

Minutes of the Annual Council meeting held at Riverside, Canning Road, Lowestoft on **Wednesday, 16 May 2018 at 6.30 pm.**

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Members present:

F Mortimer (Chairman), S Ardley, P Ashdown, E Back, M Barnard, M Bee, N Brooks, P Byatt, A Cackett, G Catchpole, J Ceresa, M Cherry, Y Cherry, J Craig, G Elliott, J Ford, T Gandy, T Goldson, L Gooch, I Graham, K Grant, A Green, J Groom, M Ladd, P Light, T Mortimer, R Neil, L Nicholls, K Patience, M Pitchers, B Provan, C Punt, T Reynolds, D Ritchie, C Rivett, K Robinson, M Rudd, J Smith, L Smith, C Topping, N Webb, S Webb and S Woods.

Officers present:

S Baker (Chief Executive), S Carter (Democratic Services Officer), A Jarvis (Strategic Director), N Khan (Strategic Director), H Slater (Monitoring Officer and Head of Legal & Democratic Services) and N Wotton (Democratic Services Manager).

The Chairman took the opportunity to welcome everyone to the last Annual Council meeting for Waveney District Council. It was noted that all Councillors and officers were welcome to join the Chairman for canapes, to commemorate the occasion, after the meeting had closed.

The Chairman of the Council then paid tribute to Councillor Sue Allen, who has passed away suddenly last month. The Chairman reported that he had been shocked and deeply saddened by her passing. Councillor Allen had made an enormous contribution to the district, since she had first been elected onto the Council in 2004. She had been a dedicated Councillor and was liked and admired by those who worked with her. Councillor Allen had held a number of prominent positions, which included the Mayor of Southwold, Chairman of Waveney District Council, Cabinet Member for Housing and latterly Chairman of the Overview & Scrutiny Committee. She would be greatly missed.

The Leader of the Council reported that he had felt great sadness when he heard the news of Councillor Allen's passing. He had first met Councillor Allen in 2003 when he was the Mayor of Beccles and Councillor Allen was the Mayor of Southwold. Councillor Allen had brought great dignity to all the roles she had undertaken, however this had also been mixed with fun and compassion. She constantly stood up for the needs of the local community and never forgot who she was there to represent. Councillor Allen put people at ease and was always ready with a joke and a smile in difficult situations. Councillor Allen had previously agreed to stand as the Chair of the Shadow Authority for Waveney District Council and it was the Council's great loss that she was not able to undertake this important role. The Council would not be the same without her.

The Leader of the Labour Group reported that Councillor Allen had been very supportive towards all newly elected Councillors and had provided valuable guidance on procedures and protocols. Her Chairmanship of the Overview & Scrutiny Committee had been very fair, as she had been open to discussion and suggestions from other Councillors. Another important political figure had passed away last weekend – Tessa Jowell – and a lovely tribute was paid to her, which could also be applied to Councillor Allen: That she was always 'Smiling, not Shouting.'

Councillor Elliott stated that Councillor Allen was a very kind person, with great dignity and humour. She had been greatly respected by officers and other Councillors alike. She would be missed.

Councillor S Webb confirmed that Councillor Allen always had a smile for everyone, was always helpful and would be missed by all.

The Chief Executive stated that Councillor Allen had been a remarkable Councillor. She appreciated the work undertaken by officers and others. Councillor Allen had great passion, commitment and drive for her work as a Councillor. In turn, she was greatly respected by everyone that she worked with. Everyone was deeply saddened by her passing.

All those present then took part in a minutes silence in memory of Councillor Allen.

1. APOLOGIES

Apologies for absence were received from Councillors L Coulam, J Murray and K Springall.

The Chairman took the opportunity to welcome back Councillor J Ford, as she had not been able to attend a meeting of the Council since November 2017. Her presence had been much missed.

2. APPOINTMENT OF CHAIRMAN

The Chief Executive presided over the meeting for this item and the Council received one nomination for Chairman of the Council.

Councillor M Bee proposed the nomination of Councillor F Mortimer, which was duly seconded by Councillor S Ardley.

