

# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>		
<b>Date:</b>	<b>Tuesday 23 June 2015</b>		
<b>Time:</b>	<b>5.00 pm</b>		
<b>Venue:</b>	<b>Conference Chamber West (F1R09)</b> <b>West Suffolk House</b> Western Way Bury St Edmunds		
<b>Membership:</b>	<p style="text-align: center;"><b>Leader</b> John Griffiths</p> <p style="text-align: center;"><b>Deputy Leader</b> Sara Mildmay-White</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b><u>Councillor</u></b></p> <p>Robert Everitt Sara Mildmay-White John Griffiths Ian Houlder Alaric Pugh Jo Rayner Peter Stevens</p> </td> <td style="width: 50%; vertical-align: top;"> <p><b><u>Portfolio</u></b></p> <p>Families and Communities Housing Leader Resources and Performance Planning and Growth Leisure and Culture Operations</p> </td> </tr> </table>	<p><b><u>Councillor</u></b></p> <p>Robert Everitt Sara Mildmay-White John Griffiths Ian Houlder Alaric Pugh Jo Rayner Peter Stevens</p>	<p><b><u>Portfolio</u></b></p> <p>Families and Communities Housing Leader Resources and Performance Planning and Growth Leisure and Culture Operations</p>
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<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.		
<b>Quorum:</b>	Three Members		
<b>Committee administrator:</b>	<b>Claire Skoyles</b> SEBC Cabinet Officer/Committee Administrator <b>Tel:</b> 01284 757176 <b>Email:</b> <a href="mailto:claire.skoyles@westsuffolk.gov.uk">claire.skoyles@westsuffolk.gov.uk</a>		

# Agenda

Page No

## Procedural Matters

**1. Apologies for Absence**

**2. Minutes**

**1 - 8**

To confirm the minutes of the meeting held on 28 May 2015 (copy attached).

## Part 1 - Public

**3. Open Forum**

At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussion with, non-Cabinet members. Members wishing to speak during this session should if possible, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.

**4. Public Participation**

Members of the public who live or work in the Borough are invited to put questions/statements of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.

**5. Petition: Proposed Siting of West Suffolk Operational Hub at Hollow Road Farm, Bury St Edmunds**

Ms Sarah Bartram, of Fornham St Martin has been invited to present a petition on behalf of residents in Fornham St Martin, Great Barton and Bury St Edmunds, containing a total of 555 signatures, against the location of the proposed West Suffolk Operational Hub (WSOH) at Hollow Road Farm, Bury St Edmunds.

The petition states:

*"We, the undersigned, residents of Fornham St Martin [Great Barton and Bury St Edmunds], object to the plans to build a new*

*West Suffolk Operational Hub (WSOH) on the greenfield site identified as 'Hollow Road Farm, Fornham St Martin.'*

*We call upon St Edmundsbury Borough Council to:*

- 1) Reject this site as a suitable location for the proposed WSOH due to the overwhelming negative environmental and nuisance impact it would have on the surrounding land and nearby residential area.*
- 2) Investigate alternative non-residential locations for the proposed WSOH, such as upgrading existing disused industrial units.*
- 3) Fully consult with local residents on any future proposals for this site and neighbouring fields."*

For information, a second online petition with 283 signatures as at 30 April 2015, has also been set up in response to the pre-planning consultation on the WSOH.

*In accordance with the Council's Constitution, 'if petitioners so wish, a petition containing not less than 20 signatures may, instead, be presented to the Leader of the Council or to the Chairman of the appropriate Committee or the relevant Chief Officer, for consideration by the Cabinet or the appropriate Committee(s), provided seven working days' notice in writing has been given to the Proper Officer before the relevant meeting. When a petition is considered by the Cabinet or the appropriate Committee, a representative of the petitioners may speak at that meeting for not more than three minutes.'*

The Cabinet is asked to consider the petition and respond accordingly.

- |           |   |                |
|-----------|---|----------------|
| <b>6.</b> | <b>Report from the Performance and Audit Scrutiny Committee: 4 June 2015</b>  | <b>9 - 16</b>  |
|           | Report No: <b>CAB/SE/15/036</b><br>Chairman: Sarah Broughton                      Lead Officer: Christine Brain             |                |
| <b>7.</b> | <b>Report from the Overview and Scrutiny Committee: 10 June 2015</b>  | <b>17 - 20</b> |
|           | Report No: <b>CAB/SE/15/037</b><br>Chairman: Diane Hind                              Lead Officer: Christine Brain          |                |
| <b>8.</b> | <b>Recommendations of the Overview and Scrutiny Committee: 10 June 2015 - Joint ARP Debt Management and Recovery Policy</b> | <b>21 - 24</b> |
|           | Report No: <b>CAB/SE/15/038</b>   |                |

Cabinet Member: Ian Houlder      Lead Officers: Rachael Mann  
and Jo Andrews (ARP)

**9. West Suffolk Sundry Debt Management and Recovery Policy      25 - 42**

Report No: **CAB/SE/15/039**

Cabinet Member: Ian Houlder      Lead Officers: Rachael Mann  
and Jo Howlett

**10. West Suffolk Operational Hub      43 - 60**

Report No: **CAB/SE/15/040**

Cabinet Member: Peter Stevens      Lead Officer: Mark Walsh

**11. Suffolk Business Park/Eastern Relief Road, Bury St Edmunds: Update      61 - 66**

Report No: **CAB/SE/15/041**

Cabinet Member: John Griffiths      Lead Officer: Andrea Mayley

**12. Confirmation of Article 4 Direction for Bury St Edmunds      67 - 76**

Report No: **CAB/SE/15/042**

Cabinet Member: Alaric Pugh      Lead Officer: Christine Leveson

**13. Recommendations of the Sustainable Development Working Party: 18 June 2015**

Report No: **CAB/SE/15/043 TO FOLLOW**

Cabinet Member: Alaric Pugh      Lead Officer: Steven Wood

**(a) Culford Park Management Plan**

**(b) Station Hill Development Area, Bury St Edmunds: Masterplan**

**(c) West Suffolk Hospital, Bury St Edmunds: Masterplan**

**14. Decisions Plan: June 2015 to May 2016      77 - 98**

To consider the most recently published version of the Cabinet's  
Decisions Plan

Report No: **CAB/SE/15/044**

Cabinet Member: Leader of the Council      Lead Officer: Ian Gallin

**15. West Suffolk Facilities Management      99 - 130**

Report No: **CAB/SE/15/045**

Cabinet Member: Peter Stevens      Lead Officer: Mark Walsh

**16. Exclusion of Press and Public**

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**Part 2 - Exempt**

**17. Exempt Appendices: West Suffolk Facilities Management 131 - 134**

Exempt Appendices to Report No: **CAB/SE/15/045**  
Cabinet Member: Peter Stevens      Lead Officer: Mark Walsh

*(These exempt appendices are to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as they contain information relating to the financial and business affairs of a particular organisation.)*

**18. Provision of Temporary Accommodation in Bury St Edmunds 135 - 154**

Exempt Report No: **CAB/SE/15/046**  
Cabinet Member: Sara Mildmay-White      Lead Officer: Simon Phelan

*(This exempt report is to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial and business affairs of a particular organisation.)*

*(No representations have been received from members of the public regarding this item being held in private.)*

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# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Cabinet** held on  
**Thursday 28 May 2015 at 5.00 pm** at the **Conference Chamber, West  
Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Chairman** John Griffiths (Leader of the Council) (in the Chair)  
**Vice Chairman** Sara Mildmay-White (Deputy Leader)

Ian Houlder  
Alaric Pugh

Joanna Rayner  
Peter Stevens

**In attendance:**  
Susan Glossop  
David Nettleton  
Jim Thorndyke

## 66. **Apologies for Absence**

Immediately prior to the start of the formal business, Councillor Griffiths, Leader of the Council wished to formally welcome Councillors Ian Houlder and Jo Rayner to their first meeting of Cabinet as Portfolio Holders. The other re-appointed Portfolio Holder, Councillor Robert Everitt, had given his apologies for this meeting.

As announced at the Annual Meeting of Council on 19 May 2015, Councillor Everitt would be responsible for the Families and Communities portfolio; Councillor Houlder for Resources and Performance and Councillor Rayner would be responsible for Leisure and Culture.

Councillor Griffiths also wished it to be placed on record his thanks to former Portfolio Holders for their sterling work in previous years: Councillors Clements and Stamp and former Members, Anne Gower and Dave Ray. This sentiment was supported by other Cabinet Members present.

Formal business then commenced.

An apology for absence was received from Councillor Everitt.

**67. Minutes**

The minutes of the meetings held on 17 March (Extraordinary meeting) and 24 March 2015 were confirmed as correct records and signed by the Chairman.

**68. Procedural Matter: Grant Approved for Victory Sports Ground 2015/2016**

The Cabinet considered a narrative item which sought an endorsement of a previous decision.

