

Minutes of the Council meeting held at Riverside, Canning Road, Lowestoft
on **Wednesday, 19 September 2018** at **6.30 pm**.

3a

Members present:

F Mortimer (Chairman), P Ashdown, M Barnard, D Beavan, M Bee, N Brooks, P Byatt, G Catchpole, M Cherry, Y Cherry, L Coulam, J Craig, G Elliott, J Ford, T Gandy, L Gooch, I Graham, A Green, J Groom, M Ladd, P Light, T Mortimer, J Murray, K Patience, M Pitchers, B Provan, C Punt, D Ritchie, C Rivett, K Robinson, M Rudd, C Topping, M Vigo di Gallodoro and S Woods

Officers present:

S Baker (Chief Executive), S Davis (Democratic Services Officer), P Gore (Head of Environmental Services and Port Health), A Jarvis (Strategic Director), H Javadi (Chief Finance Officer), N Khan (Strategic Director), D Knight (Head of Customer Services & Communications), S Martin (Head of Internal Audit Services), N Rickard (Head of Communities), M Sims (Food and Safety Manager), H Slater (Monitoring Officer and Head of Legal & Democratic Services), S Taylor (Finance Manager) and N Wotton (Democratic Services Manager)

The Chairman of the Council took the opportunity to welcome newly elected Councillor D Beavan to his first Waveney District Council meeting and congratulate him on his recent election to the Council for the Southwold and Reydon Ward.

1. APOLOGIES

Apologies for absence were received from Councillors S Ardley, E Back, A Cackett, J Ceresa, T Goldson, K Grant, T Reynolds, J Smith, L Smith, K Springall, N Webb and S Webb.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

3. MINUTES

RESOLVED

- (a) That the Minutes of the Simultaneous Meetings of Suffolk Coastal District Council and Waveney District Council held on 30 April 2018 be approved as a correct record and signed by the Chairman.
- (b) That, subject to the inclusion of the statement from the Chairman at the beginning of Item 6 – Statement from Councillor Stephen Ardley – that there would be no questions or discussion on this item, the Minutes of the Meeting held on 18 July 2018 be approved as a correct record and signed by the Chairman.

4. COMMUNICATIONS

Cancellation of the Council Meeting on Wednesday, 10 October 2018

The Chairman announced that the Council Meeting scheduled to take place on Wednesday, 10 October 2018 had been cancelled. The next full Council Meeting would therefore take place on Wednesday, 14 November 2018.

Chairman's Carol Service

The Chairman advised that his Carol Service would be taking place on Friday, 14 December 2018 at 6.00pm at St Mark's Church, Oulton Broad. Everyone would be welcome and there would be refreshments served afterwards, in the Church Hall.

Chairman's Ball

The Chairman announced that he would be holding a Ball in March 2019, to celebrate the many achievements of Waveney District Council. Further information would be provided regarding the Ball in due course.

5. ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE / LEADER OF THE COUNCIL

Chief Executive

There were no announcements from the Chief Executive on this occasion.

Leader of the Council

Charity Cycle Ride

The Leader reported that Councillor D Ritchie, Cabinet Member for Planning & Coastal Management would tomorrow, be taking part in the 402 mile West Coast to East Coast Cycle Ride for charity. The funds he raised would go towards the FitzRoy Transforming Lives Charity, which provides support for people with learning disabilities and autism. All those present wished Councillor Ritchie all the best for his epic cycle ride and he left the meeting to travel to the West Coast at this point, to a round of applause.

Homira Javadi – Chief Finance Officer

The Leader of the Council was sad to report that Homira Javadi, the Chief Finance Officer, would be leaving the Council. She had joined the Council in 2010, having previously worked in a number of local authorities, including Babergh District Council and Suffolk County Council.

Under her leadership, the Council was now in a strong financial position to move towards the creation of the new East Suffolk Council. Her considered approach had been instrumental in Suffolk as a whole being included within the pilot scheme for retaining 100% business rates.

He reported that if one word were to be used to describe Homira, it would be 'style'. She had brought her sense of style to the Council, not only with her dress sense but with her

approach to the technical and difficult areas of finance, by approaching all matters with confidence, serenity and calm.