On the matter being put to the vote, it was

RESOLVED

That Councillor F Mortimer be elected Chairman of the Council to hold office until the first Annual Meeting of East Suffolk District Council in May 2019.

Cllr Mortimer thanked the Council for his nomination and reported that the last year had been very successful and that he had attended many events on behalf of the Council. He took the opportunity to thank his consort, Councillor T Mortimer, for her ongoing support and attendance at events. He also wished to record his thanks to Councillor N Webb, who was Vice Chairman during the past year, and his consort Councillor S Webb, for their support and professionalism.

3. APPOINTMENT OF VICE-CHAIRMAN

Council received one nomination for Vice Chairman of the Council.

Councillor M Bee proposed the nomination of Councillor P Light, which was duly seconded by Councillor S Ardley.

On the matter being put to the vote, it was

RESOLVED

That Councillor P Light be elected Vice-Chairman of the Council to hold office until the first Annual Meeting of East Suffolk District Council in May 2019.

The Leader of the Council congratulated Councillor Light on his appointment. He also took the opportunity to thank Councillor N Webb and his consort, Councillor S Webb, for their hard work and support during the 2017/18 municipal year. He then formally welcomed Councillor N Webb to the Conservative Group.

Councillor N Webb passed the chain of office to Councillor P Light. Councillor N Webb reported that it had been a fantastic opportunity to represent the Council over the past year and he had attended many interesting and varied civic functions. He had found it particularly useful to engage with the public and to hear their views on wide ranging issues.

Councillor Light thanked Councillors for their support and he stated that he was very much looking forward to undertaking the role of Vice Chairman and working closely with the Chairman over the coming year. He would also relish the opportunity to becoming more involved with groups throughout Waveney and attending civic events.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

5. ANNOUNCEMENTS

Chairman of the Council

The Chairman congratulated Councillor P Byatt on his new appointment as Leader of the Labour Group. He stated that he was very glad that Cllr Byatt had made a full recovery from his ill health and had returned to politics. He also reported that he was sure that Councillor Byatt would do a superb job and he wished him every success for the future.

The Chairman then wished to record his thanks to Councillor S Barker, who had recently resigned as the District Councillor for Pakefield. She had worked extremely hard as the Labour Group Leader over the last 4 years and he sent her the best wishes of the Council for the future.

Councillor P Byatt thanked the Chairman for his kind words and he thanked Councillor S Barker for her hard work for the Labour Group over the past 4 years.

Leader of the Council

The Leader also welcomed Councillor P Byatt as the new Leader of the Labour Group and stated that he would be a worthy opponent. He was also glad that Councillor Byatt had returned to full health and vigour, following his illness some time ago. The Chairman noted that Councillor Byatt had the best interests of the District at heart.

The Leader also paid tribute to Councillor S Barker, who had been a worthy opponent for the past 4 years. He stated that it was a shame that she had resigned, as she had shown great commitment for the Pakefield Ward that she represented and for Waveney as a whole. She would be greatly missed. He thanked her for her valuable contribution and wished her every success for the future.

Chief Executive

The Chief Executive took the opportunity to encourage all Councillors to peruse the wide range of art work which was currently on display in Reception. The art work had been created by local children and focussed upon the themes of mental health and well being. The resulting art work was thought provoking and imaginative.

6. MINUTES**RESOLVED**

That the Minutes of the Meeting held on 18 April 2018 be approved as a correct record and signed by the Chairman.

7. APPOINTMENT OF COMMITTEES FOR 2018/19

The Leader of the Council presented a report which sought nominations for the appointment of Members onto Council Committees for the 2018/19 municipal year. Appointments to Committees were undertaken on an annual basis, in accordance with the political proportionality rules, as part of the Council's corporate governance and decision-making arrangements.

A schedule detailing the proposed politically proportionate appointments to Committees for 2018/19, identified as Appendix A to this report, had been tabled at the meeting. The Leader thanked the Group Leaders and the Minority Opposition Group Members for providing their nominations for places so promptly.

