20](#) and incorporating the additional wording agreed at the Strategy Committee. She referred to the process for bringing the Plan forward, which had involved considerable community and Member input.

During the course of the discussion, the Chief Executive responded to comments from Members about various aspects of the Plan, and the process whereby individual Action Plans and place-shaping initiatives would be put in place to tackle some of the specific 'front line' issues to which Members had made reference.

Typographical and other minor corrections identified during consideration of the Plan would be addressed by the Interim Executive Director under delegation authorised by the Strategy Committee.

Members recognised that the delivery of projects related to the Councils' visions and priorities was already underway, and noted those examples quoted in the document such as the installation of solar PV panels on council housing. The importance of economic growth to deliver many of the outcomes identified in the Plan, together with the Councils' contribution to growth, was also recognised.

RESOLVED

That the Babergh and Mid Suffolk District Councils' Joint Strategic Plan 2014 – 2019 be approved as set out in Appendix A to Paper P20, as amended by the incorporation of the amended wording as set out below:-

Collaborative working – to strengthen valuable working partnerships within the organisation and voluntary sector, social landlords, business, communities, town, parish, other districts and the county council and all providers of public or community services in the two districts e.g. police, health services in order to achieve our outcomes. To do this, we will work in a joined up and collaborative way across all council activities.

- (c) New Build Programme – Accessing Homes and Communities Agency (HCA) Grant Funding (Strategy Committee 12 June 2014)

Jennie Jenkins, Chairman of the Strategy Committee, introduced the Committee's recommendations in relation to the process by which Babergh might attract HCA funding to support the Council's new build development programme. Members were aware that arising from its consideration of [Paper P23](#) from the Head of Housing, the Strategy Committee had agreed to note in its minutes a reference to the way in which any unmet demand for new social rented houses (if so demonstrated by the current housing needs survey) could be addressed, in the light of the Council's strategic priorities and the conversion (if agreed) of some social rented housing stock to affordable rented tenure.

RESOLVED

- (1) **That approval be given to the conversion of sufficient dwellings from social to affordable rents to support the Council's affordable housing development programme within the current Homes and Communities Agency Affordable Housing Programme (2015-18) in accordance with (a) the principles set out within Paper P23 and (b) Option 2 in paragraph 12.10 of the report.**

Further, that the Head of Housing be authorised to approve on a case-by-case basis the conversion of individual properties which meet the above requirements.

- (2) That income from rent conversions at £3,000 per unit in accordance with Option 2 in paragraph 12.10 of Paper P23 be included in the Council's bid to the Homes and Communities Agency.**

24 QUESTIONS FROM THE PUBLIC

None received.

25 QUESTIONS FROM MEMBERS

None received.

26 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND JOINT COMMITTEES

The Head of Corporate Organisation introduced [Paper P27](#) relating to the Political Balance requirements under the Local Government and Housing Act 1989 and the re-calculations which followed the recent by-election together with the notification of a fifth Political Group. He advised that the appointments of Members to Joint Groups not covered by the Local Government Act 1972 are unchanged from those made at the Annual Council meeting (Paper P5 and Minute No. 11 refer).

RESOLVED

- (1) That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to Paper P27.**
- (2) That Committee seats be allocated as set out in Appendix 2 to the report.**

27 RECOMMENDATIONS ON CONSTITUTIONAL CHANGE

The Corporate Manager – Governance presented a report from the Head of Corporate Organisation ([Paper P28](#)) asking Members to consider recommendations from the Joint Constitution Working Group (JCWG) on a number of matters outstanding from Council in March 2014. Members were also asked to agree to Babergh's write-off procedures for SRP debts being aligned with those of Mid Suffolk.

The Corporate Manager – Governance explained that prior to consideration of the recommendations in 2.2 to 2.8 of Paper P28, it was necessary to suspend the relevant Council Procedure Rule to enable the proposal for an amendment to CPR 14 to be discussed (recommendation 2.5 refers). Recommendation 2.1 of the report was therefore moved, and carried on being put to the vote.

RESOLVED

- (1) That Council Procedure Rule (CPR) 28.2 whereby any motion to add to, vary or revoke the CPRs shall stand adjourned without discussion to the next meeting be suspended for the duration of this meeting in accordance with CPR 28.1**

The Corporate Manager advised Members that work on the Planning Protocol and Procedures document referred to in recommendation 2.6 is on-going and would not be completed in time for consideration by Council in July.

During the course of the discussion on the remaining recommendations, Members queried the wording of 2.4 in relation to non-members of Committees attending for Part II items, and of paragraph 8.1 in Appendix E (recommendation 2.2 refers) regarding relationships between employees and Councillors. An amendment to the wording of 2.4 was moved but withdrawn without being put to the vote in favour of the matter being referred back to the JCWG. It was also agreed to ask the Group to give further thought to paragraph 8.1 of Appendix E.

- (2) That the following documents appended to Paper P28, replacing those existing, be adopted with immediate effect, and form part of the Council's Constitution:-**

Appendix A – Budget and Policy Framework

Appendix B – Financial Regulations

Appendix C – Contract Standing Orders

Appendix D – Whistleblowing Policy

**Appendix E – Code of Conduct for Employees –
subject to the wording of paragraph 8.1 being referred
back to the Joint Constitution Working Group for further
consideration.**

- (3) That the wording on how responses to consultation are undertaken be amended to that shown in Appendix F to Paper P28.**
- (4) That the suggested protocol for Members attending / speaking at a Committee be referred back to the Joint Constitution Working Group for the legal position to be clarified in relation to non-Committee Members' attendance for items in Part II of an agenda.**
- (5) That Council Procedure Rule 14 relating to Questions by the Public be extended to allow questions to be asked at Strategy, Regulatory, Joint Audit and Standards and Joint Scrutiny (and the individual Audit and Scrutiny) Committees.**
- (6) That it be noted that the Planning Protocol and Procedures document will be submitted for consideration at a future meeting.**

- (7) That the process of debt write-off related to the functions of the Shared Revenues Partnership (SRP) be delegated to authorised SRP officers in consultation with the SRP Committee, within limits as agreed by that Committee, and that this provision be incorporated in the Council's Financial Regulations and Constitution as approved under Resolution (2) above (Appendix B refers).
- (8) That the Monitoring Officer be authorised (a) to make any typographical and/or other minor changes together with any other consequential changes to the documents referred to above, and (b) to make any further consequential and other minor amendments to those sections of the Constitution approved by the Council on 25 March 2014.

28 JOINT SCRUTINY COMMITTEE REPORT

Members [received Paper P29](#) which was introduced by the Babergh Chairman of the Joint Committee, Peter Burgoyne.

RESOLVED

That the contents of Paper P29 be noted.

29 APPOINTMENT OF MEMBERS TO VACANCY ON THE JOINT GYPSY AND TRAVELLER STEERING GROUP FOR BABERGH AND MID SUFFOLK

The Head of Corporate Organisation reported that former Councillor Dawn Kendall was appointed to the Group by Council on 17 December 2013. A vacancy therefore existed and the Council was asked to appoint a replacement Member to serve on the Group, which is not subject to political balance requirements. The Head of Service reported that Robert Lindsay's name had been put forward by the Political Group Leaders for approval by the Council.

RESOLVED

That Robert Lindsay be appointed as the fourth Babergh Member on the Joint Gypsy and Traveller Steering Group for the remainder of the current term of office.

The business of the meeting was concluded at 7.35 p.m.

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Chairman