The Chairman then presented Homira with a card and leaving presents, on behalf of the Council. Those present then wished Homira all the best for her new role with Lewes District Council and Eastbourne Borough Council.

Darren Knight – Head of Customer Services and Communications

The Leader of the Council reported that Darren Knight, Head of Customer Services and Communications would also be leaving the Council. Darren had joined the Council in 2015 and since that time had become legendary for his workshops, which used large amounts of brown paper and post-it notes.

Darren had made a significant impact on the Council since he had joined and had been instrumental in improving the Council's digital presence. He had also worked closely with the DWP regarding the successful introduction of Universal Credit in the District.

The Chairman then presented Darren with a card and leaving present, on behalf of the Council. Those present then wished Darren all the best for his new role with the Forest of Dean District Council.

Councillor Byatt, Leader of the Main Opposition Group, took the opportunity to thank both Homira and Darren for their ongoing hard work for the Council and he wished them well for the future.

Upcoming Road Works

The Leader of the Council advised that there were a number of planned road works which would be taking place in Lowestoft, in the run up to Christmas. It was noted that there would be significant disruption due to sewer repair works in Station Square and there would be works to the railway crossing in Oulton Broad North, as well as general resurfacing, footway reconstruction, vegetation clearing and connecting properties to the gas network.

Whilst the repairs were necessary and important, it was accepted that local residents would be severely inconvenienced and frustrated by these works and the concerns raised by local businesses were acknowledged.

Reassurance was provided that Peter Aldous MP was working closely with Suffolk County Council, Partner Agencies and Lowestoft Town Council in order to minimise the disruption to residents. Information about the road works would be communicated to local residents in due course and all efforts would be made to minimise disruption and to keep the traffic flowing around Lowestoft. Further details on the current situation could be found on the Suffolk County Council website.

Councillor Byatt, Leader of the Labour Group, thanked the Leader for his assurances and requested that every effort be made to complete the road works as quickly and efficiently as possible, including weekend and over night working, wherever possible.

Suffolk County Council Scrutiny Meeting regarding the Proposed Closure of Lowestoft Records Office

The Leader of the Council advised that the Suffolk County Council Scrutiny meeting to consider the Council processes and procedures which led to the decision to close Lowestoft Records Office, would take place on Thursday, 29 November 2018 at 4.30pm in the Conference Room at Riverside, Lowestoft. All Councillors would be able to attend and ask questions at the meeting.

The papers for the meeting would be published on the Suffolk County Council website in due course.

6. NOTICES OF MOTION

A Notice of Motion had been received from Councillor L Gooch:

In the last six months, there has been much local press coverage of the campaign of local 12 year-old schoolboy Daniel Jillings and his family, to have the Department of Education investigate and then institute a new G.C.S.E. examination in British Sign Language (BSL). Such a qualification would place BSL on a par with that of English Language in its spoken and written forms. This Council recognizes the work of Peter Aldous M.P. to have this qualification introduced, and will write to the Secretary of State for Education, the Right Honourable Damian Hinds M.P., to wholeheartedly endorse Daniel's campaign and to request a timetable for the introduction of a G.C.S.E. in British Sign Language.

In accordance with the Council's Constitution, the Chairman of the Council sought the view of those Members present, as to whether or not the Notice of Motion should be discussed this evening. The Notice of Motion was duly moved and seconded and it was unanimously

RESOLVED

That the Notice of Motion would be debated at this meeting.

Councillor Gooch advised that the Motion was straightforward and supported the national campaign to get British Sign Language recognised by exam boards and validated as the primary means of communication for many people. It was noted that many people took their senses for granted and a G.C.S.E. in the subject would be a significant improvement.

The Leader of the Council reported that this was a non-political issue, which received cross party support. It was noted that Peter Aldous MP, was involved in getting the matter considered at Parliament.

Members were supportive of the Motion and it was therefore unanimously

RESOLVED

That the Notice of Motion be unanimously approved.

7. QUESTIONS FROM MEMBERS

The following questions had been submitted by Members in accordance with Council Procedure Rule 11:

(a) Question from Councillor A Green to the Leader of the Council

At the Full Council meeting on 19 July 2017 I asked for an update on the Burger King Site. As it appeared that no progress had been made, I again asked the question at the Full Council meeting on 24 January 2018. Thanking you for your comprehensive reply I stated that I will be monitoring the situation closely and your response was, and I quote:

‘So will !! If we cannot get another franchisee to take over the site within the next 6 months, we will need to look into using the site for housing instead. However we need to allow the specialist agent sufficient time to market the site first.’