The Leader then took the opportunity to propose an additional recommendation to the report, regarding the appointment of a WDC Shadow Cabinet, for the new Shadow Authority. It was noted that it was a statutory requirement, as part of the arrangements for the creation of a new Council for East Suffolk, which had received backing from Parliament in the House of Commons and the House of Lords, last week. Suffolk Coastal District Council would also have to appoint a Shadow Cabinet at their Annual Council meeting later this month. It was proposed and duly seconded that

'That the WDC Cabinet Members be appointed as Waveney District Councils' Shadow Cabinet representatives, which was a statutory requirement for the creation of a new Council for East Suffolk.'

It was noted that the Shadow Cabinet would need to appoint a Leader for their meetings and it had been agreed that the Leaders from both Councils would take turns leading the Shadow Cabinet. Clarification was provided that the Shadow Authority would also need a Chairman for its meetings. It was reported that Councillor T Goldson would be the Chairman for such meetings on behalf of Waveney District Council and Councillor S Burroughes would be the Chairman for meetings on behalf of Suffolk Coastal District Council. It was confirmed that the Chairmen would take turns in chairing the meetings of the Shadow Authority.

A Member queried whether the Assistant Cabinet Members could attend a meeting of the Shadow Cabinet, as a substitute for the substantive Cabinet Member. It was reported that

this would not be permitted, as the law stated that another person cannot substitute for a Cabinet Member. This would also apply with regards to the Shadow Council meetings.

A Member sought clarification with regard to their changed title and reduced number of Assistant Cabinet Members, for this municipal year. It was confirmed that the role description, including title, of the Assistant Cabinet Members had been considered in detail at the previous Full Council meeting on 18 April 2018. However, since that meeting, Councillor Allen had passed away which had resulted in a vacancy for the position of Chairman of the Overview & Scrutiny Committee. Discussions had taken place and it was felt that it was appropriate for Councillor A Cackett to relinquish her Assistant Cabinet Member for Merger & Communities role and to undertake the Chairmanship of the Overview & Scrutiny Committee, due to her previous experience in that role. It was also felt that due to the progress made regarding the merger, the separate role of Assistant Cabinet Member for Merger & Communities was no longer required. Any additional support required would be provided by Councillor Topping and her new title would be Assistant Cabinet Member for Resources, Merger & Communities. Therefore the number of Assistant Cabinet Members had reduced by one and the number of Special Responsibility Allowances (SRAs) would be correspondingly reduced by one. Clarification was provided that not every Cabinet Member needed to have an assistant. Discussions had taken place regarding work load and preferences, however the final decision regarding the number of Assistant Cabinet Members and the Portfolios that they would support was ultimately the decision of the Leader of the Council.

It was suggested that the Member nominations, as outlined in Appendix A be taken en-bloc, with the exception of those positions highlighted in the schedule, where there were more nominations than seats available. The additional recommendation made by the Leader of the Council regarding the appointment to a Shadow Cabinet would also be undertaken at the same time.

The following nominations were received for the Chairman of the Audit & Governance Committee – Councillor S Woods and Councillor A Green.

The following nominations were received for the Vice Chairman of the Audit & Governance Committee – Councillor M Barnard and Councillor T Gandy.

The Leader of the Labour Group reported that he wished to make an alteration to the Labour Group's nominations at this point in the proceedings. He reported that he wished to nominate Councillor L Gooch for the positions of Chairman and Vice Chairman of the Overview & Scrutiny Committee and that he wished to withdraw his nomination for Councillor J Smith to be Vice Chairman of the Overview & Scrutiny Committee. This change was duly noted and accepted.

The following nominations were received for the Chairman of the Overview & Scrutiny Committee – Councillor A Cackett and Councillor L Gooch.

The following nominations were received for the Vice Chairman of the Overview & Scrutiny Committee – Councillor N Webb and Councillor L Gooch.

Members were advised that the Conservative Group currently had a vacancy on the Overview & Scrutiny Committee. The vacancy was noted and would be filled in due

course, following the by-election for the current vacancy in the Southwold and Reydon Ward.

The following nominations were received for the Chairman of the Planning Committee – Councillor P Ashdown and Councillor I Graham.

