



Andrew Hunkin
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TO: THE CHAIRMAN AND MEMBERS OF
BABERGH DISTRICT COUNCIL

10 December 2012

Dear Sir/Madam

A Meeting of the Babergh District Council will be held in the Council Chamber, Council Offices, Corks Lane, Hadleigh on **Tuesday, 18 December at 9.30 a.m.**

For those wishing to attend, prayers will be said at 9.25 a.m. prior to the commencement of the Council meeting.

Yours faithfully

Andrew Hunkin
Strategic Director (Corporate)

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Strategic Director (Corporate): Andrew Hunkin
Head of Corporate Organisation: Peter Quirk, **Head of Corporate Resources:** Katherine Steel
Chief Finance Officers (S151): Katherine Steel (Mid Suffolk), Barry Hunter (Babergh), **Monitoring Officer:** Kathryn Saward

PART I1 MINUTES

To confirm and sign the minutes of the meeting held on [30 October 2012](#) as a correct record.

2 DECLARATION OF INTERESTS

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

3 APOLOGIES FOR ABSENCE

To receive apologies for absence.

[M126](#)4 CHAIRMAN'S ANNOUNCEMENTS5 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO. 13

In accordance with Council Procedure Rule No. 13, the Chief Executive will report the receipt of any petitions. There can be no debate or comment upon this matter at the Council meeting.

6 RECOMMENDATIONS AND REPORTS FROM COMMITTEES(a) Gambling Act 2005 Statement of Licensing Principles 3 yearly Revision (Licensing and Appeals Committee Minute No. 21)

Paper
[M109](#)

The Corporate Manager – Licensing introduced Paper M109, advising Members of a recent consultation exercise and seeking a recommendation that Council adopts the Statement of Principles attached as Appendix A to the report for the period from 31 January 2013. He explained that the Statement needed to be in place for all possible types of application, notwithstanding that Babergh currently does not licence the whole range of activities covered by the Act.

The Corporate Manager answered questions on various operational aspects of the Gambling Act, and on the Council's role which relates mainly to the licensing of premises. He also made reference to the Gambling Commission, which deals with operator licences and other areas such as on-line and off-shore betting. Members noted that there is on-going liaison between Licensing team members and the Commission, and that the Statement of Principles will, in the main, be applied County-wide across Suffolk.

Members asked the Corporate Manager to organise workshop training on the provisions of the Gambling Act and noted that because of the complexity of the legislation, a key role of his team is to give advice on individual queries about the application of the Act, particularly with regard to charity events and exemptions.

RECOMMENDED TO COUNCIL

That the Gambling Act 2005 'Statement of Principles' document (Appendix A to Paper M109) be adopted and published to take effect for the three year period from 31 January 2013.

- (b) Mid Year Report on Treasury Management 2012/13 (Overview and Scrutiny (Stewardship) Committee Minute No. 35)

Paper
[M111](#)

The Head of Corporate Resources submitted a report (Paper M111) providing the Committee with an assessment of Treasury Management activity and performance on Prudential Indicators for the first half of 2012/13.

It was noted that the Treasury Management Strategy for 2012/13 was agreed by Council on 23 February 2012.

During the course of the discussion Members were pleased to note that Babergh is on the list of authorities that will qualify for the Certainty Rate as detailed in paragraph 10.4.

RECOMMENDED TO COUNCIL

That the Treasury Management activity for the year 2012/13, as detailed in Paper M111 be noted. Further that it be noted that performance was in line with the Prudential Indicators.

- (c) Strategic and Financial Planning Process 2013/14 (Strategy Committee Minute No. 88)

Paper
[M116](#)

The Head of Corporate Organisation submitted a report (Paper M116) requesting the Committee to review and approve the emerging vision, draft strategic priorities and developing outcomes which will lead to the development of the Council's strategic plan and inform the 2013/14 financial planning and budget setting process, and the development of the Operational Delivery Teams.

During the consideration of this item it was agreed that the emerging priorities should be in the same order for both Babergh District Council and Mid Suffolk District Council.