As it is now 8 months since you made this response, can you update the Council of progress in finding a new franchisee or of your consideration of using the site for much needed housing?

Response from Councillor M Bee

A second Burger Franchisee was interested in leasing the site and completing the development. A period of negotiation subsequently took place, at the end of which it was clear that the Council would have secured a tenant and the site would have been completed. However, the lower rent this new franchisee would have been willing to pay would not have resulted in any net financial benefit to the Authority.

As the whole point of the investment was to generate income to support the delivery of front line services, negotiations were terminated.

It has now been agreed that the site will be developed for housing. The officers who will lead development of this site are currently working on various other housing projects but as these near completion (one will be completed in mid September) they will move on to progress this one.

Supplementary Question from Councillor A Green

Can we be reassured that the old wall from the original factory, which is still standing, will be protected and retained for future generations?

Response from Councillor M Bee

There are no plans to remove that piece of wall from the site. Any new development will need to follow the correct planning application process, which will ensure that it is protected.

(b) Question from Councillor I Graham to the Leader of the Council

We note that there has been no update with regard to the Lowestoft Town Hall artefacts distribution to other local Councils. Those Councils were asked to respond by the 31st of May regarding which of the items allocated to them by Waveney District Council they would like. What, if any, responses have been received from Lowestoft Town Council and Oulton Broad Parish Council, and have any of the items been transferred to those Councils?

Response from Councillor M Bee

The last update on this issue was sent to Lowestoft Town Council and Oulton Broad Council on 1 August 2018, advising that the consultation had been completed. For Members information, Oulton Broad Parish Council had no comments, Lowestoft Town Council agreed with the list of items proposed to be transferred to them and also requested all the items whose provenance was rather less clear and which had therefore been proposed to be distributed to any local groups interested in taking them.

The Town and Parish Council were advised that their responses would be referred to the senior Members overseeing this exercise – these discussions have now taken place and they are happy with the proposal. This outcome has been confirmed to the Board who were advised that arrangements will be made to distribute the items, assuming no concerns are raised with the proposal.

Supplementary Question from Councillor I Graham

There was no Supplementary Question on this occasion.

(c) Question from Councillor M Cherry to the Cabinet Member for Tourism & Economic Development

Following traffic chaos around Lowestoft in recent weeks, at what point will this Council concede that they need to work with Suffolk County Council and other Agencies on an urgent review of current traffic management, including the supposed computerised control of traffic flow on and around the Bascule Bridge?

Response from Councillor M Ladd

I believe that the Leader of the Council covered this particular matter earlier in the meeting, however I am happy to assist further, if required.

Supplementary Question from Councillor M Cherry

I welcome the Leaders words about this matter. However, can we have some publicity to inform the public that we are not directly responsible for these road works and that it is beyond our control? Could we put an article in the Lowestoft Journal, to explain the situation?

Response from Councillor M Ladd

Sometimes we are not made aware that road works are being planned, however on this occasion we have been made aware, due to the significance of them. We are working on getting the message out there to the public that Lowestoft remains open for business. We may also put an article in the Lowestoft Journal about the road works, to make as many people aware as possible and to limit any confusion.

(d) Question from Councillor P Byatt to the Cabinet Member for Tourism & Economic Development

In February, this Council unanimously agreed to a Motion that an approach should be made by this Council to Lowestoft Town Council regarding the possibility of using the Town Hall as a site for the Lowestoft Records Office. What was the outcome of that Motion?

Response from Councillor M Ladd

The Council is working in partnership with Lowestoft Town Council on the restoration of the Town Hall, as part of the Heritage Action Zone and when the feasibility study provides potential solutions for its future use, we can have a dialogue with Lowestoft Town Council as to how we can support them.

Supplementary Question from Councillor P Byatt

There are many comments on social media about people supporting the suggestion of having the North Suffolk archives in Lowestoft Town Hall. This is gaining momentum on social media. A feasibility study is urgently needed into this matter. Can we provide any advice to individuals or other bodies about how we can achieve this?

