



Andrew Hunkin
Strategic Director (Corporate)
Babergh District Council
Corks Lane, Hadleigh, Ipswich IP7 6SJ

DX NO: 85055 Exchange: Babergh
Website: www.babergh.gov.uk

TO: THE CHAIRMAN AND MEMBERS OF
BABERGH DISTRICT COUNCIL

8 December 2014

PLEASE NOTE TIME OF MEETING

Dear Sir/Madam

A meeting of the Babergh District Council will be held in the Council Chamber, Council Offices, Corks Lane, Hadleigh on **Tuesday, 16 December 2014 at 5.30 p.m.**

For those wishing to attend, prayers will be said at 5.25 p.m. prior to the commencement of the Council meeting.

Yours faithfully

Andrew Hunkin
Strategic Director (Corporate)

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.

Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk who will instruct that they are not included in the filming.

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Babergh District Council
Council Offices, Corks Lane, Hadleigh, Ipswich, IP7 6SJ
Telephone (01473) 822801
Facsimile (01473) 825742
Minicom (01473) 825878
DX 85055 Babergh
www.babergh.gov.uk

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:** Esther Thornton

PART I**1 PUBLIC PARTICIPATION SESSION**

Members of the public are able to ask a question or make a statement during this item – please refer to the ‘Guide to the Procedure’ – copy available on request.

Prior written notice of the intention to speak must be given to the Monitoring Officer by no later than 5 p.m. on Thursday 11 December 2014 (two clear working days before the meeting).

2 MINUTES

To confirm and sign the Minutes of the meeting held on [26 September 2014](#) as a correct record (copy attached).

3 DECLARATION OF INTERESTS

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

4 APOLOGIES FOR ABSENCE

To receive apologies for absence.

5 CHAIRMAN'S ANNOUNCEMENTS

[Paper P79](#)

In addition to any announcements made at the meeting, please see Paper [P79](#) attached, detailing events attended by the Chairman and Vice-Chairman.

6 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO. 14

In accordance with Council Procedure Rules, the Chief Executive will report the receipt of a petition as detailed below. There can be no debate or comment upon these matters at the Council meeting.

Proposed Housing Development off Crowcroft Road, Nedging Tye

Petition signed by 76 residents of Babergh objecting to any further building developments on land off Crowcroft Road. The petitioners' objection to the proposal would normally be taken into account when the relevant planning application is determined. However, no application has been received to date so it is not possible to give any indication as to the future consideration of this matter. The petition organiser has been advised of the position and is aware that the petition will be retained on file in the event that a planning application is submitted for this site.

7 RECOMMENDATIONS AND REPORTS FROM COMMITTEES**Mid Year Report on Treasury Management 2014/15 (Joint Audit and Standards Committee – 10 November 2014)****Paper
JAC38**

At its meeting on 10 November, the Committee considered [Paper JAC38](#) (attached) setting out treasury management activity for the first half of 2014/15.

The Committee supported the recommendation in 2.1 of the report, noting the Councils' compliance with the relevant Prudential Indicators and that performance was in line with the approved Treasury Management Strategy.

In considering whether the respective Councils should be asked to amend the Strategy as proposed in 2.2 and 2.3 of the report, Members took into account the potential for added risk to be introduced if BBB+ were to be adopted as the minimum credit rating criteria at this time, and it was agreed that this proposal, as set out in recommendation 2.2 of [Paper JAC38](#), should not be supported.

The Councils' Section 151 officers do not have any major issues with this as either retaining the current A- minimum rating or adopting a lower BBB+ rating are both valid in treasury management terms, but simply result in different risk issues.

The amendment to the Strategy to lower the maximum investment in approved counterparties (A- or higher) was accepted.

Members were aware that various options referred to during the meeting will be discussed with the Councils' treasury advisors and an update provided in the New Year.

Note: It is a requirement of the Code of Practice on Treasury Management that full Council notes the Mid Year position.

RECOMMENDED TO COUNCIL

- (1) That it be noted that treasury management activity for the first six months of 2014/15 ([Paper JAC38](#) refers) was in accordance with the Councils' approved Treasury Management Strategy and that both Councils have complied with all Prudential Indicators for this period.**
- (2) That the Treasury Management Strategy be amended to lower the maximum investment in banks and other organisations whose lowest published long-term credit rating from Fitch, Moody's and Standard and Poor's is A- or higher from £2m to £1m.**

8 RECOMMENDATIONS AND REPORTS FROM JOINT HOUSING BOARD(a) Revised Terms of Reference and Constitution of the Joint Housing Board (17 November 2014)

[Paper
P80](#)

The Board has been in operation since April 2012 and consists of six Councillors and six democratically elected tenants, each representing a defined area of the Babergh and Mid Suffolk Districts. The Board has recently reviewed its Terms of Reference and Constitution to ensure that they remain relevant and fit for purpose. During the course of the review, a question arose about including a provision in the Constitution to allow substitutes. This was investigated by the Head of Housing and given further consideration by the Board.

