

MINUTES OF A MEETING OF THE BABERGH DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON TUESDAY, 19 JUNE 2012

PRESENT: Mr N A Ridley – Chairman

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| Mrs J Antill | Mr F R Lawrenson |
| Mr C W Arthey | Mr J A B Long |
| Dr M F M Bamford | Mrs M O Munson |
| Mr S R Barrett | Mr M Newman |
| Mr P K Beer | Mrs A M Norman |
| Mr P D Burgoyne | Mr J M Nunn |
| Mr D M Busby | Mr A F D W Osborne |
| Mrs S Carpendale | Mr J M Owen |
| Mr J R B Cave | Mr B Riley |
| Mr M J Deacon | Mr C A Roberts |
| Mrs K S Grandon | Mr D C Rose |
| Mr A J Hinton | Mr R C Smith |
| Mr P J Holbrook | Mr R W Thake |
| Ms J A Jenkins | Mr A J Ward |
| Mr D H Keane | Mrs S M Wigglesworth |
| Miss D L Kendall | Mr D L Wood |

The following Members were unable to be present: Mr A C Bavington, Mr N A Bennett, Mr D G Grutchfield, Mr B D Hurren, Mr P Jones, Mr R E Kemp, Mr N MacMaster, Mrs A K Pollard, Mr J R A Sayers, and Mr L H Young.

21 MINUTES

RESOLVED

That the minutes of the Annual Meeting held on 24 April 2012 be confirmed and signed as a correct record.

22 DECLARATION OF INTERESTS

None declared.

23 CHAIRMAN'S ANNOUNCEMENTS

Events Attended

The Chairman referred to Paper M44 outlining recent events attended by the Chairman and Vice-Chairman of the Council.

Mr A J Bavington

The Chairman extended the Council's condolences to Mr Bavington and his family on the death of his daughter.

Mike Evans

Mike Evans, the Strategic Director (People) who had recently taken up his duties, was welcomed to the meeting.

24 PETITIONS

In accordance with Council Procedure Rule No. 13, it was noted that the following petition had been received.

Application No. B/12/00266 – Erection of decking to front of Public House, The Butt and Oyster Inn, Pin Mill Road, Chelmondiston

Petition signed by approximately 28 residents of Babergh, expressing support for the application. The petition was reported to the meeting of the Development Committee held on 16 May 2012 and will be taken into account when the application is determined.

25 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) The Localism Act 2011 – Adoption of Revised Code of Conduct for Members (Joint Standards Committee 7 June 2012)

The Monitoring Officer presented the recommendations of the Joint Standards Committee relating to the adoption of a Suffolk-wide Code of Conduct (Appendix 1 to Paper M33). She informed Members that the detailed Regulations had now been published and that the operational date for the Code is 1 July 2012, with new Register of Interest forms to be completed within 28 days from that date. However, the detailed list of declarable interests is still awaited.

RESOLVED

- (1) That the Suffolk Local Code of Conduct For Members at Appendix 1 to Paper M33 be adopted in place of the existing Code of Conduct with effect from 1 July 2012 as prescribed by law and subject to the Monitoring Officer being authorised to make additions in accordance with the law.**
- (2) That the adoption of the Suffolk Local Code of Conduct be publicised on the Council's website.**
- (3) That the Monitoring Officer be designated as the Proper Officer under section 33 of the Localism Act 2011 to receive applications for dispensations.**

Note: Councillor Norman arrived during consideration of this item and did not vote on the matter.

(b) Babergh Core Strategy (2011-31; Submission Version): Proposed Changes (Strategy Committee 14 June 2012)

Members had before them the report (Paper M39) which was submitted by the Head of Economy to the Strategy Committee on 14 June. The Committee's recommendations, together with revised plans (Maps B and D) were circulated prior to the commencement of the Council meeting.

The Chairman of the Strategy Committee, Jennie Jenkins, introduced the Committee's recommendations which related to the next part of the process leading up to the examination stage for the Submission Draft document, and the timescale for putting the Core Strategy in place. During the course of her introduction, she summarised the process up to the current point. She also made reference to the need for the Draft document to be progressed, and its importance in achieving the Council's agreed strategic priorities which included economic recovery, delivery of jobs and the provision of quality, affordable homes.

