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St Edmundsbury
BOROUGH COUNCIL

**TO: ALL MEMBERS OF ST
EDMUNDSBURY BOROUGH COUNCIL**

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Our reference CS
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19 September 2018

Dear Councillor

ST EDMUNDSBURY COUNCIL - TUESDAY 25 SEPTEMBER 2018

Attached is an Addendum to Report No: COU/SE/18/018, *Referrals Report of Recommendations from Joint Executive (Cabinet) Committee*, which provides the recommendations of the Joint Executive (Cabinet) Committee following its consideration of Report No: CAB/JT/18/032, *Barley Homes: Interim Business Plan and Changes in Governance* on 18 September 2018. Due to the timing of the Joint Executive (Cabinet) Committee meeting, these recommendations were not available when the agenda and papers were originally published for this Council meeting.

Also attached is a late urgent item, which with the agreement of the Mayor, has been added to the agenda so that the matter can be resolved within the necessary timescale. It relates to the appointment of a new Vice-Chairman of the Overview and Scrutiny Committee and will be considered following Agenda Item 8, *Delegation to Babergh District Council for the Determination of a Planning Application*.

Yours sincerely

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St Edmundsbury
BOROUGH COUNCIL

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|----------------------------|---|-------------------|
| Title of Report: | Referrals Report of Recommendations from Joint Executive (Cabinet) Committee | |
| Report No: | ADDENDUM to COU/SE/18/018 | |
| Report to and date: | Council | 25 September 2018 |
| Documents attached: | None | |

(C) Referrals from Extraordinary Joint Executive (Cabinet) Committee: 18 September 2018

1. Barley Homes: Interim Business Plan and Changes in Governance

Portfolio Holder: Cllr Sara Mildmay-White

Report No:

**[CAB/JT/18/032](#)
[Addendum](#)**

RECOMMENDED:

- (1) The proposal for Suffolk County Council to transfer its ownership of Barley Homes to the West Suffolk Councils be noted, and the terms of the deal as set out in paragraph 2.2 of Report No: CAB/JT/18/032, be agreed.**
- (2) An additional working capital loan facility of £350,000 funded from the Strategic Priorities and Medium Term Financial Strategy (MTFS) reserves and as set out in section 3.4, be approved.**
- (3) A revised total of £7.5 million (currently £6 million) revolving investment facility, be added to the Councils' capital programme, financed from capital receipts in line with paragraph 3.3.2.**
- (4) Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for**

Resources and Performance and Housing to issue equity and loan funding from the revolving investment facility (set out in (3) above) subject to state aid requirements.

- (5) The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements.**
- (6) Approval of the Interim Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.**
- (7) The Councils' medium term financial revenue plans in line with section 3.5, be updated.**
- (8) The proposed shareholder representative arrangements be agreed, and authority be given for the representatives to make all necessary decisions on behalf of the shareholders as required by the Articles of Association and Shareholder Agreement as set out in paragraphs 5.4 to 5.6.**
- (9) The Shareholder Representatives be authorised to make all necessary arrangements for the purchase of the County Council's shareholding in Barley Homes, and the consequential governance amendments required to the Company's Articles of Association and Shareholder Agreement, as set out in paragraph 5.2.**
- (10) The Shareholder Representatives be authorised to agree the Interim Business Plan contained in Exempt Attachment A of Report No: CAB/JT/18/032, subject to the development of the Town Hall Car Park, Haverhill, being paused to allow for further discussions on the aspirations of the site, and priority to be given to development of the sites at Westfields and Castle Hill.**
- (11) It be noted that a comprehensive business case for Barley Homes will be presented to West Suffolk Council in 2019.**
- (12) Agreement be given for the Council's Section 151 Officer to make the necessary changes to the Council's 2018/19 prudential indicators as a result of Recommendation (3).**

Continued over....

- 1.1 An extraordinary meeting of the Joint Executive (Cabinet) Committee was held on 18 September 2018 to consider the above item. The referrals report was despatched with the Council summons prior to that meeting taking place, and so as not to pre-empt the Joint Executive (Cabinet) Committee's decision-making, no recommendations to Council were provided at that stage. The Joint Executive (Cabinet) Committee has now put forward the above recommendations.
- 1.2 It should be noted that the Joint Executive (Cabinet) Committee has recommended that the original Recommendation 10 contained in Report No: CAB/JT/18/018 be amended to the above.

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St Edmundsbury
BOROUGH COUNCIL

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| Title: | Appointment of Vice-Chairman to Overview and Scrutiny Committee | |
| Paper No: | Narrative: Additional Agenda Item | |
| Paper to and date: | Council | 25 September 2018 |
| Documents attached: | None | |

The Mayor has agreed that this item can be considered as a matter of urgency, in accordance with S100B(4) of the Local Government Act 1972, in order that this matter can be resolved within the necessary timescale.

Appointment of Vice-Chairman to Overview and Scrutiny Committee

1. As stated in his Leader’s Statement, the Leader of the Council recently appointed Councillor Susan Glossop to the Cabinet following the resignation of Councillor Alaric Pugh as Portfolio Holder for Planning and Growth.
2. Article 6 of the Constitution states that ‘...*The Leader and Portfolio Holders may not be members of any scrutiny committee...*’. Therefore, as a consequence of Councillor Glossop being appointed to the Cabinet, she can no longer be a full member of the Overview and Scrutiny Committee nor be a substitute member on the Performance and Audit Scrutiny Committee.
3. In accordance with the Constitution, appointments to committees can be made under delegated authority by the Service Manager (Democratic Services) on the nominations of Group Leaders; however, whilst being a full member, Councillor Glossop was also the Vice-Chairman of the Overview and Scrutiny Committee. Appointments of the Chairmen and Vice-Chairmen to the scrutiny committees can only be made by Council.
4. Council is therefore, requested to **APPOINT** a Vice-Chairman to the Overview and Scrutiny Committee for the remainder of the 2018/2019 municipal year.

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