Councillor Rayner, Portfolio Holder for Leisure and Culture drew relevant issues to the attention of the Cabinet, including that on 10 February 2015, the Cabinet had considered the awarding of a revenue support grant to Victory Sports Ground in 2015/2016, subject to the budget setting process (Report No: CAB/SE/15/007 refers). The recommendation in the report had sought a reduction of £2,500 in grant to the sum of £45,250, which was subsequently approved by the Cabinet. The proposed reduction had been supported by Cabinet, including proposed reductions for future years' funding, as reflected in the minutes of the meeting:

*'It was therefore proposed that in 2015/2016, the Victory Sports Ground would receive a reduction in grant of £2,500 to £45,250 with a view to reducing this grant to zero within a number of years, as previously agreed by Cabinet'.*

It had however, transpired that Victory Sports Ground received a grant of £45,250 in 2014/2015, therefore with the application of the intended reduction of £2,500, the grant awarded in 2015/2016 should have been £42,750.

Victory Sports Ground had been advised of the oversight and acknowledged that it was the Cabinet's intention to reduce its grant by £2,500 and were therefore expecting to receive £42,750 in 2015/2016.

RESOLVED:

That the Cabinet's original intention to reduce the revenue support grant to Victory Sports Ground in 2015/2016 by £2,500 to £42,750 and not £45,250 as printed in Report No: CAB/SE/15/007, be endorsed.

**69. Open Forum**

No non-Cabinet Members in attendance wished to speak under this item.

**70. Public Participation**

No members of the public were in attendance.

**71. Haverhill Town Centre Masterplan - Consultation Document**



*(The following item was considered in a different order to that published in the agenda.)*

The Cabinet considered Report No: CAB/SE/15/034 (previously circulated), which sought approval for the draft Haverhill Town Centre Masterplan for consultation.

The Chairman introduced Matthew Lappin of David Lock Associates, who were the specialist team of planning and design consultants appointed by ONE Haverhill to develop the Haverhill Town Centre Masterplan.

Mr Lappin undertook a presentation on the draft Masterplan, as attached as Appendix A to the report, which subject to approval, would be going out to consultation from 8 June to 17 July 2015. At the conclusion of his presentation, Mr Lappin duly responded to questions raised.

Councillor Pugh, Portfolio Holder for Planning and Growth drew relevant issues to the attention of the Cabinet, including that he was extremely pleased with the draft that had been prepared in response to the consultation on the Issues and Options document. David Lock Associates had fulfilled the brief provided by ONE Haverhill and he looked forward to the outcomes of the consultation.

Other Members also supported the content of the draft Masterplan and agreed that whilst the Masterplan contained exciting prospects for the town centre, the aspirations identified needed to be both realistic and deliverable.

RESOLVED:

That the draft Haverhill Town Centre Masterplan document, contained in Appendix A to Report No: CAB/SE/15/034, be approved to go out to consultation (from 8 June to 17 July 2015).

*(Mr Lappin left the meeting at the conclusion of this item.)*

## **72. Report of the Overview and Scrutiny Committee: 22 April 2015**

The Cabinet received and noted Report No: CAB/SE/15/030 (previously circulated), which informed the Cabinet of the following items discussed on by the Overview and Scrutiny Committee on 22 April 2015:

- (1) Update on On-Street Parking, Skyliner Way, Bury St Edmunds;
- (2) Quarter 4 Directed Surveillance Authorised Applications; and
- (3) Work Programme Update.

In the absence of the Chairman, Councillor Houlder, outgoing Chairman of the Committee, drew relevant issues to the attention of the Cabinet, including that the Committee had asked the Head of Planning and Growth to provide further information on specific issues connected with the Skyliner Way matter, as detailed in the report.

73. **Report of the Anglia Revenues and Benefits Partnership Joint Committee: 19 March 2015**

The Cabinet received and noted Report No: CAB/SE/15/031 (previously circulated, which informed the Cabinet of the following substantive items discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 19 March 2015:

- (1) Performance Report;
- (2) SFIS and Counter Fraud;
- (3) Enforcement Agency Update;
- (4) Electronic Document Management System;
- (5) Universal Credit;
- (6) Forthcoming Issues;
- (7) Strategic Review; and
- (8) Risk Based Verification.

Councillor Houlder, Portfolio Holder for Resources and Performance drew relevant issues to the attention of the Cabinet.

74. **Annual Review and Appointment of Cabinet Working Parties, Joint Committees/Panels and Other Groups: 2015/2016**

The Cabinet considered Report No: CAB/SE/15/032 (previously circulated), which presented the annual review of Cabinet Working Parties, Joint Committees/Panels and Other Groups: 2015/2016.

Councillor Griffiths, Leader of the Council, drew relevant issues to the attention of the Cabinet, including that the Cabinet was required to review the membership and Terms of Reference of its Working Parties, Joint Committees/Panels and Other Groups for 2015/2016.

The existing Terms of Reference (ToR) for the relevant bodies were attached as Appendix A to F inclusive.

An amendment to the ToR of the Sustainable Development Working Party contained in Appendix B. This made reference to membership being drawn from several committees, including the Policy Development Committee. As this Committee no longer existed, this needed to be deleted from the ToR and the recommendation amended accordingly.

A discussion was then held on the proposed review of the Bury St Edmunds, Haverhill and Bury St Edmunds Area Working Parties, as detailed in Section 1.2.2 of the report. It was proposed that the consultation period should be extended and the outcomes of this and a potential way forward would not be reported until the Cabinet meeting on 8 September 2015. Councillor Thorndyke asked whether during this review period, the Area Working Parties could be re-appointed. In response, the Leader explained that he could, if necessary, convene an informal meeting of relevant ward councillors to advise the Cabinet on any urgent locality issue which could not be dealt with by another committee, working party or panel, or by alternative means of consultation.

Other Cabinet Members supported this approach and considered that greater use could be made of twin and triple-hatted Members for bringing matters to the fore, rather than duplicating work across a number of similar forums operating across the three tiers of local government and partnering bodies.

## RESOLVED

That:

- (1) for the reasons given in paragraph 1.2.2 of Report No: CAB/SE/15/032, further consultation be carried out with all councillors and partners on the future of the Bury St Edmunds, Haverhill and Rural Area Working Parties with the outcomes and potential way forward being reported back to Cabinet on 8 September 2015.
- (2)
  - (a) the Grant Working Party continues to operate in accordance with its amended Terms of Reference, as detailed in Appendix A of Report No: CAB/SE/15/032; and
  - (b) the Service Manager (Legal) be given delegated authority to appoint Members and substitute Members to the Grant Working Party, in line with the political balance requirements (see Section 1.4 of Report No: CAB/SE/15/032), on the basis of nominations from the Group Leaders.
- (3)
  - (a) The Sustainable Development Working Party continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix B to Report No: CAB/SE/15/032, as amended to delete reference to the Policy Development Committee;
  - (b) the Service Manager (Legal) be given delegated authority to appoint Members to the Sustainable Development Working Party, in line with the political balance requirements (see Section 1.4 below), on the basis of nominations from the Group Leaders; and
  - (c) the future direction of the Sustainable Development Working Party, as outlined in Section 1.2.9 of Report No: CAB/SE/15/032, be noted.
- (4)
  - (a) The West Suffolk Joint Growth Steering Group, West Suffolk Joint Emergency Planning Panel, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices C, D, E and F to Report No: CAB/SE/15/032 respectively;
  - (b) the Service Manager (Legal) be given delegated authority to appoint Members and substitute Members to the Joint Panels and Steering Group, as set out in Section 1.3.1 above, on the basis of political balance requirements, where appropriate (see Section 1.4 below) and on the nominations from the Group Leaders; and

- (c) meetings of the Joint Steering Group and Panels set out in Section 1.3.1 of Report No: CAB/SE/15/032, continue to be scheduled as and when required but with regard to the discussion outlined in Section 1.3.4.
  
- (5)
  - (a) The Service Manager (Legal) be given delegated authority to appoint two full Members and one substitute Member to the Anglia Revenues and Benefits Partnership Joint Committee, on the nomination of the Leader of the Council;
  
  - (b) the potential requirement to only have one full Member representative from each of the Councils represented on the Anglia Revenues and Benefits Partnership Joint Committee, as set out in Section 1.5.2 of Report No: CAB/SE/15/032, be noted. Any required changes to the Council's representation on the Joint Committee be delegated to the Service Manager (Legal) and the Leader of the Council to action accordingly; and
  
  - (c) following the adoption of the Joint Development Management Policies Document and subject to the approval of Forest Heath District Council, the Joint Development Management Policies Committee be disbanded, with any residual joint planning policy matters being taken through the West Suffolk Joint Growth Steering Group and Cabinet/Council.
  
- (6)
  - (a) The Cabinet's existing informal Working Groups be retained or disbanded as indicated in Section 1.6.2 of Report No: CAB/SE/15/032; and
  
  - (b) provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2015/2016.

**75. West Suffolk Joint Pay Policy Statement 2015/2016**

The Cabinets considered Report No: CAB/SE/15/033 (previously circulated) which presented the West Suffolk Joint Pay Policy Statement 2015/2016.

