

# Forest Heath District Council

**MINUTES** of the **CABINET** held at the District Offices, College Heath Road, Mildenhall on Tuesday 4 December 2012 at 6.00pm.

## **PRESENT:**

Councillors:

J E Waters (Leader)	S J Edwards
N A Roman (Deputy Leader)	W Hirst
D W Bowman	R J Millar
Mrs R E Burt	

Councillors R Dicker, T J Huggan, C Noble and T Simmons were also in attendance.

Also in attendance:

N Baker, Head of Planning & Regulatory Services  
J Bowes, Head of Legal & Democratic Services  
I Gallin, Chief Executive  
P Heard, Legal Services Manager  
S Phelan, Head of Housing  
K Points, Head of Human Resources & Organisational Development  
R Mann, Head of Resources and Performance  
M Walsh, Head of Waste Management & Property Services  
L Watts, Director  
A Wilson, Director  
T Wright, Business Regulation & Licensing Manager  
H Hardinge, Committee Administrator

## **APOLOGIES**

There were no apologies for absence.

### 322. **PUBLIC PARTICIPATION**

There were no questions/statements from members of the public.

### 323. **CONFIRMATION OF MINUTES**

The minutes of the meeting held on 6 November 2012 were unanimously accepted by the Cabinet as an accurate record and signed by the Leader.

### 324. **MINUTES OF JOINT COMMITTEES, WORKING GROUPS AND OTHER GROUPS**

The minutes of the following meetings were received:

West Suffolk Waste & Street Scene Services Joint Cttee	19 October 2012
Shared Services Steering Group	24 October 2012
West Suffolk Joint Staff Consultative Panel	29 October 2012
West Suffolk Joint Health & Safety Panel	30 October 2012

325. **SHARED SERVICES STEERING GROUP – 24 OCTOBER 2012 – MINUTE NO 057 'TRANSFORMING CUSTOMER ACCESS: (I.) TARGET OPERATING MODEL FOR WEST SUFFOLK AND; (II.) SUFFOLK COUNTY COUNCIL'S PUBLIC ACCESS ARRANGEMENTS POST-2014' (REPORT NO SSG12/027)**

Members were requested to note the recommendation listed under this item, as it had been subject to a report presented to Cabinet on 6 November 2012 (Report No CAB12/037).

326. **WEST SUFFOLK JOINT STAFF CONSULTATIVE PANEL – 29 OCTOBER 2012 – MINUTE NO 005 'JOINT FOREST HEATH DISTRICT COUNCIL AND ST EDMUNDSBURY BOROUGH COUNCIL EMAIL AND INTERNET USAGE POLICY' (REPORT NO JSP12/001)**

Members were requested to note the recommendation listed under this item, as it was subject to a future report to be presented to Cabinet on 16 January 2013.

327. **WEST SUFFOLK JOINT HEALTH AND SAFETY PANEL – 30 OCTOBER 2012 – MINUTE NO 10 'JOINT HEALTH AND SAFETY POLICY – REVISED INSTRUCTION 3 – ACCIDENTS, NEAR MISSES, ILL HEALTH AND DANGEROUS OCCURRENCES REPORTING' (REPORT NO D175)**

Members were requested to note the recommendation listed under this item, as it was subject to a report later on the agenda (Report No CAB12/049).

328. **APPROVAL OF MINUTES**

With the vote being unanimous, it was

**RESOLVED:**

That the minutes of the respective Steering Group, Joint Committee and Panels be approved, as amended, and that authority is hereby given for such action to be taken as necessary to give effect thereto.

**KEY DECISIONS**

329. **TRIENNIAL REVIEW OF GAMBLING STATEMENT OF PRINCIPLES (REPORT NO CAB12/044)** (Key Decision Reference DEC12/03B)

The Cabinet Member for Environment and Waste explained that the Council had a duty to adopt and publish a final version of the Gambling Statement of Principles by 3 January 2013, to take effect from 31 January 2013. It would be in effect for a period of three years (unless revised sooner) and form the basis of decisions made by the Licensing Authority when operating functions under the Gambling Act 2005.

Cabinet was informed that the Statement of Principles had been brought in line with that of St Edmundsbury Borough Council and had only been subject to minor changes.