RECOMMENDED TO COUNCIL

- (1) **That the vision, strategic priorities and developing outcomes be adopted in draft form as the basis upon which a strategic plan, the budget process for 2013/14, Medium Term Financial Strategy and the Operational Delivery Teams can be developed.**
 - (2) **That the strategic and financial planning process approach outlined at 11.1-11.5 of Paper M116 be approved.**
- (d) Local Council Tax and Support Scheme and Reductions to Discounts (Strategy Committee Minute No. 89)

Papers
[M117](#),
[M117S](#)
and
[M117A](#)

Strategy Committee Minute No 89 is set out below.

The Head of Corporate Resources submitted reports (Paper M117 and M117S) advising that the Welfare Reform Act abolishes council tax benefit and all Councils must adopt a Local Council Tax Support Scheme from April 2013. Paper M117 set out the proposals and options for this scheme and also reductions in second/empty homes and other discounts. Paper M117S clarified and updated the recommendations in Paper M117.

RECOMMENDED TO COUNCIL

- (1) That the Local Council Tax Support Scheme for 2013/14 is based on the proposals summarised in sections 8.23 to 8.25 of Paper M117 and, for Babergh District Council's scheme, an 8.5% reduction in entitlement to Council Tax support for working age recipients.
- (2) That these proposals are subject to the final funding announcements by the Government in mid-December and the funding gap that will have to be covered, which Members note could be higher than the indication given in Appendix 5 (revised) to Paper M117S.
- (3) That, in order to minimise the impact on working age recipients of Council Tax support, discounts for second/empty homes and other discounts be reduced from April 2013 as also set out in section 8.23 of Paper M117.
- (4) That, in the event of the funding gap being higher when the final funding announcements are made, Members endorse reducing the empty homes discount further and/or increasing the 'taper' relating to Council Tax support, as indicated in notes 2 and 3 to the table in Appendix 5 (revised) to Paper M117S.

- (5) That, assuming the funding announcements are received in time for the Council meeting on the 18 December, further consideration be given to any other changes that may be required to adequately cover the funding gap at that meeting. Alternatively and in the event of final funding decisions not being known at that time, that final decisions on any additional changes in the proposals, including exemptions/ discounts are delegated to the Head of Corporate Resources, in consultation with the Chairman of Strategy Committee.
- (6) That the change to both Councils' Schemes of Delegation as set out in section 8.9 of Paper M117 be approved.

Members are advised that the recommendations of the Strategy Committee have been modified to reflect additional information and requirements for formal adoption of the Local Council Tax Support (Reduction) Scheme and in relation to the Full Equality Assessment Analysis. The Council will therefore be asked to agree the revised recommendations as set out on page 5 in the emboldened text.

The effect of Strategy Committee recommendations (1) and (3) above has been incorporated in the Local Council Tax Support Scheme now recommended for adoption by the Council, and the recommendations themselves are encompassed in recommendation (1) below. The Local Council Tax Support (Reduction) Scheme for 2013/14 recommended for adoption can be accessed via the following link:

<http://bdcdocuments.onesuffolk.net/assets/Uploads/Committees/Committee-Reports/Reports-2012-13/Babergh-S13a-Policy-v1-47.pdf>

The Council will also be asked to note the Equality Assessment Analysis attached as Paper M117A.

The latest position on the timing of the final funding announcements from the Government is that this information will not be available in time for the Babergh Council meeting. Strategy Committee recommendations (2) and (4) therefore remain relevant, and the delegation requested in recommendation (5) is still required, with a modified wording in view of the anticipated timing of the Government announcement. The change to the Council's Scheme of Delegation (recommendation (6)) is still required.