Section 38/11 of the Localism Act 2011 required local authorities to produce a Pay Policy Statement annually. Councillor Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet. He stated that a Joint Pay Policy Statement for 2015/2016, attached as Appendix 1 to the report had been produced, reflecting a shared workforce, and the single Pay and Reward Strategy now in place for St Edmundsbury Borough and Forest Heath District Councils. It also incorporated the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

**RECOMMENDED TO COUNCIL:**

**That the West Suffolk Joint Pay Policy Statement for 2015/2016 contained in Appendix 1 to Report No: CAB/SE/15/033, be approved.**

76. **Decisions Plan: May 2015 to May 2016**

The Cabinet considered Report No: CAB/SE/15/035 (previously circulated), which was the Cabinet Decisions Plan covering the period May 2015 to May 2016.

Members took the opportunity to review the forthcoming decisions of the Cabinet; however, no further information or amendments were requested on this occasion.

The meeting concluded at 5.58pm

**Signed by:**

**Chairman**

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# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Report of the Performance and Audit Scrutiny Committee: 4 June 2015</b>	
<b>Report No:</b>	<b>CAB/SE/15/036</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Portfolio Holder:</b>	Ian Houlder Portfolio Holder for Resources and Performance <b>Tel:</b> 01284 810074 <b>Email:</b> <a href="mailto:ian.houlder@stedsbc.gov.uk">ian.houlder@stedsbc.gov.uk</a>	
<b>Chairman of the Committee:</b>	Sarah Broughton Chairman of the Performance and Audit Scrutiny Committee <b>Tel:</b> 01284 787327 <b>Email:</b> <a href="mailto:sarah.broughton@stedsbc.gov.uk">sarah.broughton@stedsbc.gov.uk</a>	
<b>Lead Officer:</b>	Christine Brain Scrutiny Officer <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:Christine.brain@westsuffolk.gov.uk">Christine.brain@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>On 4 June 2015, the Performance and Audit Scrutiny Committee held an informal joint meeting with members of Forest Heath's Performance and Audit Scrutiny Committee, and <u>considered the first seven items jointly:</u></p> <ol style="list-style-type: none"> <li>(1) Internal Audit Annual Report (2014-2015) and Outline Internal Audit Plan (2015-2016);</li> <li>(2) West Suffolk Annual Governance Statement (2013-2014) Action Plan Update;</li> <li>(3) Key Performance Indicators and Quarter 4 Performance Report 2014-2015;</li> <li>(4) Performance Management Report 2015-2016;</li> </ol>	

	<p>(5) West Suffolk Strategic Risk Register Quarterly Report – March 2015;</p> <p>(6) Biannual Corporate Complaints and Compliments Digest;</p> <p>(7) Work Programme Update;</p> <p>(8) Ernst and Young – Certification Report (2013-2014);</p> <p>(9) Ernst and Young – Presentation of External Audit Plan and Fees 2014-2015 and 2015-2016 Indicative Fees;</p> <p>(10) Financial Outturn Report (Revenue and Capital) 2014-2015; and</p> <p>(11) Decision Relating to Complaint to Local Government Ombudsman.</p>
<b>Recommendation:</b>	<b>The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/SE/15/036, being the report of the Performance and Audit Scrutiny Committee.</b>
<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>Report for information only.</p>
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• See reports listed in Section 2 below.</li> </ul>
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• See reports listed in Section 2 below</li> </ul>
<b>Implications:</b>	
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers
Are there any <b>legal and/or policy</b> implications?	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<b>Risk/opportunity assessment:</b>	Please see background papers.
<b>Ward(s) affected:</b>	Please see background papers.
<b>Background papers:</b>	Please see background papers, which are listed at the end of the report.
<b>Documents attached:</b>	None



- 1. Key issues and reasons for recommendation**
- 1.1 Internal Audit Annual Report (2014-2015) and Outline Internal Audit Plan (2015-2016) (Report No: PAS/SE/15/006)**
  - 1.1.1 This report summarised the work undertaken by Internal Audit during the year and provided details of the Outline Internal Audit Plan for 2015-2016. It also showed progress made during the year in developing and maintaining an anti-fraud and anti-corruption culture and actions taken where fraud or misconduct had been identified. Finally, the report showed the work undertaken to fulfil the requirement for an annual review of the effectiveness of internal audit.
  - 1.1.2 The Committee considered the report, and endorsed the conclusion drawn in respect of the annual review of the effectiveness of internal audit. Finally, Members approved the Internal Audit Plan for 2015-2016, and noted the content of the Annual Internal Audit Report for 2014-2015 and the Managing the Risk of Fraud, Theft and Corruption Report.
- 1.2 Annual Governance Statement (2013-2014) Action Plan Update (Report No: PAS/SE/15/007)**
  - 1.2.1 The Committee received and noted an update on progress made in connection with the 2013-2014 Action Plan for the Annual Governance Statement.
- 1.3 Key Performance Indicators and Quarter 4 Performance Report 2014-2015 (Report No: PAS/SE/15/008)**
  - 1.3.1 The Committee received and noted the report, which set out the Key Performance Indicators (KPIs) being used to measure the Council's performance for 2014-2015. The report also included the fourth quarter indicators covering January to March 2015 for both Forest Heath and St Edmundsbury Borough Council, together with a combined performance for West Suffolk, where relevant.
  - 1.3.2 For St Edmundsbury, the final quarter four performance showed that of a total of 25 indicators, 10 were green, 3 were amber, 2 were red and 10 were data only indicators. For West Suffolk, there were a total of 21 indicators, of which 8 were green, 4 were amber, 2 were red and 7 were data only.
  - 1.3.3 Members discussed a number of the indicators, and asked questions to which officers duly responded. In particular discussions were held on (WS/HOU009) Private Sector Housing Lettings. Members questioned what was being done to promote the scheme and suggested that a future report on the future of the West Suffolk Lettings Partnership be included in its forward work programme.
- 1.4 Performance Management Report 2015-2016 (Report No: PAS/SE/15/009)**
  - 1.4.1 The Committee received and noted the report, which set out the Council's approach to Performance Management in 2015-2016 through the use of a recognised performance management tool, the Balanced Scorecard. The

report included information on the benefits of effective performance management; proposals for performance management arrangements; the proposed performance management tool for 2015-2016; progress made to date, next steps and timescales. It was envisaged the Balanced Scorecard report would replace a number of existing reports that currently went to the Performance and Audit Scrutiny Committee, such as the quarterly Key Performance Indicators; quarterly Strategic Risk Register Report and the Bi-annual Corporate Complaints and Compliments Report.

- 1.4.2 Members scrutinised the report and asked a number of questions to which officers duly responded. Members welcomed the move to the balanced scorecard but would like to see both performance systems running in parallel over the next few months and that the coloured rating system be included in the proposed balanced scorecard format.

1.5 **West Suffolk Strategic Risk Register Quarterly Report – March 2015 (Report No: PAS/SE/15/010)**

- 1.5.1 The Committee received and noted the fourth quarterly risk register monitoring report in respect of the West Suffolk Strategic Risk Register. The Register was updated regularly by the Risk Management Group and at its recent meeting the Group reviewed the target risk, the risk level where the Council aimed to be, and agreed a current risk assessment. These assessments formed the revised West Suffolk Risk Register (Appendix 1). Since the last assessment report presented to the Committee on 29 January 2015, there had been one new risk identified relating to the closure of RAF Mildenhall and one risk had been closed (WS9) following the review and adoption of the revised Constitution by both St Edmundsbury Borough Council and Forest Heath District Council.

Some individual controls and actions had been updated and those which were not ongoing and had been completed by March 2015 had been removed from the Register.

- 1.5.2 Members scrutinised the report and asked questions to which officers duly responded. In particular discussions were held on:
- (WS12) - Loss of a key employer. Members requested a written response on the types of engagement undertaken with employers.
  - (WS21) – Safeguarding Children. Members suggested that reference should be made to the Multi Agency Safeguarding Hub (MASH) as a preventative action.

1.6 **Biannual Corporate Complaints and Compliments Digest (Report No: PAS/SE/15/011)**

- 1.6.1 The Committee received and noted an overview of the quantity and range of corporate complaints and compliments received between October 2014 and March 2015, which the Committee uses to monitor the Council's effectiveness at responding to and learning from any mistakes which had been made. This report included information relating to Forest Heath District Council and St Edmundsbury Borough Council working together across West Suffolk, with

data provided for the individual Councils as appropriate.

1.6.2 During the reporting period, across both Councils, 27 corporate complaints and 49 compliments had been received, and data for the individual Councils was provided.

1.6.3 The report provided a breakdown of the corporate complaints, including outcomes and lessons learned and also highlighted the compliments that had been received across the authority during the reporting period and outlined the Service or individuals who received them.

1.7 **Work Programme Update (Report No: PAS/SE/15/012)**

1.7.1 The Committee received and noted its Work Programme which provided items scheduled to be presented to the Committee during 2015 subject to the inclusion of the Balanced Scorecard and a future report on the future of the West Suffolk Lettings Partnership.

1.8 **Ernst and Young – Annual Certification Report (2013-2014) (Report No: PAS/SE/15/013)**

1.8.1 The Committee received and noted a report from the Council's external auditor, Ernst and Young (EY), which updated Members on the outcome of the annual audit of grant claims, as detailed in their Annual Certification Report for 2013/2014.