The report had been previously considered by the Licensing Committee on 19 November 2012 and was due to be presented to Council on 12 December 2012 for formal adoption.

Lastly, Members were advised that, to date, there had been two responses to the ongoing public consultation in respect of the document; these being from Suffolk Fire and Rescue and Newmarket Town Council.

With the vote being unanimous, it was

**RECOMMENDED:**

That the revised Gambling Act 2005 – Statement of Principles 2013-2016, attached as Appendix A to Report No CAB12/044, be approved.

330. **REVIEW OF ANGLIA COMMUNITY LEISURE CONTRACT (REPORT NO CAB12/045)** (Key Decision Reference DEC12/02)

The Cabinet Member for Health, Leisure and Culture requested that Cabinet grant a variation to the Anglia Community Leisure Agreement in order to allow discussions to take place with a view to progression of the Leisure Trusts working in partnership across West Suffolk in the future.

Preliminary negotiation had commenced and all parties had agreed to commit to working towards a target date of 1 April 2013 for the appointment of a Joint Chief Executive Officer for both Trusts.

An amendment to the recommendation set out in Paragraph 2 of Report No CAB12/045 was tabled and with the vote being unanimous, it was

**RESOLVED:**

That:-

1. A variation to the existing Anglia Community Leisure Contract be authorised, to allow for amendments to the contract termination clauses, which introduced a rolling six-month notice period for a maximum term of 5 years; and
2. Delegated Authority be granted to the Chief Executive, in consultation with the Portfolio Holder for Health, Leisure and Culture, to negotiate and agree the terms of the variation.

331. **SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY AND GUIDANCE – JOINT 'WEST SUFFOLK' POLICY (REPORT NO CAB12/046)** (Key Decision Reference DEC12/06)

The Cabinet Member for Families and Communities explained that following a joint presentation to the Suffolk Safeguarding Children Board (SSCB), by Forest Heath District Council and St Edmundsbury Borough Council in April 2012, the

Board highlighted organisational change as a major risk factor and suggested that as the staff structure merged between the two authorities a Joint Safeguarding Policy be established to avoid any confusion on the process for referring concerns along with contact details of where to go for advice and support.

The report, therefore, suggested amendments and sought approval of the joint policy which had been developed to ensure that Forest Heath and St Edmundsbury continued to meet their obligations under the Children Act 2004.

The report had been previously considered by the Overview and Scrutiny Committees of both authorities and was due to be presented to Council on 12 December 2012 for formal adoption.

Councillor T Simmons addressed the meeting and raised a question with regard to the frequent media coverage concerning care homes and enquired as to the Councils' responsibility in connection with this. In response, the Cabinet Member drew attention to Paragraph 4.8 of Report No CAB12/046 and the reference therein to the need to develop a policy in respect of safeguarding vulnerable adults. He explained that Officers were working with colleagues in Suffolk County Council in order to address this matter.

Councillor T J Huggan also addressed the meeting and remarked upon the importance of ensuring that relevant staff received appropriate training in respect of the Policy so that they were made aware of their role and responsibilities. The Cabinet Member welcomed this input and agreed to amend the recommendation before Cabinet in order to reflect this. And, with the vote being unanimous, it was

**RECOMMENDED:**

That:-

1. The Joint West Suffolk Safeguarding Children and Young People Policy and Guidelines for Working with Children and Young People, attached as Appendix 1 to Report No CAB12/046, be adopted; and
2. Relevant Officers be provided with the appropriate training and support in respect of the Policy and Guidelines.

**332. JOINT ANTI MONEY LAUNDERING POLICY (REPORT NO CAB12/047)**  
(Key Decision Reference DEC12/03A)

The Cabinet Member for Resources, Governance and Performance explained that the Council's current Anti Money Laundering Policy was last revised in November 2007. It was good practice to review arrangements periodically and as such a review of the Policy had been undertaken to ensure it continued to reflect best practice, legislation and shared services arrangements.

The revised Policy had also been developed into a joint policy document between Forest Heath District Council and St Edmundsbury Borough Council.

The report had been previously considered by the Performance and Audit Committees of both authorities and was due to be presented to Council on 12 December 2012 for formal adoption.