The following nominations were received for the Vice Chairman of the Planning Committee – Councillor J Groom and Councillor M Pitchers.

The following nominations were received for the Chairman of the Licensing Committee – Councillor N Brooks and Councillor M Cherry.

The following nominations were received for the Vice Chairman of the Licensing Committee – Councillor K Grant and Councillor J Craig.

On being put to the vote it was:

RESOLVED

1. That the Council constitutes and appoints Members to the Committees in accordance with the political proportionality rules (where applicable) as supplied by Group Leaders for the 2018/19 municipal year, as outlined in Appendix A to these Minutes.
2. That Councillor S Woods be appointed as Chairman of the Audit & Governance Committee for the 2018/19 municipal year.
3. That Councillor M Barnard be appointed as Vice Chairman of the Audit & Governance Committee for the 2018/19 municipal year.
4. That Councillor A Cackett be appointed as Chairman of the Overview & Scrutiny Committee for the 2018/19 municipal year.
5. That Councillor N Webb be appointed as Vice Chairman of the Overview & Scrutiny Committee for the 2018/19 municipal year.
6. That the current Conservative Group vacancy on the Overview & Scrutiny Committee be noted.
7. That Councillor P Ashdown be appointed as Chairman of the Planning Committee for the 2018/19 municipal year.
8. That Councillor J Groom be appointed as Vice-Chairman of the Planning Committee for the 2018/19 municipal year.
9. That Councillor N Brooks be appointed as Chairman of the Licensing Committee for the 2018/19 municipal year.
10. That Councillor K Grant be appointed at Vice Chairman of the Licensing Committee for the 2018/19 municipal year.

11. That Councillor M Bee as Leader of the Council, the Cabinet Member of the respective Service Area and Councillor P Byatt as Leader of the Labour Group, be appointed to the Joint Appointments Committee for the 2018/19 municipal year.
12. That the WDC Cabinet Members be appointed as Waveney District Councils' Shadow Cabinet representatives, which was a statutory requirement for the creation of a new Council for East Suffolk.
13. That Councillor T Goldson be appointed the Shadow Authority Chairman for Waveney District Council.

8. APPOINTMENTS OF WORKING GROUPS FOR 2018/19

The Leader of the Council presented a report which sought nominations for a number of Working Groups, which were appointed to on an annual basis, as part of the Council's corporate governance arrangements. Details of the proposed Member nominations were outlined in Appendix A to the report, which had been tabled prior to the meeting. It was suggested that the Member nominations, as outlined in Appendix A, be taken en-bloc.

A Member queried whether the Assistant Cabinet Members would be able to substitute for the Cabinet Members on any of the Working Groups. It was reported that the legislation did not preclude such substitution on Working Groups, however it was anticipated that the Cabinet Members would attend the majority of the Working Group meetings, as it was an integral part of their role and responsibilities.

A Member commented that there was an inconsistency within the report at this meeting, as it stated that there were 3 Independent Councillors rather than 2. It was reported that the meeting papers were published prior to Councillor N Webb joining the Conservative Group. However a review of the political balance of the Council had been undertaken and no changes to the places on the Committees had been required.

Members noted that there were currently two vacancies for the Minor Opposition Parties on the Member Development Steering Group. Councillor G Elliott reported that he used to be a Member of the Group until he resigned in 2017. He confirmed that he would like to re-join the Group for this municipal year. The other vacancy would therefore remain, for the time being.

It was also confirmed that there was a vacancy for an Opposition Member on the Member Programme Board. Councillor R Neil confirmed that he would be prepared to take on this additional role.

On being put to the vote it was:

RESOLVED

1. That Members be appointed to the Working Groups for 2018/19, as outlined in Appendix B to these Minutes.
2. That Councillor G Elliott would fill one of the two vacancies for the Minor Opposition Parties on the Member Development Steering Group for the 2018/19 municipal year.

3. That Councillor R Neil would fill the vacancy for an Opposition Member on the Member Programme Board for the 2018/19 municipal year.

9. APPOINTMENTS OF SUBSTITUTES FOR 2018/19

Council considered a report which sought substitute representation on Committees which would enable these bodies to operate at maximum capacity and retain cross-party representation (where appropriate), which was healthy for democratic decision-making.