Response from Councillor M Ladd

Unfortunately, we are not able to control the comments and posts being made on social media. I am unable to speculate at this time. We must wait for the feasibility study to be completed, before we start thinking about potential uses for the future of the Town Hall.

(e) Question from Councillor M Cherry to the Cabinet Member for Resources

Given that residents and traders in Lowestoft frequently complain about car parking charges in Waveney District Council carparks, and the deterrent factor they provide to visitors to the town, what would the cost be to this Council of providing free parking on Sundays across the whole of Waveney for the three months leading up to Christmas?

Response from Councillor B Provan

The cost to this Council of providing free parking on Sundays across the whole of Waveney for the three months leading up to Christmas would be £38,000.

The Council traditionally provides free parking in the week before Christmas, at a cost of £3,000 which, despite having a forecast shortfall in the Medium Term Financial Strategy of £2.6m, it will be looking to provide again this year.

I think that most people now recognise that it is not just the cost of car parking (approx. £3 for 3 hours in Lowestoft) that is having an impact on High Street retail activity, but rather that these days most people either shop out of Town or probably even more they shop on-line.

National commentators regularly advise that town centres need to reinvent themselves as destinations in their own right. It is for this reason that the Council has itself bought

property on the High Street in order to influence and support change. It is also investing heavily in the Heritage Action Zone, in the South Beach area and elsewhere in the employment areas of the Town.

Supplementary Question from Councillor M Cherry

Thank you for your response. I welcome it and would hope that we could offer free parking sooner, particularly as it will soon be Christmas.

Response from Councillor B Provan

We keep our car parking tariffs and free parking initiatives under regular review and do the best we can to support local businesses.

8. PETITIONS

No petitions have been received.

9. QUESTIONS FROM THE ELECTORATE

No questions have been submitted by the electorate as provided by Council Procedure Rule 10.

10. MEMBER BRIEFING ON COMMUNITY PARTNERSHIP BOARDS

The Chairman introduced the Head of Communities and invited her to give her presentation to Councillors. The Head of Communities delivered a verbal update on Community Partnership Boards, which would be introduced to the new East Suffolk Council, as a means of keeping connected to local communities and their issues.

- It is anticipated that there will be 8 Community Partnership Boards across East Suffolk District Council;
- Funding will be devolved and will be delivered at the local level;
- Funding could be pooled with other Community Partnership Boards for issues that significantly affect more than one area;
- East Suffolk Councillors will have an Enabling Communities Budget of £7,500 each, to assist with projects within their areas and each CPB would also have a budget;
- The Community Partnership Boards will be used to engage with local residents on the key issues affecting their local communities;
- Each Community Partnership Board will be supported by members from the Communities Team and the Economic Development Team and the meetings will be attended by a number of partner agencies eg police, health, education etc, depending on the theme of the meeting;
- It is anticipated that ideas put forward by the Community Partnership Boards that require funding through the allocated budget will need to be 'signed off' by the relevant Cabinet Member;
- East Suffolk Council will be the Accountable Body in terms of Governance of the Community Partnership Boards and it will encourage partnership working with other agencies and bodies, particularly with regards to securing additional funding;

- At the first meeting of the municipal year, each Community Partnership Board will undertake a 'stock take' to see what the issues are for their areas, how they have progressed so far and priorities for the coming year;
- Good practice would be shared amongst the Community Partnership Boards.

A Member commented that the Community Partnership Boards could potentially be extremely large and it was noted that it would be a challenge to engage with a large number of Town and Parish Councils as well as individuals. However they also provide the opportunity to engage with Town and Parish Councils once a quarter in the same place rather than attending individual meetings.

A Member queried whether an organisation, such as the Citizens Advice Bureau, would be expected to attend every Community Partnership Board meeting, as that would be difficult for organisations to achieve. It was confirmed that such organisations would not be expected to attend these meetings, however they may be invited to attend the Strategic overview meetings (which it is proposed will replace the current East Suffolk Partnership), which would involve the Chairmen of the Community Partnership Boards. It was noted that the situation was still evolving and further decisions still needed to be made in this regard.

