

MINUTES OF THE ANNUAL MEETING OF THE BABERGH DISTRICT COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON
TUESDAY, 26 APRIL 2016 AT 9:30 AM

PRESENT: Nick Ridley – In the Chair

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

The following Members were unable to be present:

Melanie Barrett, Simon Barrett, Sue Carpendale and Ray Smith.

1 ELECTION OF CHAIRMAN

It was proposed and seconded that Peter Burgoyne be elected Chairman of the Council for the ensuing year.

RESOLVED

That Peter Burgoyne be elected Chairman of the Council for the ensuing year.

Peter Burgoyne thereupon made his Declaration of Acceptance of Office and presided over the meeting.

2 ELECTION OF VICE-CHAIRMAN

Peter Beer and Derek Davis were proposed and seconded for Vice-Chairman of the Council for the ensuing year. Voting on this appointment was by ballot, six Members having requested this in accordance with Council Procedure Rule No 23.5. The result of the subsequent ballot (22 for Peter Beer and 16 for Derek Davis with 1 abstention) was announced by the Chairman.

RESOLVED

That Peter Beer be elected Vice-Chairman of the Council for the ensuing year.

Peter Beer thereupon made his Declaration of Acceptance of Office.

3 DECLARATION OF INTERESTS

None declared.

4 MINUTES

RESOLVED

That the minutes of the meeting held on 23 February 2016 be confirmed and signed as a correct record.

5 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to Paper S1 outlining recent events attended by the outgoing Chairman, Nick Ridley, and Vice-Chairman, Peter Burgoyne.

Chairman's Charities

The Chairman informed the meeting that his chosen charities for this year were Age UK (Suffolk) and Sudbury Gateway Club.

6 PUBLIC PARTICIPATION SESSION

There were no questions or statements from the public.

7 QUESTIONS FROM THE PUBLIC

None received.

8 QUESTIONS FROM MEMBERS

In accordance with Council Procedure Rule No. 16, John Hinton asked the following question:

"Is Babergh a "third option" council operating on a modified committee structure in accordance with the size exemptions in the Local Government legislation?"

The Monitoring Officer confirmed that Babergh District Council had chosen the governance arrangements commonly referred to as the "fourth option", as set out by the Local Government Act 2000.

As provided for by the Council Procedure Rules, John Hinton then asked a supplementary question in relation to the need for and the roles of the Portfolio Holders and Members with Special Responsibilities. The Monitoring Officer replied that the current legislation did not prevent the Council from making such appointments.

9 PETITIONS

None received.

10 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND JOINT COMMITTEES

The Interim Head of Democratic Services introduced [Paper S2](#) relating to the Council's duty to review the allocation of seats to Political Groups. Members were asked to approve the Committees' size and numerical allocation of seats as detailed in Appendix 1 and to approve the composition of Committees as detailed in Appendix 2 to the report, in accordance with Recommendations 2.2 and 2.3.

RESOLVED

- (1) That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to Paper S2, as follows:

COMMITTEES	NO. OF SEATS	INDEPENDENT & LABOUR (9 MEMBERS)		CONSERVATIVE (31 MEMBERS)		LIB/DEM (3 MEMBERS)	
STRATEGY	10	2.09	2	7.2	7	0.7	1
JOINT SCRUTINY	8	1.67	1	5.77	6	0.56	1
JOINT AUDIT AND STANDARDS	8	1.67	2	5.77	6	0.56	0
PLANNING	14	2.93	3	10.09	10	0.98	1
REGULATORY	10	2.09	2	7.21	7	0.7	1
JOINT APPOINTMENTS	3	0.63	1	2.16	2	0.21	0
TOTAL TARGET	53	11.09	11	38.21	38	3.7	4

- (2) That Committee seats be allocated as set out in Appendix 2 to Paper S2, as follows:

STRATEGY COMMITTEE (10)

Clive Arthey
Simon Barrett
Sue Carpendale
Alan Ferguson
David Holland

Jennie Jenkins
Richard Kemp
Frank Lawrenson
Jan Osborne
Peter Patrick

JOINT SCRUTINY COMMITTEE (8)