The issue of substitutes is complicated because the tenant representatives are democratically elected, specifically for the purpose of serving on the Board. At its meeting on 13 October 2014, the Board considered the following options:-

- Active Tenant Forum Members could be selected to act as substitutes for elected tenant Board members *or*
- The Constitution could maintain its original approach of not permitting substitutes

The Board resolved not to support the appointment of substitutes, on the basis that non-Board members would lack the training and experience to understand some of the complex reports presented to the Board.

In conclusion, the key changes recommended by the Joint Housing Board to its Terms of Reference and Constitution are summarised as follows:

- To combine the original Terms of Reference and Constitution into one document
- To remove the restriction on Tenant Board members holding any form of office within the Tenant Forums (Section 7). Members of the Tenant Scrutiny Panel will be precluded from holding any other form of office within the tenant involvement structure
- To introduce a Vice-Chair role for occasions when the Chair is unable to attend (Section 12)
- The Constitution no longer includes a separate Code of Conduct for Board members. The Board agreed a revised Code of Conduct for all forms of tenant involvement in July 2014. Councillors are required to abide by their respective Council's Code of Conduct for elected Members.

RECOMMENDED

That the revised Terms of Reference and Constitution for the Joint Housing Board attached as [Paper P80](#) be adopted with immediate effect.

The Council is asked to approve the following additional recommendation:-

That the Monitoring Officer be authorised to make the necessary amendments to the Councils' Constitutions, including any consequential amendments arising from the adoption of [Paper P80](#).

- (b) National Housing Federation (NHF) Yes to Homes Campaign (Joint Housing Board - 15 December 2014)

[Paper P81](#)

At its meeting on 15 December, the Joint Housing Board will consider a report informing Members of the Yes to Homes campaign and outlining options for both Councils in supporting the campaign. The relevant information is contained in [Paper P81](#) (attached).

If the Council is minded to support the Yes to Homes campaign, (Recommendation 2.1 of the report), Members will be asked to agree a wording as recommended by the JHB for a statement of support (Recommendation 2.2 of [Paper P81](#) refers) which will be reported to Members at the Council meeting.

9 NOTICE OF MOTION – SUPERMARKET LEVY

At its meeting on 26 September 2014, the Council received the following Motion from Councillor Robert Lindsay, of which due notice had been given:-

“That a letter be sent to the Secretary of State for Communities and Local Government requesting that local authorities be given the power to introduce a levy of up to 8.5% of the rateable value on supermarkets or large retail outlets in their area with rateable annual value not less than £500,000 and for the revenue to be retained by local authorities in order to be used to help improve their local communities.”

The Notice was referred to Strategy Committee for consideration and report. At its meeting on 20 November, the Committee considered a report from the Head of Economy ([Paper P71](#)) which included an independent report commissioned from Robert Delafield of Waterfront Developments Ltd ([Appendix A to Paper P71](#)).

The Committee noted the contents of Appendix A which were taken into account when Members considered whether the Motion should be accepted.

During the course of the debate at Strategy Committee, Members generally did not express support for the Motion as written, but considered that the Council should be asked to lobby the Government in relation to the 2015 revaluation of business rates with a view to creating a more level playing field for small retailers.

The Committee therefore

RESOLVED

That the Notice of Motion be not accepted.

RECOMMENDED TO COUNCIL

That a letter be sent to the Secretary of State for Communities and Local Government in relation to the 2015 Revaluation of Business Rates, urging the Government to create a more level playing field between large supermarkets and small retailers.

10 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 clear working days before the day of the meeting in accordance with Council Procedure Rules.

11 QUESTIONS FROM MEMBERS

The Chairman of the Council, the Chairmen of Committees and Sub-Committees and Lead Members to answer any questions on any matters in relation to which the Council has powers or duties or which affect the District of which due notice has been given in accordance with Council Procedure Rules.

12 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

[Paper P82](#)

Report by the Head of Corporate Organisation attached.

13 TIMETABLE OF MEETINGS 2015/16

[Paper P83](#)

Members are asked to approve the draft timetable ([Paper P83](#)) attached, prepared by the Head of Corporate Organisation.

The timetable has been the subject of consultation with Management Board, Heads of Service, Political Group Leaders and the current Chairmen of Council and Committees.

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