With the vote being unanimous, it was

**RECOMMENDED:**

That:-

1. The revised joint Anti Money Laundering Policy between Forest Heath District Council and St Edmundsbury Borough Council, attached as Appendix A to Report No CAB12/047, be approved;
2. The Cabinet Member for Resources, Governance and Performance be given delegated authority to amend the Officer post titles where necessary regarding the reporting of money laundering concerns referred to within the Policy, following the current senior management restructure;
3. The Cabinet Member for Resources, Governance and Performance be requested to arrange the issue of this Policy to all Councillors, highlighting their role and responsibilities and giving examples of money laundering instances; and
4. The Head of Resources and Performance be authorised, in consultation with the Cabinet Member for Resources, Governance and Performance to make any minor typographical, factual, spelling, grammatical and other minor changes to the Joint Anti-Money Laundering Policy as set out at Appendix A, provided they do not materially affect the substance or meaning of the Policy.

333. **JOINT NATIONAL FRAUD INITIATIVE POLICY (REPORT NO CAB12/048)**  
(Key Decision Reference DEC12/05)

The Cabinet Member for Resources, Governance and Performance explained that the proposed Joint National Fraud Initiative (NFI) Strategy was the first such strategy for Forest Heath District Council and it replaced the strategy previously in place at St Edmundsbury Borough Council.

Cabinet was advised that participation in the NFI had become mandatory and was considered a corporate activity, also incorporating data security and data protection. The Strategy aimed to define the key roles and responsibilities for all stakeholders involved with the NFI exercise to ensure that fair processing compliance was maintained, mandatory data sets were correctly provided and investigations were undertaken as necessary, based on the associated risks.

The report had been previously considered by the Performance and Audit Committee on 27 November 2012 and was due to be presented to Council on 12 December 2012 for formal adoption.

With the vote being unanimous, it was

**RECOMMENDED:**

That:-

1. The Joint National Fraud Initiative Strategy between Forest Heath District Council and St Edmundsbury Borough Council, attached as Appendix A to Report No CAB12/048, be approved;
2. The Head of Resources and Performance be given delegated authority to update information on NFI Outcomes and Data Leads (Paragraphs 1.4 and 7.3 of the Strategy respectively) as appropriate; and
3. The Head of Resources and Performance be authorised, in consultation with the Portfolio Holder for Resources, Governance and Performance to make any minor typographical, factual, spelling, grammatical and other minor changes to the Joint National Fraud Initiative Strategy as set out at Appendix A, provided they do not materially affect the substance or meaning of the Strategy.

334. **JOINT HEALTH AND SAFETY POLICY – REVISED INSTRUCTION 3 – ACCIDENTS, NEAR MISSES, ILL HEALTH AND DANGEROUS OCCURRENCES REPORTING (REPORT NO CAB12/049)** (Key Decision Reference DEC12/07)

The Cabinet Member for Resources, Governance and Performance sought approval of the proposed amendments to the Joint Health and Safety Policy due to changes made to the Reporting of Diseases, Dangerous Occurrence Regulations (RIDDOR).

The report had been previously considered and recommended for approval by the West Suffolk Joint Health and Safety Panel on 30 October 2012.

With the vote being unanimous, it was

**RESOLVED:**

That revised Instruction 3 of the Joint Health and Safety Policy, attached as Appendix A to Report No CAB12/049, be approved.

335. **LOCAL COUNCIL TAX SUPPORT 2013/2014 (REPORT NO CAB12/050)** (Key Decision Reference DEC12/08)

This report was withdrawn from the agenda.

336. **REVIEW OF THE CAMBRIDGESHIRE SUB-REGION LETTINGS POLICY (REPORT NO CAB12/051)** (Key Decision Reference DEC12/09)

The Cabinet Member for Planning, Housing and Transport explained that the lettings policy document was first approved by St Edmundsbury Borough Council's Cabinet and Forest Heath District Council's Council in August 2007;

with the introduction of Home-Link, the Sub Regional Choice Based Lettings Scheme.

However the Government, as part of its social housing and welfare reforms, amended policies and regulations with regard to who should be given priority to go on the Housing Register and what size property they could claim housing benefit for. Due to these changes, the seven partner Councils who operated the Home-Link scheme were compelled to review their Lettings Policies to ensure compliance with them. This also offered the opportunity to carry out a whole-scale review of the current policy and to devise a joint 'West Suffolk' document.