It is therefore **RECOMMENDED**

- (1) That the Local Council Tax Support (Reduction) Scheme for 2013/14 which details reductions to be given for working age applicants for the financial year 2013/14 be formally adopted under section 13A of the Local Government Finance Act 1992.**
- (2) That the Equality Analysis Assessment relating to the Council Tax Support (Reduction) Scheme attached as Paper M117A be noted.**
- (3) That it be noted that (a) these proposals are subject to the final funding announcements by the Government and (b) that the funding gap that will have to be covered could be higher than the indication given in Appendix 5 (revised) to Paper M117S.**
- (4) That, in the event of the funding gap being higher when the final funding announcements are made, Members endorse reducing the empty homes discount further and/or increasing the ‘taper’ relating to Council Tax support, as indicated in notes 2 and 3 to the table in Appendix 5 (revised) to Paper M117S.**
- (5) That the authority for final decisions on any additional changes in the proposals, including exemptions / discounts, consequent on the Government funding announcements being made known be delegated to the Head of Corporate Resources, in consultation with the Chairman of Strategy Committee.**
- (6) That the change to the Council’s Scheme of Delegation to reflect recommendation (1) above, as set out in section 8.9 of Paper M117, be approved.**

7 QUESTIONS FROM THE PUBLIC

The Chairmen of Committees to answer any questions from the public of which notice has been given no later than midday two working days before the day of the meeting in accordance with Council Procedure Rule No. 14.

8 QUESTIONS FROM MEMBERS

The Chairman of the Council and the Chairmen of Committees and Sub-Committees to answer any questions on any matters in relation to which the Council has powers or duties or which affect the District and which fall within the terms of reference of that Committee or Sub-Committee of which due notice has been given in accordance with Council Procedure Rule No. 15.4 (a) and (b).

9 GOVERNANCE REVIEW

Paper
[M124](#)

Report from the Interim Governance Executive attached.

10 APPOINTMENTS TO COMMITTEES ETC

The Strategic Director (Corporate) to report that, following the appointment of Simon Barratt as the Conservative Deputy Group Leader, the Council is asked to make changes to various Conservative Member appointments, which are set out below as notified by the Group Leader.

It is recommended that appointments be agreed as requested.

Strategy Committee

Simon Barratt to replace Brian Riley
(no changes required to pool of substitutes)

Overview and Scrutiny (Stewardship) Committee

Brian Riley to replace Simon Barratt
Peter Burgoyne to replace Frank Lawrenson
F Lawrenson to replace P Burgoyne in pool of substitutes

Overview and Scrutiny (Community Services) Committee

Frank Lawrenson to replace Peter Burgoyne
P Burgoyne to replace F Lawrenson in pool of substitutes

Shared Revenues Partnership Committee

Jennie Jenkins to replace Brian Riley
Simon Barratt to replace J Jenkins as substitute

Strategic and Financial Planning Task Group

Simon Barratt to replace Brian Riley

Joint IT Panel

Frank Lawrenson to replace Brian Riley

ITEM

BUSINESS

11 APPOINTMENT TO VACANCY ON JOINT STANDARDS COMMITTEE

Paper
[M125](#)

Action out of meeting (Paper M125 attached). Following the resignation of Mrs T Kavvadias, **it is recommended**

- (1) That Miss P Cook be appointed as the Council's parish co-opted member of the Babergh and Mid Suffolk Joint Standards Committee for a term of 4 years.**
- (2) That the urgent action out of meeting (detailed in Paper M125) to appoint Miss Cook pending ratification by the Full Council be noted.**

12 EXCLUSION OF PUBLIC (WHICH TERM INCLUDES THE PRESS)

To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during this item there would be the disclosure to them of exempt information as indicated against the item.

The authors of the reports proposed to be considered in Part II of the Agenda are satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART II

13 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

Navigation House Great Eastern Road Sudbury (Exempt information by virtue of paragraph 3 of Part 1) (Strategy Committee Minute No 92)

Paper
[M119](#)

The Strategy Committee at its meeting on 22 November considered Paper M119. Minute No. 92 is set out below.

The Director of Place submitted a report (Paper M119) detailing action out of meeting that had taken place in respect of a site at Sudbury.

RECOMMENDED TO COUNCIL

That the information contained in Paper M119 and supporting documentation that detailed a decision taken under urgent action out of meeting in respect of Navigation House, Great Eastern Road, Sudbury be noted.

For further information on any of the Part 1 items listed above, please contact Linda Sheppard on 01473 826610 or via email at committee.services@babergh.gov.uk