The Planning Policy Manager then outlined some key issues and explained the role of an approved Core Strategy in promoting the economy and local prosperity; delivering the kind of homes that are needed; accessing the Community Infrastructure Levy (CIL); and in avoiding 'hostile' planning applications / developments. He referred to the main revisions to the Draft resulting from consultation responses, and particularly NPPF compliance issues (plus minor clarification on land ownership on 2 maps) and emphasised the need for a robust and 'fit for purpose' document to be submitted to the exacting, external examination process. He responded to Members' questions on various issues, including a specific query on the Core Village status of Bures St Mary, and its relationship to Bures Hamlet, which had been identified by Braintree District Council as an 'other village'.

At this point, an amendment was moved and debated at some length to move Bures St Mary from the list of 'Core Villages' to that of 'hinterland villages' (Policy CS1 and supporting text refer). Members were made aware of the discussions which take place with neighbouring Districts over such issues (in line with the Duty to Co-operate), and were advised that the suggested reclassification would appear irrational, inconsistent and therefore difficult to defend at an examination. The motion was lost on being put to the vote.

A further motion to make amendments to the strategic land allocation for Hadleigh, as described in the text of Policy CS4 / paragraph 2.8.2 – Hadleigh was then moved. The proposed alterations are summarised below:-

- The inclusion of an additional sentence at the end of the first paragraph relating to Hadleigh's relationship with, and enjoyment of, its local countryside.
- In the third paragraph, final sentence – removal of the reference to 5.5ha. of employment land, such land instead to be subject to a future re-allocation to 'an area convenient to the A1071, away from the town, which is not adjacent to residential housing'.

- Deletion of 'for mixed used development' from Policy box – Policy CS4.

During the course of the debate on the amendment, Members were advised that the proposed revisions did not relate to the three options which had been the subject of previous extensive consultations, and that there was no actual site proposition option (that had been made known to the Council); no evidence base to support an alternative to the identified site; or any indication that there was other land which might be available / deliverable for this purpose. Acceptance of the amendment would therefore cause difficulties at the examination stage in defending an alternative site and meeting the requirements for proposed allocations to be deliverable, evidence-based and otherwise consistent with prevailing planning policy.

The Planning Policy Manager confirmed that access to the site referred to in paragraph 2.8.2 of the Draft document, and shown in the Key Diagram and Map B, would be from the A1071. The site (of approx. 30ha.) was considered to be more than sufficient to accommodate the proposed allocation of 5.5ha. of employment land and approximately 8ha. of residential land, with a substantial buffer separating the two areas. Reference was made to options for achieving and maintaining an acceptable degree of separation to produce a satisfactory mixed use development. He also reassured Members that the detail of any planning applications for the development of the area would be considered with local input and careful attention to the way in which the master planning process for this aspect of the Core Strategy could best be achieved. The motion was lost on being put to the vote.

Other matters raised during the debate included:-

- The importance of achieving green infrastructure, and how this might be funded via developer contributions and other means.
- The current / future position on bringing forward development proposals for the former industrial site at Brantham.
- The Plan position and process for setting future policy regarding wind-based renewable energy.

RESOLVED

- (1) That the proposed actions and limited changes to the Submission Draft Local Plan Core Strategy and Policies document (Appendix B to Paper M39, with the inclusion of amended plans – Map B (Hadleigh) and Map D (Sproughton) – as agreed by Strategy Committee) that require a new round of public consultation be agreed. Further, that the Head of Economy be authorised to make basic edits / corrections / consistency changes as necessary prior to commencement of the formal consultation process.**

- (2) That the proposed arrangements for public consultation and the associated timetable for progressing the Core Strategy towards adoption be noted.**

Note: Councillor Owen did not vote on this item because he was absent from the Chamber for part of the debate.

26 QUESTIONS FROM THE PUBLIC

None received.

27 QUESTIONS FROM MEMBERS

None received.

28 ARRANGEMENTS FOR THE DISCHARGE OF STANDARDS FUNCTIONS

Members had before them the reports of the Monitoring Officer – Paper M45, and Paper M45 Supplemental. The Monitoring Officer referred to the revised recommendations in the Supplemental report, which had been prepared to take into account the recommendations to Mid Suffolk’s Council meeting on 21 June from its Executive Committee.