1.8.2 Melanie Richardson (Manager) from EY attended the meeting and presented this report, which summarised the results of the certification work which had been undertaken as part of the annual audit of grant claims to government departments. She drew relevant details from the report to Members' attention and explained the one claim relating to the Housing Benefits Subsidy Claim.

1.9 **Ernst and Young – Presentation of External Audit Plan and Fees 2014-2015 and 2015-2016 Indicative Fees (Report No: PAS/SE/15/014)**

1.9.1 The Committee received and noted a further report from EY, which provided the basis to review EY's proposed audit approach and scope for the 2014/2015 audit, along with the planned fees to complete the work.

1.9.2 Melanie Richardson from EY presented this report, which summarised EY's assessment of the key risks which drive the development of an effective audit for the Council, and outlined their planned audit strategy in response to those risks. EY aimed to issue its audit opinion to Members by September 2015. She also drew Members' attention to the indicative audit fee for 2015/2016 and how the scale fee was based.

1.10 **Financial Outturn Report (Revenue and Capital) 2014-2015 (Report No: PAS/SE/15/015)**

1.10.1 The Committee received and noted the outturn report, which updated Members on the outturn revenue and capital position for 2014-2015.

- 1.10.2 Attached at Appendix A to the report was the revenue outturn position as at 31 March 2015, which showed an overall under spend of £109,000. A summary by Head of Service area was provided at Appendix A, including an analysis of the variances at Appendix B. The Council's capital outturn position for 2014-2015 was attached at Appendix C, which showed a net underspend of £3,735,000. This predominately related to the timing of capital projects. Appendix D to the report summarised the earmarked reserves for the year 2014-2015. As at 31 March 2015 the balance of the Council's reserves was £13,383,000.
- 1.10.3 The Committee scrutinised the report in detail and asked a number of questions to which officers duly responded.
- 1.10.4 There being no decision required, the Committee noted the 2014-2015 outturn revenue and capital outturn positions as set out in Appendices A and C to Report No: PAS/SE/15/015.

1.11 **Decision Relating to Complaint to Local Government Ombudsman (Report no: PAS/SE/15/016)**

- 1.11.1 The Committee received the above report which set out a complaint which had been referred to the Local Government Ombudsman and who had upheld part of the complaint.
- 1.11.2 There being no decision required, the Committee noted the Local Government Ombudsman decision and the payment of the recommended compensation of £100.

**2. Background Papers**

- 2.1.1 [Report PAS/SE/15/006 to the Performance and Audit Scrutiny Committee: Internal Audit Annual Report \(2014-2015\) and Outline Internal Audit Plan \(2015-2016\)](#)
- 2.1.2 [Report PAS/SE/15/007 to the Performance and Audit Scrutiny Committee: Annual Governance Statement \(2013-2014\) Action Plan Review](#)
- 2.1.3 [Report PAS/SE/15/008 to the Performance and Audit Scrutiny Committee: Key Performance Indicators and Quarter 4 Performance Report 2014-2015](#)
- 2.1.4 [Report PAS/SE/15/009 to the Performance and Audit Scrutiny Committee: Performance Management Report 2015-2015](#)
- 2.1.5 [Report PAS/SE/15/010 to the Performance and Audit Scrutiny Committee: West Suffolk Strategic Risk Register Quarterly Monitoring Report – March 2015](#)
- 2.1.6 [Report PAS/SE/15/011 to the Performance and Audit Scrutiny Committee: Biannual Corporate Complaints and Compliments Digest](#)
- 2.1.7 [Report PAS/SE/15/012 to the Performance and Audit Scrutiny Committee: Work Programme Update](#)

- 2.1.8 [Report PAS/SE/15/013 to the Performance and Audit Scrutiny Committee: Ernst and Young – Annual Certifications Report \(2013-2014\)](#)
- 2.1.9 [Report PAS/SE/15/014 to the Performance and Audit Scrutiny Committee: Ernst and Young – Presentation of External Audit Plan and Fees 2014-2015 and 2015-2016 Indicative Fees](#)
- 2.1.10 [Report PAS/SE/15/015 to the Performance and Audit Scrutiny Committee: Financial Outturn Report \(Revenue and Capital\) 2014-2015](#)
- 2.1.11 [Report PAS/SE/15/016 to the Performance and Audit Scrutiny Committee: Decision Relating to Complaint to Local Government Ombudsman](#)

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# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Report of the Overview and Scrutiny Committee: 10 June 2015</b>	
<b>Report No:</b>	<b>CAB/SE/15/037</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Chairman of the Committee:</b>	Diane Hind Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 01284 706542 <b>Email:</b> <a href="mailto:diane.hind@stedsbc.gov.uk">diane.hind@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Christine Brain Scrutiny Officer <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:christine.brain@westsuffolk.gov.uk">christine.brain@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>On 10 June 2015, the Overview and Scrutiny Committee considered the following items:</p> <ul style="list-style-type: none"> <li>(1) Joint Anglia Revenues Partnership Debt Management and Recovery Policy;</li> <li>(2) Review of Christmas Fayre;</li> <li>(3) Decisions Plan: June 2015 to May 2016; and</li> <li>(4) Work Programme Update, Re-appointments to Task and Finish Groups and Suffolk Health Scrutiny Committee</li> </ul> <p>A separate report is included on this Cabinet Agenda for Item <b>(1)</b> above.</p>	
<b>Recommendation:</b>	<b>The Cabinet is requested to <u>NOTE</u> the content of Report CAB/SE/15/037, being the report of the Overview and Scrutiny Committee.</b>	

<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>  Report for information only.	
<b>Consultation:</b>		<ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<b>Alternative option(s):</b>		<ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<b>Implications:</b>			
<i>Are there any <b>financial</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<i>Are there any <b>ICT</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See Reports listed under background papers below</li> </ul>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
See Reports listed under background papers below			
<b>Ward(s) affected:</b>		All Wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<a href="#">Report OAS/SE/15/007</a> – Review of Christmas Fayre  <a href="#">Report OAS/SE/15/008</a> – Decisions Plan: June 2015 to May 2016  <a href="#">Report OAS/SE/15/009</a> – Work Programme Update, Re-appointments to Task and Finish Groups and Suffolk Health Scrutiny Committee	
<b>Documents attached:</b>		None	



## **1. Key issues and reasons for recommendation**

### **1.1 Review of Christmas Fayre (Report No: OAS/SE/15/007)**

- 1.1.1 The Committee received Report No: OAS/SE/15/007, which sought the establishment of a Task and Finish Group to conduct a review into delivery of the Bury St Edmunds Christmas Fayre 2016 and adopt a five year operational plan.
- 1.1.2 The Christmas Fayre had developed from a small event with a small amount of resources to an event which attracted over 120,000 visitors to Bury St Edmunds over a four day period. As the event was now in its twelfth year it was considered that a formal review of the event was opportune.
- 1.1.3 It was proposed that a Task and Finish Group be established comprising of six Members from the Overview and Scrutiny Committee along with two officers in support, and would include:
- Finance (resources needed for an event this size);
  - Governance (terms of reference to be agreed by the Task and Finish Group);
  - Information from the Consultation/Focus group (an independent focus group of partners be established for the long-term strategic direction of the event); and
  - Operational issues (health and safety/parking/park and ride service/communications and marketing).
- 1.1.4 The Committee considered the report in detail and asked a number of questions to which officers duly responded, and **RESOLVED that Councillors Terry Buckle, Patrick Chung, Jeremy Farthing, Richard Rout, Clive Springett and Frank Warby be nominated to sit on the Christmas Fayre Task and Finish Group to review the Christmas Fayre and adopt a five year operational plan.**

### **1.2 Decisions Plan: June 2015 to May 2016 (Report No: OAS/SE/15/008)**

- 1.2.1 The Committee considered the Cabinet's Decisions Plan for the period June 2015 to May 2016. Members reviewed the Decisions Plan in detail and asked a number of questions to which officers and the Portfolio for Planning and Growth duly responded.
- 1.2.2 In particular, discussions were held on the West Suffolk Operational Hub and the Local Housing Investment Options. Members felt that both projects might benefit from joint involvement by pre-scrutinising the two projects with Forest Heath District Council prior to any final decisions being made by Cabinet.
- 1.2.3 The Committee **RESOLVED that the following items from the Decisions Plan be considered jointly with Forest Heath District Council's Overview and Scrutiny Committee prior to being considered by Cabinet:**

- (1) West Suffolk Operational Hub: Business Case; and**

## **(2) Local Housing Investment Options.**

### **1.3 Work Programme Update, Re-appointments to Task and Finish Groups and Suffolk Health Scrutiny Committee (Report No: OAS/SE/15/009)**

#### **1.3.1 Task and Finish Groups**

The Committee considered the current Joint Task and Finish Group running, being the New Housing Development Sites (Joint Scrutiny Review). The Joint Task and Finish Group had been set up with Forest Heath's Overview and Scrutiny Committee to "*Jointly review the unacceptable length of time taken by housing developers to bring highways, footpaths and community facilities (landscaping/open-space/drainage/sustainable urban drainage) up to adoption standards on new developments*".