In accordance with the Council's Constitution, designated substitutes need to be notified to Democratic Services by 12 noon on the day of the meeting (except where other specific arrangements are in place).

It was highlighted that in the case of the Planning Committee, Licensing Committee and the Joint Appointments Committee, the rules on substitution still apply, except that a Substituting Member must have received the relevant training that the substantive Members of those Committees would have received before they can serve on any of these Committees.

The Leader of the Conservative Group, the Leader of the Labour Group and all of the Minority Opposition Group Members proposed that, subject to having received the relevant training, any of their respective Group Members would be able to substitute on any of the Council's Committees or Sub-Committees. It was noted that the two Independent Members and the Green Party Member had previously agreed to create an informal Minority Opposition Group for Substitution purposes only.

RESOLVED

1. That any of the Conservative Group Members be authorised to substitute on any of the Council's Committee or Sub-Committees, subject to the requirement for notice to be given of the designated substitute by 12 noon on the day of the meeting (unless other arrangements are in place for specific meetings) and for the substituting Member to have received the necessary training for the respective Committee or Sub-Committee.
2. That any of the Labour Group Members be authorised to substitute on any of the Council's Committee or Sub-Committees, subject to the requirement for notice to be given of the designated substitute by 12 noon on the day of the meeting (unless other arrangements are in place for specific meetings) and for the substituting Member to have received the necessary training for the respective Committee or Sub-Committee.
3. That any of the Minority Opposition Group Members be authorised to substitute on any of the Council's Committee or Sub-Committees, subject to the requirement for notice to be given of the designated substitute by 12 noon on the day of the meeting (unless other arrangements are in place for specific meetings) and for the substituting Member to have received the necessary training for the respective Committee or Sub-Committee.

10. APPOINTMENTS TO OUTSIDE BODIES FOR 2018/19 (NON EXECUTIVE FUNCTIONS)

The Leader of the Council presented a report which sought to make annual appointments to Outside Bodies for 2018/19 for Non-Executive functions. Council also made appointments to Outside Bodies for Executive functions where a Substitute was permitted but the Substituting Member need not be a Cabinet Member.

Members noted that the East of England LGA made the appropriate appointment to the Essex and Suffolk Water Forum, which was a political appointment.

A schedule identified as Appendix A to the report had been tabled at the meeting and detailed the proposed Outside Body appointments. There were a number of Outside Body appointments for which there were more nominations than seats available and these had been highlighted in yellow on the schedule. It was proposed that as all the nominations were not contested, they would be put to the vote en-bloc and then a separate vote be taken on each contested appointment as identified below:

Active Waveney Sports Partnership – Two nominations received for one representative appointment. Separate vote undertaken for Councillors C Punt and J Craig.

Beccles and District Museum – Two nominations received for one representative appointment. Separate vote undertaken for Councillors C Punt and J Ford.

Broads Authority – Two nominations received for one representative appointment. Separate vote undertaken for Councillors M Barnard and J Smith.

Disability Information Advice Line – Two nominations received for one representative appointment. Separate vote undertaken for Councillors F Mortimer and J Ford.

East Suffolk Internal Drainage Board – Three nominations received for two representative appointments. Separate vote undertaken for holding the Vacancy until the by-election has been completed for the Southwold and Reydon Ward, Councillors C Rivett and K Patience.

Fauconberge Educations Trust – Two nominations received for one representative appointment. Separate vote undertaken for Councillors G Catchpole and M Cherry.

Halesworth Partnership & Blyth Valley Partnership – Two nominations received for one representative appointment. Separate vote undertaken for Councillors A Cackett and Y Cherry.

James Paget University Hospital NHS Foundation Trust Governors Council – Two nominations received for one representative appointment. Separate vote undertaken for Councillors M Rudd and J Murray.

Local Government Association Special Interest Group on Coastal Issues. Two nominations received for one Substitute appointment. Separate vote undertaken for holding the Vacancy until the by-election has been completed for the Southwold and Reydon Ward and Councillor P Byatt.