In introducing the revised recommendations, the Monitoring Officer made specific reference to Recommendation 2.2 of Paper M45 Supplemental (fall back arrangements), and to the need for any decision to dispense with the political balance arrangements for a Joint Standards Committee to have no dissenting votes. As a result of Members’ detailed consideration of the recommendations, and the various options for discharging the Council’s statutory functions, it was agreed to accept Recommendation 2.1 (to set up a Joint Standards Committee) with the Overview and Scrutiny (Stewardship) Committee being responsible in the event of Mid Suffolk District Council not concurring in joint arrangements. It was also agreed to accept Recommendation 2.4 (political balance rules to apply).

RESOLVED

- (1) That with effect from 1 July 2012 and, subject to agreement by Mid Suffolk District Council, the Councils’ standards functions be discharged by a newly constituted Joint Standards Committee.**
- (2) That in the absence of any joint arrangement being agreed, that Babergh District Council's standards functions be discharged by the Overview and Scrutiny (Stewardship) Committee.**
- (3) That any new Joint Standards Committee shall comprise 6 elected Members (3 from each Council) plus such co-opted members as each Council may determine in accordance with resolution (5) below.**
- (4) That political balance rules apply to the Council's elected Member appointments.**

- (5) That each Council has the option to appoint 1 non-voting independent member and/or 1 non-voting parish/town council representative to the Joint Standards Committee.
- (6) That the Monitoring Officer be delegated authority in consultation with political group leaders to determine final arrangements, including making Committee appointments to any Standards Committee arrangements as referred to in resolution (1) above.
- (7) That the Articles of the Constitution and terms of reference at Appendix 1 to Paper M45 be adopted with such changes as may be necessary dependent upon resolutions (1) – (5) above and whether the Committee is a Joint Committee. Further, that the Monitoring Officer be authorised to make such other additional minor changes as may from time to time be required.
- (8) That the Monitoring Officer be authorised to initiate a selection process for the appointment of co-opted members as set out in resolutions (3) and (5) above with appointments to be made at a future meeting of Full Council.
- (9) That the allowances for any co-opted members of the new Joint Standards Committee be reviewed and fixed at a future meeting of Full Council.
- (10) That the Council participates in and approves the arrangements for a County wide pool of 'independent persons'.
- (11) That the current independent members of the Joint Standards Committee be appointed as 'independent persons' pursuant to Chapter 7 of the Localism Act 2011 as a transitional measure pending the appointment by Full Council of the pool of 'independent persons' following the completion of a selection process.
- (12) That the principle of a 'Suffolk Standards Board' to determine complaints following an investigation be approved and that the new Joint Standards Committee be delegated authority to determine complaints until the 'Board' is created.
- (13) That the Council's Constitution be amended accordingly.

Note: At its meeting on 21 June 2012, Mid Suffolk District Council concurred with the arrangements agreed for the establishment of a Joint Standards Committee.

29 APPOINTMENT OF SUBSTITUTES – COUNCIL PROCEDURE RULE NO.5

RESOLVED

That Councillor F R Lawrenson be appointed to the vacancy in the Conservative pool of substitutes for the Overview and Scrutiny (Community Services) Committee.

30 APPOINTMENT OF A REPRESENTATIVE AND SUBSTITUTE TO THE POLICE AND CRIME PANEL FOR SUFFOLK

Members were aware that at the Annual Council meeting, they approved the arrangements for the setting up of a joint committee to be known as the Suffolk Police and Crime Panel, but deferred the appointment of a Babergh representative and substitute member to the Panel.

Following clarification from Suffolk County Council, the host authority for the Panel, Babergh's Political Group Leaders had concurred with the appointments being made from the Independent Group on the Council, and nominations had been put forward.

RESOLVED

That the appointment of a Babergh representative and substitute on the Suffolk Police and Crime Panel from the Independent Group on the Council be confirmed, and that Councillors R W Thake and D C Rose be appointed as Babergh's representative and substitute member respectively for the remainder of the current term of office.

Note: The meeting adjourned for refreshments between 11.25 a.m. and 11.40 a.m.

The business of the meeting was concluded at 12.15 p.m.

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Chairman