#### **1.3.2 The Committee **RESOLVED** that Councillor Jim Thorndyke; Diane Hind and Angela Rushen be re-appointed/appointed to the New Housing Development Sites Joint Task and Finish Group.**

#### **1.3.3 Suffolk County Council Health Scrutiny**

Members were made aware of Suffolk County Council's reinstatement of its Health Scrutiny Committee. This body included a representative from each of the County's districts and boroughs.

#### **1.3.4 The Committee considered the report and nominated Councillor Tim Marks as the Borough Council's nominated representative on the Suffolk Heath Scrutiny Committee for 2015-2016. The Committee **RECOMMENDS** that full Council be asked to confirm the appointment of Councillor Tim Marks to the Suffolk Health Scrutiny Committee for 2015-2016.**

#### **1.3.5 Work Programme**

The Overview and Scrutiny Committees has a rolling work programme, whereby suggestions for scrutiny reviews are brought to each meeting, and if accepted, are timetabled to report to a future meeting. The work programme also leaves space for Call-ins and Councillor Calls for Action.

#### **1.3.6 The Chairman raised the issue of Dog Fouling and suggested the Committee might wish to receive an initial report at its July 2015 meeting to find out why it was difficult to fine offenders; initiatives; changes in legislation such as the requirement for dogs to be micro-chipped by April 2016; to consider what was currently being done in an effort to combat dog fouling to then be able to see what the Committee or a Joint Task and Finish Group with Forest Heath District Council might be able to recommend going forward.**

#### **1.3.7 The Committee **RESOLVED** that an initial report be included on the Committee's Work Programme for 22 July 2015 to consider the general issue of dog fouling; why it was difficult to fine offenders; changes in legislation such as the requirement for dogs to be micro-chipped by April 2016; current initiatives and options available to the Council to combat dog fouling.**

# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Recommendations of the Overview and Scrutiny Committee: 10 June 2015 - Joint ARP Debt Management and Recovery Policy</b>	
<b>Report No:</b>	<b>CAB/SE/15/038</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Portfolio holder:</b>	Ian Houlder Portfolio Holder for Resources and Performance <b>Tel:</b> 01284 810074 <b>Email:</b> <a href="mailto:ian.houlder@stedsbc.gov.uk">ian.houlder@stedsbc.gov.uk</a>	
<b>Chairman of the Committee:</b>	Diane Hind Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 01284 810074 <b>Email:</b> <a href="mailto:diane.hind@stedsbc.gov.uk">diane.hind@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Jo Andrews Strategic Revenues Manager, ARP <b>Tel:</b> 01842 756490 <b>Email:</b> <a href="mailto:jo.andrews@angliarevenues.gov.uk">jo.andrews@angliarevenues.gov.uk</a>	
<b>Purpose of report:</b>	This report asks the Cabinet to consider the recommendations from the Overview and Scrutiny Committee in relation to the Joint ARP Debt Management and Recovery Policy.	
<b>Recommendations:</b>	<b>It is <u>RECOMMENDED</u> that the Joint ARP Debt Management and Recovery Policy set out in Appendix A to Report No: OAS/SE/15/006 be approved, subject to reference being included on how to access debt advice and counselling when sending out the first reminder for non-payment of Council Tax and non-domestic rates.</b>	

<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Although published on the Decisions Plan as such, this is no longer considered to be a Key Decision	
<i>The key decision made as a result of this report will be published within <b>48 hours</b> and cannot be actioned until <b>seven working days</b> have elapsed. This item is included on the Decisions Plan.</i>			
<b>Consultation:</b>		• See Report OAS/SE/15/006	
<b>Alternative option(s):</b>		• See Report OAS/SE/15/006	
<b>Implications:</b>			
<i>Are there any <b>financial</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report OAS/SE/15/006	
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report OAS/SE/15/006	
<i>Are there any <b>ICT</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report OAS/SE/15/006	
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report OAS/SE/15/006	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report OAS/SE/15/006	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
See Report OAS/SE/15/006			
<b>Ward(s) affected:</b>		All Wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<a href="#">Report OAS/SE/15/006 – Joint ARP Debt Management and Recovery Policy</a>	
<b>Documents attached:</b>		None.	

## **1. Key issues and reasons for recommendation(s)**

- 1.1 On 10 June 2015, the Committee considered Report No: OAS/SE/15/006, which sought comments and recommendations on the Draft Joint ARP Debt Management and Recovery Policy (Appendix A).
- 1.2 ARP has recently shared a draft of the policy with West Suffolk, along with all other ARP partners for comments and scrutiny. The draft policy sets out the billing; collection and recovery of Council Tax; Non-Domestic Rates and Housing Benefits Overpayments across West Suffolk and the wider ARP.
- 1.3 This policy document replaces previous policies of the ARP and updates the content to reflect changes introduced by recent changes to enforcement legislation. However, the policy excludes the activities relating to sundry debt of the Council, which is subject of a separate policy (Report No: CAB/SE/15/039 contained elsewhere on this Cabinet agenda refers).
- 1.4 The Overview and Scrutiny Committee considered the report in detail and asked a number of questions to which the Strategic Revenues Manager (ARP) and the Head of Resources and Performance provided comprehensive responses.
- 1.5 The Committee noted that customers were encouraged to contact ARP as soon as possible if they had difficulties making payments but felt that under paragraph 4.4 of Appendix A, reference should be made at the earliest opportunity to offer debt advice and counselling. It was suggested that this information should be sent out with the first reminder for non-payment of Council Tax and non-domestic rates.
- 1.6 The Overview and Scrutiny Committee has put forward recommendations as set out on the front of the Report.

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# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>West Suffolk Sundry Debt Management and Recovery Policy</b>	
<b>Report No:</b>	<b>CAB/SE/15/039</b> [to be completed by Democratic Services]	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Portfolio holder:</b>	Ian Houlder Portfolio Holder for Resources and Performance <b>Tel:</b> 01284 810074 <b>Email:</b> ian.houlder@stedsbc.gov.uk	
<b>Lead officer:</b>	Jo Howlett Service Manager Finance and Performance <b>Tel:</b> 01284 757264 <b>Email:</b> joanne.howlett@westsuffolk.gov.uk	
<b>Purpose of report:</b>	To create a Joint Sundry Debt Management policy reflecting revised practices that have been adopted in this area as a result of Shared Services across Forest Heath and St Edmundsbury Councils and the implementation of the Agresso Financial Management system.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the West Suffolk Sundry Debt Management and Recovery Policy, contained in Appendix A to Report No: CAB/SE/15/039, be approved.</b>	
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b><u>do not</u></b> apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<b>Consultation:</b>	Not applicable	
<b>Alternative option(s):</b>	Continuing with two separate policies would not be appropriate given the shared financial management system that has been implemented.  A policy is needed in this area in order to make clear to customers what entering into agreements with the councils entails.	

<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The policy aims to <ul style="list-style-type: none"> <li>• Maximise income from non-statutory services,</li> <li>• Reduce write-offs</li> <li>• Improve cash flow</li> </ul>	
Are there any <b>staffing</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>• Training and awareness and detailed guidance support this policy</li> </ul>	
Are there any <b>ICT</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>•</li> </ul>	
Are there any <b>legal and/or policy</b> implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• This is a revised policy and its adoption will ensure consistency across the West Suffolk authorities.</li> </ul>	
Are there any <b>equality</b> implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• A screening EqIA has been carried out (see Appendix C)</li> </ul>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Risk of new policy not being implemented by staff	Low	Training and guidance given to staff	Low
Risk of not collecting debt	Medium	Monthly debt reports distributed to SMT/LT members	Low
Risk of need of additional resource to support the debt recovery process	Low	Agresso performs a large part of the work. Regular review of the Councils' outstanding Sundry Debt	Low
<b>Ward(s) affected:</b>		All	
<b>Background papers:</b>		None	
<b>Documents attached:</b>		<b>Appendix A</b> - West Suffolk Sundry Debt Management and Recovery Policy <b>Appendix B</b> - Flowchart of procedures <b>Appendix C</b> - Equality Impact Assessment	



## **1. Key issues and reasons for recommendation(s)**

### **1.1 Purpose of document**

- 1.1.1 The purpose of the document attached at Appendix A is to set out the policy in relation to the invoicing, collection and recovery of sundry debts across Forest Heath District and St Edmundsbury Borough Councils (West Suffolk). The policy is supported by an updated flowchart of the sundry debt process (Appendix B).
- 1.1.2 The policy document replaces the previous policies of the two councils by bringing them together into a single document, and updating the content to reflect the changes introduced by the single financial management system. This policy excludes the activities and debt of the Council through its revenues and benefits services by Anglia Revenues Partnership – this is the subject of a separate policy (see Report No: CAB/SE/15/038 contained elsewhere on this Cabinet agenda.)
- 1.1.3 The new draft also places greater emphasis on pre-payment for services using online methods, in light of the Councils' channel shift agenda and proposed roll out of more self-service payment options.
- 1.1.4 The councils operate a decentralised process of debt management i.e. responsibility is delegated to the originating service and it is therefore essential to operate clear and common practices across all council services.
- 1.1.5 The Finance Team will have an advisory role with regard to queries and also produce monthly debtor reports. The Legal Team will pursue debts where the originating service has already exhausted all possibilities open to them.
- 1.1.6 Reports run from the Agresso Financial Management system show that a total of £12.7m was invoiced in 2014/15. Sundry debt at the end of March 2015 totalled £2.2m.

