

MINUTES OF A MEETING OF THE BABERGH DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON TUESDAY, 9 APRIL 2013

PRESENT: Mr N A Ridley – Chairman

Mrs J Antill	Miss D L Kendall
Mr C W Arthey	Mr F R Lawrenson
Dr M F M Bamford	Mr J A B Long
Mr S R Barrett	Mrs M O Munson
Mr A C Bavington	Mr M Newman
Mr P K Beer	Mrs A M Norman
Mr N A Bennett	Mr J M Nunn
Mr P D Burgoyne	Mr A F D W Osborne
Mr D M Busby	Mr J M Owen
Mrs S Carpendale	Mrs A K Pollard
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 D G Grutchfield	Mr J R A Sayers
Mr A J Hinton	Mr R C Smith
Mr B D Hurren	Mr R W Thake
Ms J A Jenkins	Mr A J Ward
Mr P Jones	Mrs S M Wigglesworth
Mr D H Keane	Mr D L Wood
Mr R E Kemp	Mr L H Young

Mr N MacMaster was unable to be present.

71 MINUTES

RESOLVED

That the Minutes of the meeting held on [26 February 2013](#) be confirmed and signed as a correct record.

72 DECLARATION OF INTERESTS

None declared.

73 APOLOGIES FOR ABSENCE

In noting apologies from Neil MacMaster, the Chairman asked Tony Bavington to update Members on Neil's progress, and to convey to him the Council's best wishes for his recovery.

74 CHAIRMAN'S ANNOUNCEMENTS

Events Attended

The Chairman informed Members that in addition to the events referred to in Paper [M187](#), he had also presented long-service awards to three members of staff.

75 PETITIONS

None received.

76 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Recommendations on Constitutional Change (Overview and Scrutiny (Stewardship) Committee Minute No 58)

Mr D M Busby, Chairman of the Overview and Scrutiny (Stewardship) Committee, introduced its recommendations. Members had before them [Paper M178R](#) together with a [revised Addendum and current Appendices](#), which corrected typographical errors identified at the Overview and Scrutiny (Stewardship) Committee meeting, and replacing all previous versions of the structure charts with current version 13.

Members noted that the reference to 'six weekly meetings' in 6.02 of Appendix 3A – Terms of Reference of Joint Scrutiny Committee should read 'bi-monthly' and that the name 'Joint Member Integration Board' (JMIB) would be retained, instead of the proposed 'JMSB'. Mrs Anne Brown, Interim Governance Executive, outlined the main proposals.

Note – at this point, Mrs Jack Norman arrived. She did not vote on this item.

In response to a question about the timings of future meetings, Members were assured that this matter would be the subject of on-going consideration as part of the process to implement the proposed changes, together with further consideration being given to the role of the Groups.

RESOLVED

- (1) That the changes to the Constitution as set out in Paper M178R and supplemented by the Revised Addendum together with current Appendices (referred to as 1, 2, 3A and 5), as circulated with the agenda for the Council meeting, be adopted subject to the proposals being agreed by Mid Suffolk District Council.**
- (2) That the Council's Monitoring Officer be authorised to make the necessary amendments to the Council's written Constitution to give effect to these changes.**

77 POLITICAL BALANCE OF COMMITTEES

Members had before them a report ([Paper M188](#)) by the Interim Governance Executive, asking the Council to formally review the proportional political allocation of places on Committees and to adopt a scheme of proportionality for the Council year 2013/14. The Chairman of the Council referred to the requirement set out in paragraph 8.4 of the report for voting on Version 2 (paragraph 8.7), which meant that the proposal would fall if any one Member voted against.

Mrs Brown then presented the report, drawing Members' attention to the provisions of the legislation regarding grouping arrangements and allocation of seats. The Chairman referred to the normal procedure for agreeing Political Balance at the Annual Meeting, and Members noted that today's consideration would give certainty but would also enable the ungrouped Member to re-consider his personal position before 23 April, if Version 2 were to be rejected. The adoption of Version 2 was then moved, and Members debated at some length the position of the ungrouped Member in relation to its provisions.