A Member raised concerns that the creation of the East Suffolk Council had been intended to save money, when in fact the Enabling Communities Budget would increase the costs of the new Council. It was reported that the Community Partnership Board Budgets were still a proposal at this stage and that no decisions had yet been taken in this respect. Further consideration was required and all Councillors would be updated and kept apprised of the developments.

A Member commended the work undertaken so far and queried whether the 8 Community Partnership Board areas would match the policing Safer Neighbourhood Team areas, as that would assist with productivity. It was reported that deciding on the final boundaries would be difficult as it was a complex matter, however reassurance was provided that the final boundaries would be as logical as possible, to reduce duplication and confusion. It was anticipated that the Community Partnership Board meetings may commence around September 2019.

The Leader of the Council thanked the Head of Communities for her interesting and informative presentation. It was noted that Community Partnership Boards were a new concept for Waveney Councillors, however they were widely used in other areas and could make a very positive contribution. It would be extremely important to get the boundaries correct and to ensure that the partnership working was effective.

Members thanked the Head of Communities for her presentation and she left the meeting at this point in the proceedings.

11. JOINT FOOD AND HEALTH AND SAFETY SERVICE PLAN 2018/19 (REP1809)

The Chairman introduced the Cabinet Member for Community Health & Safety and invited her to give her report to Councillors. The Cabinet Member for Community Health and Safety explained that the Food Standards Agency (FSA) Framework Agreement and Health and Safety Executive (HSE) National Local Authority Enforcement Code require the Council to review its performance against the 2017/18 Food and Health and Safety Service Plan,

identify any variance from the Plan and areas for service improvement. As well as reviewing past performance, the Council was also required to approve a new Food and Health and Safety Service Plan for 2018/19 (Appendix A).

A Member queried whether there were sufficient staff to undertake all of the work within the Plan. Reassurance was provided by the Head of Environmental Services and Port Health that there were sufficient staff in place. This was demonstrated by an increase in performance during 2017/18 and a statement had been provided to the Food Standards Agency regarding staffing levels, to ensure that they were set at the correct level. It was noted that there was a contingency plan in place, should unexpected demands occur over the coming year.

With regard to the table on page 26 of the report, it was confirmed that benchmarking information had been requested by Full Council the previous year and it was noted that the Council was performing at a significantly higher level than the national average, which was highly commendable.

A Member commented that some food businesses in the UK were fraudulently changing their 'Scores on the Doors' to give an improved score for their business and it was queried whether this could happen here. It was reported that there were no known cases within the District and officers did check the scores on the doors were correct, when undertaking their visits. The correct scores were also available to view on the Council's website.

In respect of the 'new, more refined, risk assessment approach' to inspections on page 27 of the report, reassurance was sought that this did not mean that inspections were being reduced or were less robust. Reassurance was provided that there was now a greater emphasis on high risk premises and the focus remained on keeping the general public safe.

A Member queried whether officers charged for the advice that they provided to businesses. It was reported that officers could charge if a significant amount of advice was provided. It was important that the service remained financially sustainable, however they did not want to charge businesses an excessive amount and there needed to be a balance. It was noted that registration fees may be charged in the future and this additional income would help to cover the costs. Further information on this matter would be provided in due course, when it was available.

With regard to the recent EU referendum, it was queried whether this could lead to an increase in shipping, which would require additional inspections over time. It was reported that ships required a Sanitation Certificate, which needed to be reviewed on a 6 monthly basis, which the Council could charge for. Any significant changes to the Team's workload would need to be reviewed, when further information was known.

RESOLVED

That the Food Safety and Health and Safety performance against the Service Plan for 2017/18 be noted and that the Service Plan for 2018/19 be adopted.

12. ANNUAL REVIEW OF THE CODE OF CORPORATE GOVERNANCE (REP1785)

The Cabinet Member for Resources presented the report of the Annual Review of the Code of Corporate Governance. The report noted that CIPFA recommend an annual review

of the Code of Corporate Governance as directed in the latest CIPFA/SOLACE 2016 publication entitled *Delivering Good Governance in Local Government*. The Code of Corporate Governance was last reviewed in September 2017. The main body of the Code remained unchanged but the evidence attached had been refreshed to capture current frameworks and processes in operation. The refreshed list was attached as Appendix A and was considered by the Audit and Governance Committee at their meeting on 25 July 2018; as this falls within the Committee's terms of reference '*To review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances*'. The Audit and Governance Committee considered the matter thoroughly at their meeting and recommended its approval by Full Council.