## **2. Policy aims**

2.1 The aims of this policy are as follows:

- to ensure that debts are managed in accordance with legislative provisions and good practice;
- to maximise income collected by the councils;
- to ensure a professional, consistent, cost effective and timely approach to recovery action across all of the councils' services; and
- customers' circumstances and ability to pay are fully taken into account so as to distinguish between the customer who won't pay and the customer who genuinely can't pay.
- To minimise debtors outstanding over 30 days, and therefore the need for bad debt provisions, and actual debt write offs.

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## Sundry Debt Management and Recovery Policy

### 1. Introduction

- 1.1 Forest Heath and St Edmundsbury Councils (referred to in this document as "West Suffolk" or "the councils") provide a wide range of services for which they charge. Where possible, officers must endeavour to obtain payment or raise invoices for all goods or services provided by the councils in advance of the good or service being received by the customer. This helps to minimise the uncertainty of payment and the need for officer time to be spent on recovering overdue payments. The councils are committed to the roll-out of online and direct debit payment methods to support pre-payment.
- 1.2 Where it is not possible or appropriate for payments to be made in advance of the good or service being provided, payments are made following receipt. Where such payments are not made on time this gives rise to a requirement for the originating council department to actively pursue the recovery of the debt from the individual or organisations that has not paid on time. Effective management and collection of such monies is an essential contributor to the councils' financial resources for service provision.
- 1.3 The purpose of this document is to set out the policy in relation to the invoicing and recovery of "sundry debts" (see definitions below) across West Suffolk. The policy is supported by an updated flowchart of the sundry debt process (attached) and written procedures and guidelines. The councils operate a decentralised process of sundry debt management i.e. responsibility is delegated to the originating council team and it is therefore essential to operate clear and common practices across all service areas.
- 1.4 This policy excludes the following debts as they are subject to their own legislation / regulations:

Debts managed through Anglia Revenues Partnership such as:

- Council Tax
  - Business Rates (Non Domestic Rates)
  - Housing Benefit Overpayments
- Parking Fines

### 2. Definitions

- 2.1 A "debtor" is any body (whether an individual or organisation) who is due to pay for goods or services received from the councils, and has not yet paid the full amount owed. The term does not necessarily imply fault on the part of the individual or organisation: it is used to cover all monies owing to the council, whether they are overdue or not.
- 2.2 "Debt" refers to the amount owed.
- 2.3 "Sundry debts" are non-statutory charges for goods and services, where the customer chooses to request the provision of goods or services from the councils, and are invoiced via the councils' financial system. Examples include commercial rents, environmental health services and commercial refuse collection.

**3. Aims of this policy**

3.1 The aims of this policy are as follows:

- to ensure that sundry debts are managed in accordance with legislative provisions and good practice;
- to maximise income collected by the councils;
- to minimise debtors' balances outstanding over 30 days, and therefore the need for bad debt provisions, and actual sundry debt write-offs.
- to ensure a professional, consistent, cost-effective and timely approach to recovery action across all of the councils' services; and
- to ensure customers' circumstances and ability to pay are fully taken into account so as to distinguish between the customer who won't pay and the customer who genuinely can't pay.

**4. Responsibilities of the councils**

4.1 The following general principles will apply in the creation, management and recovery of sundry debts owed to the councils. These are in line with the councils' Joint Enforcement Policy:

- invoices will be raised accurately and promptly;
- all information provided to the customer is clear and easy to understand;
- the approach taken is firm yet sensitive to the circumstances of the customer, in line with our customer services standards and the West Suffolk equality scheme;
- where appropriate, payment arrangements are agreed with customers;
- procedures are efficient and cost-effective; irrecoverable debts are written off in accordance with the councils' financial procedure rules;
- all staff involved in invoicing, collection and recovery action comply with the councils' written procedures and guidelines, and are polite and courteous towards customers at all times; and
- appropriate advice and support is given where necessary.

**5. Responsibilities of the Customer**

5.1 The customer has a responsibility, to inform the council immediately if they cancel a direct debit arrangement or if there are any problems with a credit card payment.

5.2 Customers also have a responsibility to pay their invoices within the terms specified and if this is not possible, they should:

- communicate with the councils when experiencing genuine financial difficulties or querying/disputing an invoice value or item.
- provide the councils with the information requested to enable an evaluation of their financial situation to be assessed when reaching agreements for a payment plan;
- pay agreed instalments promptly; and
- contact the councils with any changes to their financial situation affecting their ability to pay, or change of address.

## 6. Invoicing/Payment arrangements

6.1 At the point at which a customer requests the councils' goods or services, the originating service area will establish a liable individual or company together with their name, address, email address and phone number recorded by the councils.

### 6.2 Pre-payment for goods or services

Officers must look to charge for goods and services through pre-payment wherever possible so as to minimise costs and uncertainty of collection and maximise cash flow / income collected. To this end, the councils are committed to making payment methods as quick and as simple as possible for customers. This includes rolling out online payment, direct debit payments and credit card payments to as many service areas as possible.

Discounting payments in advance and/or charging for late payment are both areas which the councils will be investigating as methods of incentivizing debtors to pay more promptly in light of the Councils' channel shift agenda.

### 6.3 Payments under £25

The council will not raise invoices for values of less than £25, and will require payment in advance for all transactions at this level except in the case of peppercorn rents, legal charges for access rights or where an obligation exists to make a token payment.

### 6.4 Invoicing arrangements

Where pre- payment arrangements are not available all invoices for goods or services already received will be raised using the approved financial system within 5 working days of the service being provided or subscription agreement (or at month end, depending on the nature of the service). The invoice will include clear, relevant and full information regarding:

- what the invoice is for, including date or period of service covered, and amount;
- name, address and tax point etc.
- the date payment is due;
- how to pay; and
- how to contact the councils if there is a query in relation to the invoice or to making payment.

6.5 It is the councils' intention that in the future invoices will be sent to customers via e-mail wherever possible (unless contrary to regulations or other statutory or legal requirements). At present they are posted second class.

6.6 Customers are encouraged to make prompt contact with the originating council department if they disagree with the invoice or have difficulty in making payment on time. Contact can be made via telephone, letter, e-mail or in person. Full contact details are available on the invoices and the councils' website.

## 7. Methods of payment

7.1 Direct debit is the easiest payment method for customers and is the most efficient for the councils which helps keep the cost of collection as low as possible. Where a customer is unable to pay by direct debit or it is not appropriate (e.g. for a 'one off'

invoice) a choice of convenient methods of payment are provided.

- 7.2 Payments can be made by direct debit, online at [www.westsuffolk.gov.uk](http://www.westsuffolk.gov.uk), calling our automated telephone line on 01284 757000 (SEBC) / 01638 716980 (FHDC), by post, or in person at our offices during office hours. Payments by credit card will generally incur a fee whilst debit cards are free to use.

## **8. Credit Notes**

- 8.1 Where an invoice has been raised in error, it is not appropriate that the debt is written off but that a credit note is raised so that the cost is charged back to the service.
- 8.2 Credit notes will only be used when an invoice is raised incorrectly or the service is cancelled and must not be used to write off sundry debt. Credit notes must be authorised in line with the Scheme of Delegation and must not be authorised by the same officer who raised the invoice. They must also clearly reference the original invoice to which the credit relates.

## **9. Refunding credit balances**

- 9.1 The councils will adopt a "corporate approach" to refunding credit balances. This means that wherever possible, checks will be made for other outstanding sundry debts to the councils held by the customer, prior to a refund being made, and arrangements may be made with the customer to allocate the refund to offset another sundry debt.
- 9.2 Likewise, when the customer is also a supplier to the councils, if overdue sundry debt is outstanding, the councils reserve the right to offset any overdue sundry debts owed to them from the monies owed to the supplier account. This only applies if there is no dispute over the validity of the sundry debt to the councils i.e. the councils should not prevent payment of an account to a supplier if that supplier disputes, or has an outstanding query, on a sundry debt owed to the council. All future supplier contracts will include a clause clarifying this right.

## **10. Recovery**

- 10.1 In recovering debts due the councils will follow the principles outlined in the 'Enforcement Concordat: Good practice guide for England and Wales'. In summary this means that they will be proportionate in their actions, consistent in approach and transparent in their dealings with all customers.
- 10.2 Terms and conditions are designed to protect the rights of the councils, limit potential liabilities and provide some degree of security for the recovery of the debt. They include details of the councils' acceptable payment methods, payment terms, reference to our statutory right to claim interest on late payment and compensation for debt recovery costs where applicable. These areas are considered at the point of commercial agreement and formally contained within contracts or agreements (existing customers would remain on previously agreed terms and conditions).
- 10.3 Where a debt remains unpaid or if instalment plans or arrangements are broken the councils will follow a reminder and recovery process for the outstanding sundry

debt, although this process may alter depending on the individual circumstances of the customer or the type of outstanding debt.