Peter Burgoyne
Barry Gasper
Kathryn Grandon
Bryn Hurren

Margaret Maybury
Mark Newman
John Nunn
Stephen Williams

JOINT AUDIT AND STANDARDS COMMITTEE (8)

**Tony Bavington
Michael Creffield
John Hinton
David Rose**

**William Shropshire
Fenella Swan
John Ward
(1 vacancy)**

PLANNING COMMITTEE (14)

**Sue Ayres
Melanie Barrett
Peter Beer
Sue Burgoyne
David Busby
Tina Campbell
Derek Davis**

**Michael Holt
Adrian Osborne
Lee Parker
Stephen Plumb
Nick Ridley
David Rose
Ray Smith**

REGULATORY COMMITTEE (10)

**Tom Burrows
Tina Campbell
Sue Carpendale
Siân Dawson
Kathryn Grandon**

**Richard Kemp
Margaret Maybury
Alastair McCraw
Nick Ridley
Ray Smith**

JOINT APPOINTMENTS COMMITTEE (3)

**Simon Barrett
Jennie Jenkins**

James Long

11 APPOINTMENTS

- (i) Appointment of the Leader and Deputy Leader of the Council and Chairmen and Vice-Chairmen of Committees

Mark Newman and Bryn Hurren were proposed and seconded for Chairman of the Joint Scrutiny Committee. Voting on this appointment was by ballot, six Members having requested this in accordance with Council Procedure Rule No 23.5. The result of the subsequent ballot was announced by the Chairman (23 for Mark Newman and 16 for Bryn Hurren). Mark Newman was declared to have been elected.

RESOLVED

- (1) **That Jennie Jenkins be elected Leader of the Council for the ensuing year. Further that in accordance with Article 4.2(5) of the Council's Constitution, she be confirmed as the Chairman of the Strategy Committee.**
- (2) **That Simon Barrett be elected Deputy Leader of the Council.**

- (3) That Peter Beer and Lee Parker be elected Chairman and Vice-Chairman respectively of the Planning Committee for the ensuing year.
- (4) That Nick Ridley and Ray Smith be elected Chairman and Vice-Chairman respectively of the Regulatory Committee for the ensuing year.
- (5) That Simon Barrett be elected Vice-Chairman of the Strategy Committee.
- (6) That William Shropshire and John Ward be elected Chairman and Vice-Chairman respectively of the Joint Audit and Standards Committee for the ensuing year.
- (7) That Mark Newman and Kathryn Grandon be elected Chairman and Vice-Chairman respectively of the Joint Scrutiny Committee for the ensuing year.
- (8) That Jennie Jenkins and Simon Barrett be elected Chairman and Vice-Chairman respectively of the Joint Appointments Committee for the ensuing year.

(ii) Appointment of Portfolio Holders

RESOLVED

That Portfolio Holders be elected as follows:

Housing Delivery	Alan Ferguson
Business Growth and Increased Productivity	Simon Barrett
Community Capacity Building and Engagement	Jan Osborne
An Enabled and Efficient Organisation	Peter Patrick
Assets and Investments	Jennie Jenkins
Environment	Frank Lawrenson

(iii) Appointment of Members with Special Responsibilities

Some Members questioned the reasons for electing Members with Special Responsibilities (MSR), their role and functions and how the nominations had been made. The Leader, Chief Executive and Monitoring Officer answered Members' questions on this matter, including in relation to the reasons behind the decision, proposed functions of the MSRs and financial allowances.

