

MINUTES OF THE MEETING OF THE BABERGH DISTRICT COUNCIL HELD IN  
THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON  
TUESDAY, 28 JULY 2015

PRESENT: Nick Ridley – Chairman

Clive Arthey	Bryn Hurren
Sue Ayres	Jennie Jenkins
Melanie Barrett	Richard Kemp
Simon Barrett	Frank Lawrenson
Peter Beer	Margaret Maybury
Peter Burgoyne	Alastair McCraw
Sue Burgoyne	Mark Newman
Tom Burrows	John Nunn
Dave Busby	Adrian Osborne
Tina Campbell	Jan Osborne
Sue Carpendale	Peter Patrick
Michael Creffield	Stephen Plumb
Derek Davis	David Rose
Siân Dawson	William Shropshire
Alan Ferguson	Ray Smith
Barry Gasper	Harriet Steer
John Hinton	Fenella Swan
David Holland	John Ward
Michael Holt	Stephen Williams

The following Members were unable to be present:

Tony Bavington, Kathryn Grandon, James Long and Lee Parker.

20 PUBLIC PARTICIPATION SESSION

There were no questions or statements from the public.

21 MINUTES

**RESOLVED**

**That the Minutes of the Annual meeting held on 19 May 2015 be confirmed and signed as a correct record.**

22 DECLARATION OF INTERESTS

None declared.

23 ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR LEADER

The Chairman referred to Paper R27 outlining recent events attended by the Chairman, Vice-Chairman and Leader.

He also welcomed to the meeting Suki Binjal, recently appointed as the Interim Head of Law and Governance (acting Corporate Manager – Legal).

24 PETITIONS

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

Application No B/15/00621 – erection of 8 bungalows on land off Crowcroft Road Nedging Tye

Petition signed by approximately 51 residents of Babergh objecting to the proposal. In accordance with Council Procedure Rules, the receipt of the petition was reported to the Planning Committee at its meeting on 22 July 2015 and it will be taken into account when the application is determined.

25 RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Approval of Tenancy Agreement (Strategy Committee – 4 June 2015)

Jennie Jenkins, Chairman of the Strategy Committee, introduced the Committee's recommendation to approve a new Tenancy Agreement. Members had before them [Paper R28](#) which incorporated minor corrections to the original report ([Paper R11](#)) considered by Strategy Committee, together with a revised version of Appendix A (the Tenancy Agreement).

**RESOLVED**

- (1) That the revised Tenancy Agreement for Babergh District Council, attached as Appendix A to Paper R28, be approved.**
- (2) The revised Tenancy Agreement be introduced by no later than the 30 September 2015.**

(b) Capital Investment Strategy (Joint Audit and Standards Committee – 15 June 2015 and Strategy Committee – 9 July 2015)

Members had before them [Paper JAC54](#) (previously considered by the Joint Committee) together with [Paper R17](#) which contained additional information regarding the various options and the rationale for the proposal to amend the Treasury Management Strategy, and further information supplied by Arlingclose Limited ([Paper R17A](#)) all of which had been circulated to the Strategy Committee.

Members were advised that the information in Paper P17A had been identified as not for disclosure to third parties and was therefore confidential by virtue of Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972. Any discussion or questions on this element would therefore have needed to take place after the exclusion of public and press, but in the event, this was not necessary.

Jennie Jenkins, Chairman of the Strategy Committee, proposed the recommendation of that Committee which was seconded, and carried on being put to the vote.

**RESOLVED**

**That the 2015/16 Treasury Management Strategy be amended as outlined in paragraph 9.31 of [Paper JAC54](#).**

26 DESIGNATION OF THE MONITORING OFFICER ROLE

Suki Binjal, Interim Head of Law and Governance, left the Council Chamber prior to consideration of this item.

Members had before them [Paper R29](#) which was presented by the Chief Executive.

**RESOLVED**

**That Suki Binjal be designated as the Monitoring Officer for Babergh and Mid Suffolk District Councils as required under Section 5 of the Local Government and Housing Act 1989.**

27 QUESTIONS FROM THE PUBLIC

None received.

28 QUESTIONS FROM MEMBERS

None received.

29 RECOMMENDATIONS ON CONSTITUTIONAL CHANGE – CHARTER ON PUBLIC SPEAKING

Peter Beer, Chairman of the Planning Committee, introduced [Paper P30](#) and referred to the main changes to the public speaking arrangements under Babergh's previously agreed arrangements. Philip Isbell, Corporate Manage – Development Management was present at the meeting and responded to Members' questions on specific provisions.

During the course of the discussion on this item, an amendment was moved proposing a revised wording regarding the reference to 'loss of view' in the column headed 'DON'T' at the bottom of page 3 of the Charter (Appendix A to Paper R30). The proposer and seconder of the amendment were seeking to clarify the definition of 'view' with regard to its private / public aspects. Members were advised that there could be case specific elements which would make it misleading to include any reference to a 'private' view, and the amendment was lost on being put to the vote.