A recorded vote was requested in accordance with Council Procedure Rule No 22.5. The result of the recorded vote was as follows:-

<u>For the Motion</u>	<u>Against the Motion</u>	<u>Abstentions</u>
Mrs J Antill	Mr S R Barrett	Mr N A Ridley
Mr C W Arthey	Mr P K Beer	Mr C A Roberts
Dr M F M Bamford	Mr P D Burgoyne	
Mr A C Bavington	Mr J R B Cave	
Mr N A Bennett	Mrs K S Grandon	
Mr D M Busby	Mr A J Hinton	
Mrs S Carpendale	Ms J A Jenkins	
Mr M J Deacon	Mr D H Keane	
Mr D G Grutchfield	Miss D L Kendall	
Mr B D Hurren	Mr F R Lawrenson	
Mr P Jones	Mr M Newman	
Mr R E Kemp	Mr A F D W Osborne	
Mr J A B Long	Mr B Riley	
Mrs M O Munson	Mr J R A Sayers	
Mrs A M Norman	Mr R C Smith	
Mr J M Nunn	Mr R W Thake	
Mr J M Owen		
Mrs A K Pollard		
Mr D C Rose		
Mr A J Ward		
Mrs S M Wigglesworth		
Mr D L Wood		
Mr L H Young		

The result of the recorded vote was 23 Members in favour of Version 2 being adopted, with 16 Members against and 2 abstentions. However, the motion was declared lost as Version 2 could only be adopted if no single Member of Council voted against such a scheme.

At this point, a motion to adopt Version 1 as set out in paragraph 8.5 of Paper M188 was proposed and seconded.

RESOLVED

That, having formally reviewed the proportional political allocation of places on Committees, the scheme of proportionality described as Version 1 in paragraph 8.5 of Paper M188 be adopted for the Council Year 2013/14.

78 RECOMMENDATIONS AND REPORTS FROM COMMITTEES (continued)

(b) Approval of Draft Strategic Priority Outcomes (Strategy Committee Minute No 127)

Ms Jennie Jenkins, Chairman of the Strategy Committee, introduced the Committee's recommendation.

RESOLVED

That the revised draft vision, strategic priorities and outcomes set out in paragraphs 8.1 and 8.2 of paper [M162](#) be adopted subject to:

- **The deletion of the words 'and wildlife' in proposed outcome G in the Economy and Environment priority.**

79 RECOMMENDATIONS AND REPORTS FROM TASK GROUPS/PANELS

Protocol for the use of Planning Officer Delegations (Joint Member Integration Board – JMIB)

Kathryn Saward, Head of Legal Services, presented the recommendations of JMIB as set out in [Paper M189](#) for the adoption of a Protocol identifying the circumstances in which the Head of Economy will report planning applications to Committee for determination. In response to a question, Mrs Saward confirmed that training would be provided on the introduction and implications of the Protocol.

RESOLVED

- (1) **That the Scheme of Delegation be amended to define a decision on a planning application as being in accordance with Council policy where it is made in accordance with the National Planning Policy Framework as determined by the Head of Economy in consultation with the Chairman and/or Vice-Chairman of the Planning Committee.**
- (2) **That the Protocol at Appendix 1 to Paper M189 be adopted with immediate effect.**

80 CREATION OF A SUFFOLK JOINT STANDARDS BOARD

Kathryn Saward, Monitoring Officer, presented proposals as set out in [Paper M191](#) for the establishment of a Suffolk Joint Standards Board to determine final stage complaints under the Suffolk Local Code of Conduct. She referred to the principle of the Board having already been agreed, and confirmed that there would be the opportunity for Councils other than Babergh, Mid Suffolk and the County Council to join at a later stage if they so decided. Members' attention was drawn to Recommendation 2.4 which required all Members voting to be in support.