RESOLVED

That Members with Special Responsibilities be elected as follows:

Housing Delivery	Jennie Jenkins
Business Growth and Increased Productivity	David Holland
Community Capacity Building and Engagement	Margaret Maybury

**An Enabled and Efficient Organisation
Assets and Investments
Environment**

**Lee Parker
Nick Ridley
John Ward**

(iv) Appointments to Programme Steering Boards (PSBs)

RESOLVED

That appointments to Programme Steering Boards be made as follows:

Communities PSB	Sue Ayres Sue Burgoyne Jan Osborne Will Shropshire
Housing PSB	Barry Gasper David Holland Jennie Jenkins Margaret Maybury
Economy PSB	Simon Barrett Peter Burgoyne Siân Dawson Alan Ferguson
Enabling PSB	Simon Barrett Jennie Jenkins Peter Patrick John Ward
Environment PSB	Kathryn Grandon Frank Lawrenson Adrian Osborne Fenella Swan

(v) Appointment of Members to Joint Groups

The Interim Head of Democratic Services introduced [Paper S3](#) relating to appointments on various joint groups and asked Members to approve the appointments as detailed in Appendix 1 to the report, in accordance with Recommendations 2.1 and 2.2.

RESOLVED

- (1) That the political representative calculations for the bodies referred to in Paragraph 9.2 of Paper S3 be approved as follows:**

BDC APRIL 2016 CALCULATIONS				
TOTAL SEATS	PARTY	%	15 SEATS TO BE ALLOCATED	ROUND UP/DOWN
31	CONS	72.09	10.81	11
9	IND/LAB	20.93	3.14	3
3	LIB DEM	6.98	1.05	1
43		100.00	15.00	15

(2) That the membership of the groups be approved as follows:

Joint Member Integration Board (5)

**Clive Arthey
Simon Barrett
Sue Carpendale
Jennie Jenkins
Peter Patrick**

Joint Housing Board* (3)

**Tony Bavington
Jennie Jenkins
Jan Osborne**

Joint Staff Consultation Committee (3)

**Siân Dawson
Alastair McCraw
Nick Ridley**

Joint Health and Safety Committee (4)

**Michael Holt
Margaret Maybury
Jan Osborne
Nick Ridley**

Shared Revenues Partnership Committee ** (2)

**Simon Barrett
Alan Ferguson**

**Substitutes: Peter Burgoyne
Alan Ferguson**

* Appointed for term of office

** Also includes Ipswich Borough Council

(vi) Appointments to Outside Bodies 2016/17

The Interim Head of Democratic Services introduced [Paper S4](#) and asked Members to approve the appointments as detailed in Appendix 1 to the report.

RESOLVED

(1) That Councillors be appointed to the Outside Bodies as detailed in Appendix A to Paper S4.

(2) That an annual review of appointments takes place.

(vii) Appointments to the Suffolk Joint Standards Board

The Interim Head of Democratic Services reported that, in accordance with the joint arrangements established with Mid Suffolk District and Suffolk County Councils, the Council was asked to appoint three Members to serve on the Board for the current municipal year. Members were aware that the political balance rules do not apply to Babergh's appointees, who cannot be any of the following:-

- the Chairman of the Council
- Members of the Strategy Committee

Group Leaders had been asked to put forward names to be considered for these positions. Appointments would be made for the ensuing year, unless one of the circumstances in the Board's Terms of Reference (relating to resignations, removal/replacement of members, changes to the constitutional arrangements) takes effect.

RESOLVED

That the following Members be appointed to serve on the Suffolk Joint Standards Board for the ensuing year:-

**Bryn Hurren
Adrian Osborne
David Rose**

(viii) Appointments to the Joint Gypsy and Traveller Steering Group

RESOLVED

That the following Members be appointed to serve on the Joint Gypsy and Traveller Steering Group for the ensuing year:-

**Sue Ayres
Tony Bavington
Peter Burgoyne
Lee Parker**

12 REPORTS(i) Joint Strategic Plan Refresh 2016-2020

The Leader introduced [Paper R111](#) and the revised Plan included in Appendix A, which had been updated following comments received from Councillors on the draft document previously considered by Executive and Strategy Committees. The Leader and Officers replied to Members' questions, including in relation to consultation with local communities, the potential impact of the devolution work on the Plan, performance and delivery monitoring and the work stream in relation to unlocking business for growth and the housing delivery programme.