Members congratulated all those involved in the review of the Code of Corporate Governance. It was therefore

RESOLVED

That the revised Code of Corporate Governance at Appendix A be adopted.

13. TREASURY MANAGEMENT OUTTURN FOR 2017/18 AND MID YEAR REPORT FOR 2018/19 (REP1842)

The Cabinet Member for Resources presented the report, which provided an update on the Treasury Management Outturn for 2017/18 and Mid Year report for 2018/19 of the Council. The report noted that the Treasury Management Policy Statement for 2017/18 required an annual report and mid year report to be produced by the 30th September 2018 and to be approved at Full Council.

The report reviewed the performance of the Treasury Management function, including prudential indicators in 2017/18 and incorporated a mid year review of 2018/19.

2017/18 Summary:

- Investments totalled £41.50m as at 31st March 2018.
- Interest received during the year totalled £260k.
- The Council maintained its policy of investing short term rather than longer term (greater than one year) due to market conditions.
- The Council operated within its approved Prudential Indicator Limits for 2017/18.

2018/19 Summary to date:

- Investments totalled £44.7m as at 30th June 2018.
- Interest received to 30th June 2018 totalled £51k.
- The Council had operated within its approved Prudential Indicator Limits to date.

RESOLVED

1. That the Annual Report on the Council's Treasury Management activity for 2017/18 incorporating the Mid Year review for 2018/19 be approved.
2. That the Prudential Indicators Outturn position for 2017/18 in Appendix A be noted.

3. That the Lloyds Set Off agreement as detailed at 14.2 and 14.3 be noted and approved.

14. APPOINTMENT OF THE INTERIM CHIEF FINANCE OFFICER (REP1914)

The Leader of the Council presented the report, which concerned the appointment of the Interim Chief Finance Officer. The report noted that the Local Authorities are required to have in place certain statutory officers. One of these is the Chief Finance Officer, [Section 151 Officer], who undertakes a range of financial responsibilities. This report recommends the appointment of an interim Chief Finance Officer, to undertake these duties, following the resignation of the current post-holder.

A Member reported that Simon Taylor, currently the Finance Manager and Deputy Section 151 Officer, was the natural choice for the interim position. He was currently involved in all of the major work streams and had attended all of the meetings. His appointment was also endorsed by the outgoing Chief Finance Officer.

Members commended the work of the Finance Team, who had managed to produce a balanced budget in difficult circumstances, with many unknown factors and an uncertain economic climate.

RESOLVED

That Simon Taylor, Finance Manager (Compliance), be appointed as ‘Interim Chief Finance Officer’ and Section 151 Officer for Waveney District Council and that this arrangement remains in place until a permanent appointment is made to the post of Chief Finance Officer.

15. POLITICAL PROPORTIONALITY AND APPOINTMENTS TO THE COUNCIL’S COMMITTEES, WORKING GROUPS AND OUTSIDE BODIES (REP1903)

The Leader of the Council presented the report, which provided an update on the Political Proportionality of the Council and appointments to the Council’s Committees, Working Groups and Outside Bodies. The Leader of the Council advised the Council to consider a report on the revised overall political balance of Waveney District Council, and to consider appointments to the Council’s Committees, Working Groups and Outside Bodies, following recent developments.

RESOLVED

1. That the report on the current political proportionality of the Council be noted.
2. That the changes to the Committee Memberships, as listed in Appendix A to the report be approved and that Councillor L Coulam be appointed to the Conservative Group vacancy on the Overview & Scrutiny Committee, for the remainder of the municipal year.
3. That the changes to the Outside Body appointments, as listed in Appendix B to the report be approved.

4. That the changes to the Working Groups appointments, as listed in Appendix C to the report be approved.
5. That Full Council notes that Councillor S Ardley has been appointed as the Leader of the Independent Councillors and as such he will be entitled to a Special Responsibility Allowance (SRA) for undertaking this role.
6. That the Substitution arrangements, as outlined within the report, be approved.

The meeting concluded at 8.10pm.

Chairman