

MINUTES OF A MEETING OF BABERGH DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON TUESDAY, 16 DECEMBER 2014

PRESENT:

James Long – Chairman

Jenny Antill	Desmond Keane
Clive Arthey	Frank Lawrenson
Michael Bamford	Robert Lindsay
Simon Barrett	Mary Munson
Peter Beer	Mark Newman
Nigel Bennett	Jack Norman
Peter Burgoyne	John Nunn
Dave Busby	Adrian Osborne
Sue Carpendale	Jack Owen
James Cartlidge	Nick Ridley
Richard Cave	Brian Riley
John Hinton	John Sayers
Bryn Hurren	Rex Thake
Jennie Jenkins	Trot Ward
Peter Jones	Sue Wigglesworth

The following Members were unable to be present:

Tony Bavington, John Deacon, Kathryn Grandon, David Grutchfield, Richard Kemp, Neil MacMaster, Kathy Pollard, Tony Roberts, David Rose, Ray Smith, David Wood and Len Young.

46 PUBLIC PARTICIPATION SESSION

There were no questions or statements from the public.

47 MINUTES

**RESOLVED**

**That the minutes of the meeting held on 26 September 2014 be confirmed and signed as a correct record.**

48 DECLARATION OF INTERESTS

Clive Arthey and Robert Lindsay declared each declared a pecuniary interest in Paper N81 – Minute No. 52(b) below – as landowners of sites covered by the Strategic Housing Land Availability Study and both Members were not present in the Council Chamber for the consideration of that item.

49 CHAIRMAN'S ANNOUNCEMENTS

Events Attended

The Chairman of the Council referred to Paper P79 outlining recent events attended by the Chairman, Vice-Chairman and Leader of the Council.

50 PETITIONS

In accordance with Council Procedure Rule No. 14, it was noted that the following petition had been received:-

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.

51 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

Mid Year Report on Treasury Management 2014/15 (Joint Audit and Standards Committee – 10 November 2014)

The Chairman of the Joint Audit and Standards Committee introduced the Committee's recommendations. He reported that, after careful consideration, Members had not accepted the officer recommendation in 2.2 of [Paper JAC 38](#) to adopt BBB+ as the minimum credit rating criteria, having taken a view on the potential for added risk.

**RESOLVED**

- (1) That it be noted that treasury management activity for the first six months of 2014/15 referred to in Paper JAC38, 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.**

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

52 RECOMMENDATIONS AND REPORTS FROM JOINT HOUSING BOARD

- (a) Revised Terms of Reference and Constitution of the Joint Housing Board JHB (17 November 2014)

The Head of Housing introduced [Paper P80](#) which set out for adoption by the Council the revised Terms of Reference and Constitution recommended by the JHB, following its recent review to ensure that its ToR remained relevant and fit for purpose.

Members noted that, as part of the review, the Board had considered in some depth the possible inclusion of substitute arrangements for the Board, but concluded that this could not be supported because non-Board members would lack the training and experience to understand some of the complex reports which would be presented to them.

**RESOLVED**

- (1) That the revised Terms of Reference and Constitution for the Joint Housing Board as set out in Paper P80 be adopted with immediate effect.**
- (2) 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)**

The Head of Housing introduced [Paper P81](#) from the Joint Housing Board (JHB) informing Members of the purpose of the Yes to Homes campaign and of the options for supporting the campaign. He advised Members of the JHB's recommendation, as set out below, following the Board's consideration of Paper P81 on 15 December.

- (1) That the National Federation's Yes to Homes campaign be supported (2.1 of Paper P81 refers) and
- (2) That the following wording, as agreed by JHB at its meeting on 15 December 2014, be approved as the statement of support referred to in 2.2 of Paper P81:-

"Council believes that the solution to the housing shortage is simple. We need to build more of the right homes, in the right place, at the right price. Council resolves to work with Yes to Homes supporters, local groups and organisations to actively make the case for new homes and explain the benefits of new homes for the whole community."

During the course of the ensuing discussion, Members generally supported the campaign although it was considered that the solution to the housing shortage was not 'simple' and that the first sentence of the proposed statement should be removed.

**RESOLVED**

- (1) That the National Federation's Yes to Homes Campaign be supported.**
- (2) That the following wording be approved as the Council's statement of support for the campaign:-**

**“We need to build more of the right homes, in the right place, at the right price. Council resolves to work with Yes to Homes supporters, local groups and organisations to actively make the case for new homes and explain the benefits of new homes for the whole community.”**

53 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 agreed 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 Chairman of the Strategy Committee in introducing this item referred to the discussion on how the Notice of Motion concerning the supermarket levy should be handled constitutionally. The Monitoring Officer had advised that the Notice of Motion should be resolved by the Committee it had been referred to; and the Joint Constitutional Working Group (JCWG) would be asked to clarify the wording as to how future Notices of Motion should be dealt with. However, in order to put the matter beyond doubt Jennie Jenkins proposed to Council:-

That the Notice of Motion be not accepted and that a letter be sent to the Secretary of State of 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.

Prior to asking for a seconder, the Chairman of the Council asked Members to ensure that any comments made related to the recommendation before them and did not address constitutional matters, which would be considered by the JCWG, with any recommendations to amend the Councils' Constitutions being brought back for a Council decision. He also reminded Members that as Chairman he could use his discretion to allow a motion to be dealt with at the meeting at which it was brought forward.

In response to a question from a Member, it was confirmed that the Strategy Committee minutes would refer to its decision not to accept the Notice but to recommend the sending of a separate letter. An amendment was then moved by Robert Lindsay for the two elements of the proposal before Members to be considered separately, but this was lost on being put to the vote. As a result of the ensuing discussion, Members accepted the proposal as put forward by the Chairman of Strategy Committee.

**RESOLVED**

**That the Notice of Motion be not accepted and 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.**

54 QUESTIONS FROM THE PUBLIC

None received.

55 QUESTIONS FROM MEMBERS

None received.

56 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

The Corporate Manager – Elections and Electoral Management presented a report from the Head of Corporate Organisation ([Paper P82](#)).

In accordance with the Electoral Registration and Administration Act 2013, every Council in England and Wales must undertake and complete a review of all of the polling districts and polling places in its area. Guidance produced by the Electoral Commission set out the process for a review, and this had been followed. The appendix to the report provided a list of the recommended polling districts, polling places and polling stations, showing the changes which have been made since the last review.

**RESOLVED**

**(1) That the Polling Districts and Polling Places as listed in Appendix A to Paper P82 be adopted.**

**(2) That the Polling Stations proposed by the Returning Officer as listed in Appendix A to Paper P82 be noted.**

57 TIMETABLE OF MEETINGS 2015/16

The Head of Corporate Organisation submitted [Paper P83](#), the draft timetable of meetings for the next municipal year, which had been prepared following consultation with relevant Members and Officers.

**RESOLVED**

**That the timetable of meetings outlined in Paper P83 be approved.**

The business of the meeting was concluded at 7.00 p.m.

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Chairman