**RESOLVED**

**(1) That the Charter on Public Speaking attached as Appendix A to Paper R30 be adopted with effect from 10 August 2015.**

- (2) That the Monitoring Officer be authorised to make any typographical and / or other minor changes to the Charter, together with any other consequential changes to the document.**

30 APPOINTMENTS TO OUTSIDE BODIES 2015/2016

The Head of Organisation introduced [Paper R31](#) and referred to the rationale for appointments being recommended to the bodies listed in Appendix A, which was circulated prior to the commencement of the meeting. Further names were put forward at the meeting as follows:-

- County Domestic Violence Forum  
Margaret Maybury (also the representative on the Babergh Forum 'Compassion')
- Ipswich and District Citizens Advice Bureau  
Bryn Hurren
- Suffolk Health Scrutiny Committee  
Substitute Member – Siân Dawson

Substitute Members for Haven Gateway Partnership, Ipswich Policy Area Board and Suffolk Flood Risk Scrutiny Sub-Committee would be appointed at the September Council meeting.

Members agreed the appointments recommended in Appendix A to Paper R31, together with the three additional nominations referred to above.

**RESOLVED**

- (1) That Councillors be appointed to the Outside Bodies as detailed in Appendix 1 to these Minutes, for the current municipal year.**
- (2) That an annual review of appointments takes place.**

31 THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2015

The Interim Head of Law and Governance introduced [Paper R32](#) seeking Member approval for delegation to the Monitoring Officer and the Joint Appointments Committee to meet the requirements of the 2015 Regulations.

In response to a query raised by Members about Appendix 1 to the report (a letter from ALACE), the Chief Executive explained the status of this body, and informed Members that she did not share the view expressed in Appendix 1.

**RESOLVED**

- (1) That authority be given to the Monitoring Officer in consultation as necessary with the Corporate Manager - Governance, to make such changes as might be necessary to the Council's Constitution so as to ensure compliance with the new Regulations.**

- (2) That the existing Joint Appointments Committee be authorised for the purposes of Section 102(4) of the Local Government Act 1972 to advise the Authority on matters relating to the dismissal of relevant officers of the Authority, other than a redundancy situation. (When dealing with disciplinary/dismissal this Committee will include up to a further two independent persons).

32 PORTFOLIO HOLDERS

Members were asked to consider a change to the appointments of the Finance and Resources / Housing Portfolios made at the Annual Meeting to meet the Government's requirement for a strategic and joined-up response on housing delivery which is inextricably linked with the funding for housing growth, the HRA and the Council's financial stability. The combining of these Portfolios would also fit with Jennie Jenkins' role in the Suffolk Leaders team.

**RESOLVED**

That (a) the Housing Portfolio be added to that of Finance and Resources for the remainder of the current municipal year and (b) Jennie Jenkins be appointed to this combined role.

33 APPOINTMENT OF MEMBERS TO JOINT GYPSY AND TRAVELLERS STEERING GROUP

**RESOLVED**

That the following Members be appointed to represent Babergh on the Joint Gypsy and Travellers Group:-

Lee Parker, Sue Ayres, Peter Burgoyne, Peter Patrick  
Substitute member – Siân Dawson

34 APPOINTMENT OF SUBSTITUTE MEMBERS TO SHARED REVENUES PARTNERSHIP

**RESOLVED**

That Peter Burgoyne and Margaret Maybury be appointed as substitute members on the Shared Revenues Partnership.

35 CONSERVATIVE GROUP CHANGES TO COMMITTEE MEMBERSHIPS

- (a) Regulatory/Licensing 2003 Committee

**RESOLVED**

That Margaret Maybury and Tom Burrows be appointed as Members of the Regulatory / Licensing Act 2003 Committee in place of Jan Osborne and Stephen Williams, with immediate effect.

(b) Joint Appointments Panel

**RESOLVED**

**That Jennie Jenkins and Simon Barrett be appointed to the Joint Appointments Panel in place of Margaret Maybury and Tom Burrows, with immediate effect.**

36 COMMENCEMENT TIMES OF FUTURE MEETINGS

The Chairman proposed a change to the commencement times of future meetings, which was agreed by the Council.

**RESOLVED**

**That with the exception of the Annual Meeting which will commence at 9.30 a.m., Council Meetings will commence at 5.30 p.m. with effect from the next scheduled meeting, on 22 September 2015.**

The business of the meeting was concluded at 6.45 p.m.