RESOLVED

That the Babergh District Council and Mid Suffolk District Council full Joint Strategic Plan Refresh 2016-2020 Appendix A (Revised) to Paper R111 be approved.

(ii) Annual Report of the Joint Scrutiny Committee and the Babergh Scrutiny Committee 2015/16

Peter Burgoyne, outgoing Chairman of the Joint Scrutiny Committee, introduced the Committee's Annual Report as set out in [Paper S5](#). Members were reminded that they could put forward suggestions for items to be included in the Joint Scrutiny work plan at any time.

RESOLVED

That the Annual Report of the Joint Scrutiny Committee and Babergh Scrutiny Committee for 2015/16 (Paper S5) be noted.

(iii) Focused Management Review

The Chief Executive presented [Paper S6](#) in order to set out the arrangements for staffing of both Councils and as provided for in s.4 of the Local Government and Housing Act 1989. She then answered questions put to her by Members, including in relation to the use of interim staff and consultants, proposed appointment and functions of Deputy Chief Executive and the change of officer job titles and roles.

RESOLVED

That the content of Paper S6 be noted.

(iv) Constitutional Update

The Interim Head of Law and Governance presented [Paper S7](#) and answered Members' questions, including in relation to election and roles of Lead Members, Standing Orders, delegated powers and rules of procedure.

RESOLVED

That the Constitution be updated as set out in paragraphs 4.3 and 4.4 of Paper S7 and that the Monitoring Officer be authorised to carry out the changes, such delegation to be exercised after consultation with the Lead Members.

(v) Neighbourhood Planning

David Holland, MSR for Business Growth and Increased productivity, introduced Paper S8, which set out an operating framework for the administration, consideration and determination of neighbourhood development plans, neighbourhood development orders and community right to build orders which may be advanced by Town and Parish Councils under the provisions of the Localism Act 2011. Officers answered questions raised by Members, including in relation to delegation by the Council to Executive and Strategy Committees to consider an Examiner's Report and the responsibility to make a decision on proceeding to referendum, the number of neighbourhood plans progressing at that time, statutory requirements to respond to proposed neighbourhood plans and the referendum process.

During the course of the debate a motion to remove recommendation 2.2 in Paper S8 was proposed and seconded. A demand for a recorded vote was then received and duly seconded, in accordance with Council Procedure Rule No 23.6.

The result of the recorded vote was as follows:-

<u>For the Motion</u>	<u>Against the Motion</u>	<u>Abstentions</u>
Clive Arthey	Sue Ayres	None
Tony Bavington	Peter Beer	
Michael Creffield	Peter Burgoyne	
Derek Davis	Sue Burgoyne	
Barry Gasper	Tom Burrows	
John Hinton	Dave Busby	
Bryn Hurren	Tina Campbell	
Richard Kemp	Siân Dawson	
James Long	Alan Ferguson	
Alastair McCraw	Kathryn Grandon	
John Nunn	David Holland	
Stephen Plumb	Michael Holt	
David Rose	Jennie Jenkins	
Stephen Williams	Frank Lawrenson	
	Margaret Maybury	
	Mark Newman	
	Adrian Osborne	
	Jan Osborne	
	Lee Parker	
	Peter Patrick	
	Nick Ridley	
	Harriet Steer	

For the Motion

Against the Motion

Abstentions

Fenella Swan
John Ward

The result of the vote (14 for the motion and 24 against), was announced by the Senior Governance Support Officer.

The original recommendations 2.1 and 2.2 were then moved, and carried on being put to the vote.

RESOLVED

- (1) That matters relating to the consideration of an Examiner's Report, including the responsibility to make a decision on whether a neighbourhood development plan or order should proceed to referendum be delegated to the respective Executive/Strategy Committee.**
- (2) That the processes and procedures involved in the making of a neighbourhood development plan or order be noted and the delegation of authority to officers as set out in Appendix 2 to Paper S8 be agreed.**

The business of the meeting was concluded at 1.20 p.m.

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Chairman