- 10.4 Where appropriate all reminders and final notices will be issued by second class post unless contrary to regulations or other statutory or legal requirements. The intention is to move to e-mail.
- 10.5 A first reminder will be sent 7 days after the payment due date requesting the customer to make immediate payment. Should payment not be received within 7 days of the first reminder a final reminder will be sent giving the customer a further 7 days to pay to avoid the debt progressing to the legal recovery stage. At this stage the debt could become the subject of a County Court action, with the councils obtaining a County Court Judgement against the customer. Once a judgement is obtained the councils can enforce the judgement by applying for:-
  - an Attachment of Earnings Order;
  - a Warrant of Execution against the customers goods;
  - third Party Debt Order; or
  - any of the other enforcement processes available through the County Court.
- 10.6 The councils would aim to make an agreement with the customer for payment to avoid such action. However, if action is required the councils will progress the method most appropriate to the individual case and the circumstances of the customer.
- 10.7 Efforts (through legal action) will be commensurate with the amounts involved and the particular circumstances of the case.
- 10.8 For customers seeking help due to financial difficulties we will, where appropriate, consider alternative payment plans on a case-by-case basis taking into account all sundry debts owed to the councils. Customers will also be signposted to relevant advice agencies where appropriate.
- 10.9 Where legally permissible, the provision of future services to the customer will be suspended until outstanding debts are settled.
- 10.10 Where the councils incur additional costs as a result of non-payment, e.g., court costs, these will be added to the outstanding debt and (where allowed under statute) recovered from customers. Section 69 of the County Courts Act 1984 allows interest to be claimed from the date of invoice to the date of issue of court proceedings and will be added to any debts that are recovered in this manner. Where third party collection agencies are employed, these agencies may apply their own costs to the amount to be recovered.
- 10.11 Ownership of all sundry debts rests with the originating council department. Prior to the debt being passed to the Legal Team it is their responsibility to correspond with or discuss with the customer issues relating to the validity of the debt and exhaust all collection possibilities.
- 10.12 Regular reports will be generated providing a status as to the value of outstanding sundry debts.

## **11. Vulnerable customers**

11.1 The councils will endeavour to take account of the needs of vulnerable customers (e.g. elderly, seriously ill, mental health issues) throughout the sundry debt recovery process, with staff considering the wider implications of any recovery actions on both the customers and the councils.

## **13. Debt write-off**

13.1 Whilst the councils will make every effort to pursue outstanding sundry debts, it is recognised that in some circumstances debts are not recoverable. Good practice dictates that where they are irrecoverable, prompt and regular write-off should be undertaken. The write-off of any debt is governed by the councils' Financial Procedure Rules, which form part of the Constitution. In order to request a write-off, services must demonstrate that debt management procedures have been followed, and that one or more of the following conditions have been met:

- legal action is unlikely to be successful;
- the debt is not recoverable for legal reasons e.g. statute barred debt;
- the customer is deceased;
- there is no trace of the customer;
- legal recovery would cost more than the outstanding debt;
- the customer is insolvent and there is little likelihood of a dividend;
- the circumstances of a particular case makes recovery from an infirm or elderly debtor unreasonable; or
- the debt has been remitted by the Court.

13.2 The councils reserve the right to reinstate, within statutory deadlines, any sundry debt where it becomes apparent the circumstances for write-off are no longer applicable, for example the customer is traced / funds become available.

## **14. Accessing advice and support**

14.1 The councils will seek to refer individuals to those bodies who can provide information about debt advice and potential statutory benefits and discounts to those who cannot pay.

14.2 Staff will remind customers of the importance of paying priority debts, for example, council tax arrears.

14.3 We will encourage customers to deal with their priority debts first, as it is these debts which could result in a customer losing their freedom or home.

14.4 Customers who are in financial difficulty may find it beneficial to obtain specialist advice. The councils welcome the involvement of welfare agencies where authorised by the debtor in connection with debts due to the councils and recognises the benefits that these organisations can offer both the debtor and the councils in prioritising repayments to creditors and in maximising income available to the debtor. Details of those who are able to offer advice can be found on the councils' website <http://westsuffolk.gov.uk/>



**15. Sharing of information**

- 15.1 The councils recognise their responsibilities under the Data Protection Act and will ensure that customer information remains secure.
- 15.2 Information on sundry debts will be shared, if necessary, between council service areas to help develop a payment arrangement and external audit as appropriate.
- 15.3. Before sharing personal information with external agencies acting on behalf of a customer, the council will seek the customer's consent first.

**16. Performance monitoring**

- 16.1 The councils recognise that prompt recovery action is key in managing sundry debt, and thereby maximising income. The councils will therefore:
- monitor the level and age of all debts on a regular basis;
  - set clear targets for the recovery of debt; and
  - review the recovery procedures, on a regular basis, to ensure they remain effective and comply with good practice.
- 16.2 The invoicing, collection and recovery process may also be subject to periodic Internal and/or External Audit reviews.

**17. Procedures and Training**

- 17.1 This policy will be made available to all staff and in particular those dealing with invoicing, collection and recovery. The contents of the policy will be reinforced by training and supervision of staff involved in these areas.

**18. Publicity**

- 18.1 The policy will be promoted through the website and with external agencies as appropriate. Customers will be reminded that such a policy does not mean they do not have to pay their debts but it is a way of managing how they pay the money they owe.

**19. Customer Service Standards, Equality and Diversity**

- 19.1 All correspondence with customers will be conducted in accordance with the policies the councils have relating to Customer Service Standards and Equality and Diversity. Further information is available on the Councils' website.

**20. Complaints and Disputes**

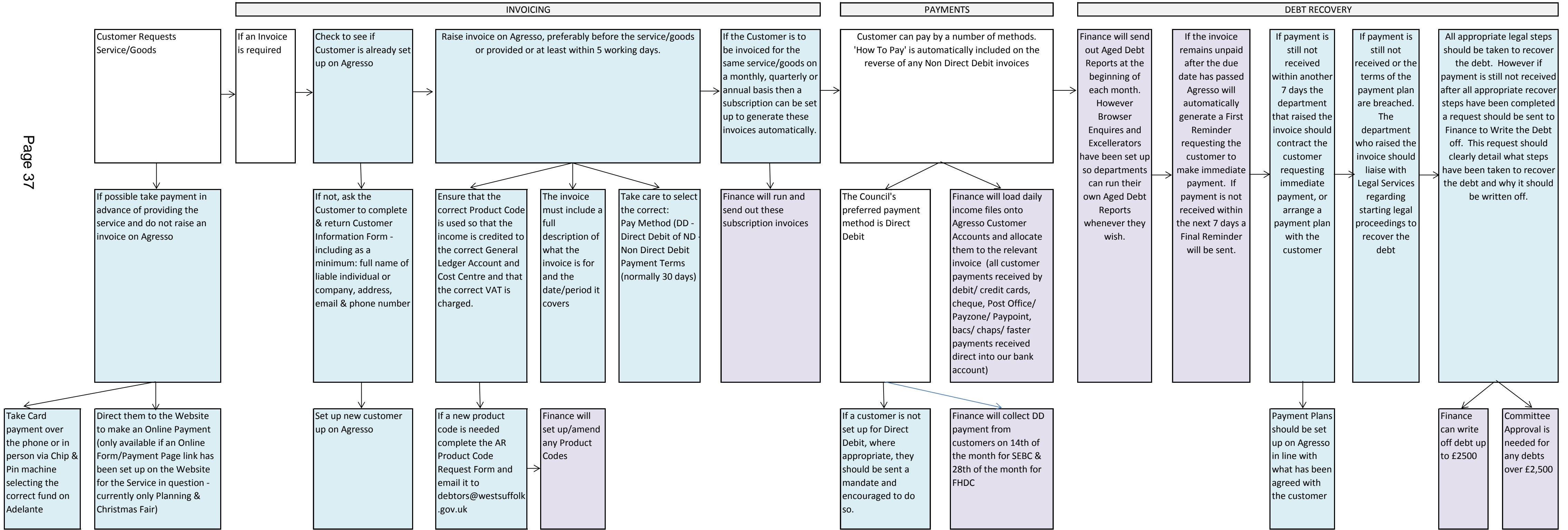
- 20.1 The councils will endeavour to resolve any disputes in relation to sundry debt arrangements at the earliest possible opportunity. If any member of the public believes that the councils have acted in a way that is not in line with this policy, the West Suffolk Comments, Compliments and Complaints process will be followed.

**21. Review**

- 21.1 The councils are committed to continuous improvement and it is critical that new approaches and ways of working are introduced.
- 21.2 This policy will be periodically reviewed in line with any new ways of working, any challenges identified and changes in legislation. Minor alterations to the policy will be approved by the Head of Resources and Performance in consultation with the Portfolio Holders. Any substantive alterations to the content of the policy will be approved by the councils' Cabinets, in consultation with the Performance Audit and Scrutiny Committee(s) if appropriate and/ or necessary.