- (1) **That subject to the agreement of all of the Councils concerned, a joint committee be established between Babergh and Mid Suffolk District Councils and Suffolk County Council referred to as the 'Suffolk Joint Standards Board' to take effect from 24 May 2013.**

- (2) That the Articles and Terms of Reference at Appendix 1 be approved and that the Monitoring Officer be authorised to make minor amendments as may from time to time be necessary in consultation with the Monitoring Officer of Suffolk County Council.
- (3) That the 'Suffolk Joint Standards Board' be delegated authority to undertake the functions set out within the terms of reference.
- (4) That political balance rules do not apply to the Council's appointments to the joint committee.

Note: All Members voting were in Support of Resolution (4).

81 QUESTIONS FROM THE PUBLIC

None received.

82 QUESTIONS FROM MEMBERS

Questions from Councillor David Busby to the Chairman of the Council

As Chair of Overview and Scrutiny (Stewardship) Committee I am concerned with aspects of the Governance Review, its

- Staid recommendations;
- Sluggish rate of progress;
- Probable cost.

In the expression of interest document it clearly stated that the "experienced specialist" would be appointed for "a defined period of time, to undertake a defined task". This time period was subsequently stated as being "within 6 months of appointment" – early July 2012. Here we are 9 months later and the exercise is still only partially complete.

Question One

What was the agreed daily rate for the consultant?

Reply from the Chairman of the Council

The agreed rate is £400 per day based on the completed expression of interest submission, which formed part of the formal tender process to appoint the Interim Governance Executive.

Question Two

How many days were budgeted for the Governance Review?

Reply from the Chairman of the Council

The initial submission contained in the expression of interest submission identified a 72 day estimate for completion of the review (60 days for the review and 12 days managerial input). However this estimate was dependent upon the assessment of work required for the review across two councils and the development of the delivery plan with senior officers and councillors.

Question Three

What was the agreed total cost, including disbursements?

Reply from the Chairman of the Council

Based on the initial estimate of 72 days at day rate the estimated cost for the Governance Review was calculated at £28,800 plus disbursements (travel costs).

Question Four

How much has been spent to-date?

Reply from the Chairman of the Council

As at the end of March 2013 the cost for the Governance Review and managerial input amounts to £26,800 plus, £4,552 disbursements for travel expenses. The cost will be divided equally between Babergh and Mid Suffolk District Councils.

Question Five

When is the exercise likely to be completed?

Reply from the Chairman of the Council

The core elements of the review will be completed in time for the annual Council meetings in late April 2013.

Question Six

What is the predicted total final cost?

Reply from the Chairman of the Council

Based on costs to date and the work required to prepare for the annual Council meeting the cost is likely to be in the region of £34000 plus disbursements.

Supplementary Question

Given that the daily rate translates to an annual salary in excess of £100,000 and that, in my opinion, a handful of existing committee chairs in consultation with the Monitoring Officer could have come up with something acceptable within a couple of days, does the Chairman consider that the exercise has been

- (a) Successful and
- (b) Good value for money?

Reply from the Chairman of the Council

A written reply will be circulated to the questioner and all Councillors.

Note: the written reply to the Supplementary Question, as referred to above, has now been sent to the questioner and is reproduced below, for Members' information.

- (a) *The key output from the Governance review is a overall Governance framework and committee structure (approved at Council on 9 April 2013) which will be used to deliver the range of criteria set by councillors for the review:*
 - *Namely; To support and provide a formal basis for Joint working between the Councils.*
 - *To focus the reduced management resource on supporting the decision making and policy development functions of the Councils.*

- *To provide a robust basis for decision making for the Councils*
- *To provide the catalyst for building on the role of political groups in supporting the decision making processes*
- *To provide all members with the opportunity to engage with and inform the policy development function for the Councils .*

(b) The appointment of the Interim Governance Executive was subject to an external tendering exercise to ensure that value for money was achieved.

Note: The meeting adjourned between 10.50 a.m. and 11.10 a.m. for refreshments.

The business of the meeting was concluded at 11.45 a.m.

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Chairman