The report was due to be presented to Council on 12 December 2012 for formal adoption and would come into force on 1 April 2013.

The Cabinet Member thanked all relevant Officers and partners for their input in developing the new joint policy.

With the vote being unanimous, it was

**RECOMMENDED:**

That:-

1. The changes to the current Lettings Policy, as detailed in Paragraph 4.2 of Report No CAB12/051, be noted;
2. The new West Suffolk Lettings Policy, attached as Appendix A to the report, be approved; and
3. The Head of Housing, in consultation with the Portfolio Holder for Planning, Housing and Transport, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document, provided it does not materially affect the substance or meaning of the Strategy.

**NON KEY DECISIONS**

337. **PROPOSED JOINT STEERING GROUP FOR PLANNING POLICY AND GROWTH (REPORT NO CAB12/052)** (Key Decision Reference NOV12/12)

The Cabinet Member for Planning, Housing and Transport explained that Forest Heath District Council and St Edmundsbury Borough Council had already established the principle of working together to consider and agree planning policy matters which affect both districts uniformly by way of the Joint Development Management Policies Committee.

This report proposed a further development of this approach to create a Councillor forum, namely the West Suffolk Growth Steering Group, in which all common issues affecting growth in the West Suffolk area could be debated prior to consideration by the two Councils' Cabinets.

Councillor T J Huggan addressed the meeting and raised concerns with regard to the potential 'dilution' of the Cambridge Sub-Region effects/input on Forest Heath's planning policies by working in partnership with St Edmundsbury on planning policy and growth.

In response to this it was explained that, whilst parts of St Edmundsbury were also in the Cambridge Sub-Region, the new Steering Group would not preclude either authority from adopting specific approaches to reflect their specific circumstances. Furthermore both authorities would retain their independent Local Plan Working Groups to ensure that there was still a forum for the Councils' to debate planning policies which were unique to the respective District/Borough.

With the vote being unanimous, it was

**RESOLVED:**

That:-

1. The West Suffolk Growth Steering Group be established on the basis set out in Paragraphs 4.5 to 4.9 of Report No CAB12/052; and
2. The Head of Legal and Democratic Services be authorised to appoint Members to the Steering Group in accordance with the nominations of the Group Leaders.

338. **FINANCIAL PERFORMANCE REPORT (REVENUE AND CAPITAL) – APRIL TO SEPTEMBER 2012 (REPORT NO CAB12/053)** (Key Decision Reference NOV12/06)

The Cabinet Member for Resources, Governance and Performance requested that Cabinet review the Council's Revenue and Capital financial performance for the first six months of 2012/2013 and the year end forecast position; and to recommend relevant actions to Council.

Councillor T J Huggan addressed the meeting and enquired as to whether the New Homes Bonus monies could be utilised to improve the broadband provision in the District, particularly in respect of Red Lodge, in order to encourage economic growth in the local area.

Both the Cabinet Member and the Leader responded on this matter and explained that broadband was being looked at as part of the action plan devised in respect of the Council's Strategic Plan, however, the input was welcomed and would be taken on board.

With the vote being unanimous, it was

**RECOMMENDED:**

That:-

1. The 2012/2013 revenue and capital budget positions for the first six months of the financial year be noted;



2. The revenue budget virements as outlined in Appendix E of Report No CAB12/053, be noted; and
3. The reserve funding as outlined in Paragraphs 5.3 and 5.4 of the report be approved.

339. **REVIEW OF THE LIST OF KEY DECISIONS (REPORT NO CAB12/054)**

The Legal Services Manager asked Cabinet to review the list of Key Decisions to be considered by Forest Heath District Council for the period December 2012 to May 2013.

Cabinet was advised that the list of Key Decisions had been subject to further changes since publication of the agenda and was next due to be published on the Council's website on 18 December 2012.

With the vote being unanimous, it was

**RESOLVED:**

That the list of Key Decisions, for the period December 2012 – May 2013, attached as an Appendix to Report No CAB12/054, be noted.

The meeting closed at 6.41pm.