Local Government Association Special Interest Group – NuLeAF (Nuclear Legacy Advisory Group). Two nominations received for one Substitute appointment. Separate vote undertaken for Councillors M Ladd and T Gandy.

Norfolk Rail Policy Group. Two nominations received for one representative appointment. Separate vote undertaken for Councillors P Light and L Nicholls. It was suggested that the unsuccessful Councillor be appointed to the Substitute position which had not received any nominations.

Pride in Beccles. Two nominations received for one representative appointment. Separate vote undertaken for Councillors G Catchpole and T Gandy.

Rural Sounding Board (Volunteer Member). Two nominations received for one representative appointment. Separate vote undertaken for Councillors A Cackett and Y Cherry.

Southwold Harbour & River Blyth Users Association. Two nominations received for one representative appointment. Separate vote undertaken for holding the Vacancy until the by-election has been completed for the Southwold and Reydon Ward and Councillor T Reynolds.

Suffolk Coast Forum. Two nominations received for one Substitute appointment. Separate vote undertaken for Councillors M Rudd and P Byatt.

Suffolk Coast and Heaths Project. Two nominations received for one Substitute appointment. Separate vote undertaken for holding the Vacancy until the by-election has been completed for the Southwold and Reydon Ward and Councillor M Pitchers.

Suffolk Pension Fund. Two nominations received for one representative appointment. Separate vote undertaken for Councillors C Punt and A Green.

Waveney, Lower Yare & Lothingland Internal Drainage Board. Two nominations received for one representative appointment. Separate vote undertaken for holding the Vacancy until the by-election has been completed for the Southwold and Reydon Ward and Councillor K Patience.

RESOLVED

1. That Members be appointed to serve on Outside Bodies for 2018/19 as outlined in Appendix C to these Minutes.
2. That Councillor C Punt be appointed to the Active Waveney Sports Partnership for 2018/19.
3. That Councillor C Punt be appointed to the Beccles and District Museum for 2018/19.
4. That Councillor M Barnard be appointed to the Broads Authority for 2018/19.
5. That Councillor F Mortimer be appointed to the Disability Information Advice Line (DIAL) for 2018/19.

6. That one of the Vacancies be held until the by-election has been completed for the Southwold and Reydon Ward and Councillor C Rivett be appointed to the East Suffolk Internal Drainage Board for 2018/19.
7. That Councillor G Catchpole be appointed to the Fauconberge Educational Trust for 2018/19.
8. That Councillor A Cackett be appointed to the Halesworth Partnership & Blyth Valley Partnership for 2018/19.
9. That Councillor M Rudd be appointed to the James Paget University NHS Foundation Trust Governors Council for 2018/19.
10. That the Vacancy be held until the by-election has been completed for the Southwold and Reydon Ward for the Substitute position on the Local Government Association Special Interest Group on Coastal Issues for 2018/19.
11. That Councillor M Ladd be appointed to the Local Government Association Special Interest Group – NuLeAF (Nuclear Legacy Advisory Group) for 2018/19.
12. That Councillor P Light be appointed to the Norfolk Rail Policy Group as the Council's representative and that Councillor L Nicholls be appointed as Substitute for 2018/19.
13. That Councillor G Catchpole be appointed to Pride in Beccles for 2018/19.
14. That Councillor A Cackett be appointed to the Rural Sounding Board for 2018/19.
15. That the Vacancy be held until the by-election has been completed for the Southwold and Reydon Ward for the Southwold Harbour & River Users Association for 2018/19.
16. That Councillor M Rudd be appointed to the Suffolk Coast Forum for 2018/19.
17. That the Vacancy be held until the by-election has been completed for the Southwold and Reydon Ward for the Substitute position on the Suffolk Coast and Heaths Project for 2018/19.
18. That Councillor C Punt be appointed to the Suffolk Pension Fund for 2018/19.
19. That the Vacancy be held until the by-election has been completed for the Southwold and Reydon Ward for the Waveney, Lower Yare & Lothingland Internal Drainage Board for 2018/19.

The meeting concluded at 7.55 pm.

Chairman