.....  
Chairman

**APPENDIX 1 TO MINUTES OF COUNCIL MEETING HELD 28 JULY 2015**

**BABERGH DISTRICT COUNCIL**  
**APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES/PARTNERSHIPS**

<b>NAME OF BODY Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER(S) APPOINTED</b>
ASSOCIATION FOR SUFFOLK MUSEUMS 3 x per annum weekday a.m. at Suffolk museums	1	John Nunn
BABERGH DOMESTIC VIOLENCE AND ABUSE FORUM (COMPASSION) 6 x per annum at Sudbury/BDC Council offices	1	Margaret Maybury
COUNTY DOMESTIC VIOLENCE FORUM 4 x per annum a.m. at various locations.	1	Margaret Maybury
DEDHAM VALE AONB AND STOUR VALLEY JOINT ADVISORY COMMITTEE (JAC) 3 x per annum a.m./p.m. at Sudbury/Great Cornard	2	David Holland
EAST OF ENGLAND ASSEMBLY OF LEADERS 4 per annum a.m./pm at local authority venues across the east of England	1 (Leader)	Jennie Jenkins (already appointed at May meeting)
GAINSBOROUGH'S HOUSE SOCIETY Gainsborough's House	1	Nick Ridley
GREATER IPSWICH CITY BOARD DEAL	1 (+ 1 substitute member, from MS)	Simon Barrett
HAVEN GATEWAY PARTNERSHIP 5 x per annum daytime various/locations	1 (+ substitute member)	John Hinton
IPSWICH AND DISTRICT CITIZENS ADVICE BUREAU 5 – 4 (evening) board meetings, 1 AGM – daytime p.m. at 19 Tower Street.	1	Bryn Hurren

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER(S) APPOINTED</b>
IPSWICH POLICY AREA BOARD 4 x per annum p.m. Ipswich	1 (+ 1 substitute member)	Simon Barrett
LOCAL GOVERNMENT ASSOCIATION – ASSEMBLY Annual meeting  LOCAL GOVERNMENT ASSOCIATION – SPARSE 3 x per annum daytime LGA London and at Rural Conference Venues, 11.30 a.m. – 3 p.m.	1 Leader  1	Jennie Jenkins (already appointed at May meeting)  Richard Kemp
RAG (Responsible Authorities Group) Western Area Overarches the Western Area Crime and Disorder Reduction Partnership.  4 x per annum a.m. at Mid Suffolk, Babergh, Forest Heath and St Eds on a rotational basis	2  Voting rights	Jan Osborne and Sue Burgoyne
RAISING THE BAR SPONSORING GROUP 4 x per annum late p.m. , various locations	1 (+1 substitute from MS)	Sue Carpendale
SOUTH SUFFOLK LEISURE TRUST BOARD 7 x per annum late p.m Babergh Offices	2	Simon Barrett and Tina Campbell
SUDBURY AND DISTRICT CITIZENS ADVICE BUREAU 5 x per annum p.m. at Belle Vue Sudbury	1	Adrian Osborne
SUFFOLK COAST AND HEATHS AONB JOINT ADVISORY COMMITTEE (JAC) and PARTNERSHIP 4 per annum a.m. various locations in the AONB	2 1 – JAC and Partnership 1 – JAC only	David Rose  Derek Davis (sub and JAC only)



<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER(S) APPOINTED</b>
SUFFOLK FLOOD RISK SCRUTINY SUB-COMMITTEE 2 x per annum, various locations.	1 (+ 1 substitute member)	Frank Lawrenson
SUFFOLK HEALTH AND WELLBEING BOARD 6 x per annum – Thursdays at Ipswich or Bury St Edmunds – formal meeting a.m. followed by optional informal session p.m.	1 (+ 1 substitute member)  full voting rights	Nick Ridley as the joint member representative for 2015/2016 with Diana Kearsley as substitute
SUFFOLK HEALTH SCRUTINY COMMITTEE	1 (+ 1 substitute member)	Jan Osborne Sub – Siân Dawson
SUFFOLK JOINT EMERGENCY PLANNING POLICY PANEL 2 x per annum, Endeavour House.	1 (+1 substitute Member)	John Hinton - sub Sue Carpendale
SUFFOLK POLICE AND CRIME PANEL	1	David Rose Sub – Stephen Plumb
SUFFOLK RAIL POLICY GROUP 3 x per annum p.m. at SCC and District Council Offices	1	Alastair McCraw
SUFFOLK SPORT PARTNERSHIP FORUM 2 x per annum daytime various Suffolk locations	1	Derek Davis
SUFFOLK WASTE PARTNERSHIP (SWP) 4 x per annum a.m. at MSDC Offices	1	Clive Arthey
THE QUAY THEATRE AT SUDBURY LIMITED – Management Board 12 x per annum evening Quay Theatre	1	Bryn Hurren
JOINT WASTE MANAGEMENT BOARD	1 (+ substitute Member)	Frank Lawrenson