SUNDRY DEBTORS FLOWCHART

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Equality Screening Form

Question	Response
Q1) Name of the strategy, policy, programme or project being assessed.	West Suffolk Sundry Debt Management and Recovery Policy
Q2) In no more than five lines and using Plain English, summarise the purpose of the policy or proposal, and its desired outcomes.	The policy brings together two previously separate policies for SEBC and FHDC relating to the effective and appropriate collection of sundry debts. It sets out the councils' proportionate approach both to encouraging timely payment and facilitating the collection of overdue payments where they arise.
Q3) Who should benefit from the proposal and in what way?	<ul style="list-style-type: none"> <li>- West Suffolk customers (organisations and individuals) will benefit from the greater clarity in the policy about their rights and responsibilities</li> <li>- West Suffolk staff will benefit through a reduced need for chasing outstanding debts</li> <li>- West Suffolk residents will indirectly benefit through a reduction in the amount of debts that are written off. This in turn will prevent resources being diverted from essential service provision in order to support the Councils' finances.</li> </ul>
Q4) Is there any evidence or reason to believe that in relation to this proposal, there may be a difference in: <ul style="list-style-type: none"> <li>• Levels of participation</li> <li>• Uptake by different groups</li> <li>• Needs or experiences of different groups</li> <li>• Priorities</li> <li>• Other areas?</li> </ul>	This policy should not impact on the issues listed. This is largely because it relates to non-statutory services provided by the Councils, for example, trade waste. It does not relate to statutory services where residents and business have no choice but to interact with the councils. For example it is not the procedure that would be used for the recovery of overpayment of benefits or Council Tax debt recovery.
Q5) Using the evidence listed above, fill in the table below to highlight the groups you think this policy or proposal has the potential to impact upon:	

<p>(i) Is there any potential for negative impact? Yes or No</p> <p>(ii) Are there opportunities for positive impact or to promote equality of opportunity?</p>	
<p>Q6) Considering your answers to questions 1-5, do you believe a Full Equality Impact Assessment is needed?</p>	<p>No</p>
<p>Q7) Considering our duty to proactively tackle disadvantage and promote equality of opportunity, list the actions required.</p>	<p>See action plan below</p>

Impacts Table				
	Is there potential for negative impact? YES or NO	Are there opportunities for positive impact? YES or NO	If YES, please provide details of the impact below	
			Positive Impact	Negative Impact
<b>All groups or society generally</b>	No	No		
<b>Age</b> - Older or younger people	No	No		
<b>Disability</b> - People with a disability	No	No		
<b>Sex</b> - Women or men	No	No		
<b>Pregnancy or maternity</b> - including expectant or new parents i.e. pregnancy and maternity	No	No		
<b>Marriage and civil partnership</b> - including same sex couples	No	No		
<b>Race</b> - People who are black or from a minority ethnic background (BME)	No	No		
<b>Religion</b> - People with a religion or belief (or who choose not to have a religion or belief)	No	No		
<b>Sexual Orientation</b> - People who are lesbian, gay or bisexual (LGB) or in a Civil Partnership	No	No		
<b>Gender Reassignment</b> - People who are transitioning from one gender to another	No	No		
<i>Families and those with parenting or caring responsibilities (The Families Test)</i>	No	No		
<i>Individuals on low income</i>	<b>Yes</b>	No		Customers on a low income could find it hard to pay outstanding debts, especially if they temporarily experience extreme hardship

<i>Those suffering rural isolation</i>	No	No		
<i>Those who do not have English as a first language</i>	No	No		

<b>Action Plan</b>				
<b>Equality group/ characteristic</b>	<b>Action/milestone</b>	<b>Responsibility</b> (Project manager or partner organisation)	<b>Achievement date</b>	<b>Monitoring arrangements</b>
Individuals on low income	Implement the arrangements for vulnerable customers described in the draft policy.	Jo Howlett / Advice / advocacy organisations	Already in place, following implementation of previous single-council policies.	n/a

**Sign off section**

This Screening Level EqIA was completed by:

**Name**

**Job Title**

**Signature**

**Date**

**On completion, please submit this document with the policy or proposal. Guidance and advice on draft and final versions can be obtained from:**

**Tanya Sturman, Corporate Policy Team**  
**01638 719473**  
[tanya.sturman@westsuffolk.gov.uk](mailto:tanya.sturman@westsuffolk.gov.uk)



# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>West Suffolk Operational Hub</b>	
<b>Report No:</b>	<b>CAB/SE/15/040</b> [to be completed by Democratic Services]	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
	<b>Council</b>	7 July 2015
<b>Portfolio holder:</b>	Peter Stevens Portfolio Holder for Operations <b>Tel:</b> 07775 877000 <b>Email:</b> peter.stevens@stedsbc.gov.uk	
<b>Lead officer:</b>	Mark Walsh Head of Operations <b>Tel:</b> 01284 757300 <b>Email:</b> mark.walsh@westsuffolk.gov.uk	
<b>Purpose of report:</b>	<p>To provide an update on the progress of the joint West Suffolk and Suffolk County Council project, including feasibility and deliverability, of a West Suffolk Operational Hub at Hollow Road Farm in Bury St Edmunds to deliver a combined depot, waste transfer station and Household Waste Recycling Centre for West Suffolk.</p> <p>For Members to note that further consultation will take place concerning site selection before a planning application is made.</p> <p>For Members to recommend to full Council the allocation of funding to allow the project to progress.</p>	

<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that:</b> <ol style="list-style-type: none"> <li>(1) the contents of this report and the summarised feedback from pre-application consultation be noted;</li> <li>(2) further pre-application consultation to include the site selection be approved; and</li> <li>(3) subject to the approval of full Council, funding of £180,000, as detailed in Section 4 of Report No: CAB/SE/15/040, be approved (£98,000 FHDC and £82,000 SEBC).</li> </ol>		
<b>Key Decision:</b>	<p>Is this a Key Decision and, if so, under which definition?</p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>As approval for funding is required by full Council, this is not constituted a Key Decision as it is not a Cabinet decision.</p>		
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>			
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• Through pre-application consultation and any subsequent planning application.</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• Covered in previous reports.</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Outlined in section 4.		
Are there any <b>staffing</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
Are there any <b>ICT</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
Are there any <b>legal and/or policy</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Land transactions, procurement and planning process.		
Are there any <b>equality</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Planning consent or environmental permitting for the site is refused or significantly delayed and / or leads to high mitigation costs	Medium	Develop a detailed planning strategy with supporting evidence. Engage early with stakeholders.	Medium

Ground and environmental elements (inc archaeology) leading to extra cost and delay.	Medium	Initial surveys of site undertaken. Engaging with appropriate experts to manage risk	Medium
Escalating project costs,	Medium	Land costs fixed. Elemental cost plan developed to manage budget moving forward.	Medium
Lack of resource, skills and capacity to deliver project.	Medium	External support engaged and further support will be called upon as required. Sharing officer resources with SCC.	Low
<b>Ward(s) affected:</b>	All Wards		
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	St Edmundsbury Borough Council report F51 dated 30 June 2014 - <a href="#">Hyperlink to report</a> Forest Heath District Council report CAB/FH/15/001 dated 17 February 2015 - <a href="#">Hyperlink to reports pack</a> St Edmundsbury Borough Council report CAB/SE/15/015 dated 10 February 2015 - <a href="#">Hyperlink to reports pack</a> Suffolk County Council report to Cabinet dated 24 February 2015 agenda item 8 - <a href="#">Hyperlink to report</a>		
<b>Documents attached:</b>	<b>Appendix A</b> – Response to the West Suffolk Operational Hub pre-application consultation		

## **1. Background**

1.1 The previous Forest Heath and St Edmundsbury Cabinet reports on this matter (CAB/FH/15/001 dated 17 February 2015 and CAB/SE/15/015 dated 10 February 2015 respectively) detailed the key drivers and benefits for a West Suffolk Operational Hub. These included:

- (a) the changing nature of waste collection and disposal in Suffolk;
- (b) relocating St Edmundsbury's ageing fleet depot from Western Way in Bury St Edmunds;
- (c) relocating Forest Heath's Mildenhall depot;
- (d) co-locating with Suffolk County Council's waste transfer station and Household Waste Recycling Centre (HWRC);
- (e) releasing assets at Mildenhall, and Bury St Edmunds (Western Way and Rougham Hill) for alternative use or development;
- (f) meeting the objectives of the Government's 'One Public Estate Programme';
- (g) reducing fleet mileage and increasing capacity; and
- (h) reducing running costs through using modern, efficient facilities on a combined site.

Further detailed background can be found through links to the previous reports referenced in the 'Background Papers' section of this report above.

1.2 During these initial stages of the project we have secured an option to purchase the land at Hollow Road Farm and developed an early iteration of a site design and cost plan. Alongside this we have reviewed the potential operational benefits, cost savings and revenue we could expect to derive through collocating facilities, increasing commercial capacity and releasing value from other sites. In comparing the costs to the taxpayer (for both tiers of Local Government) across a range of potential options, there are considerable ongoing savings and benefits to be derived. However, there is also considerable capital cost associated with the project for which the funding options need further investigation.

1.3 In February 2015, Members of respective Cabinets gave approval for the project to progress to the next stage which is to seek a planning consent for a West Suffolk Operational Hub at Hollow Road Farm on the northern edge of Bury St Edmunds.

## **2. Pre-Application Consultation**

2.1 Community engagement, which in this case has taken the form of public consultation, is increasingly encouraged in the planning process. The National Planning Policy Framework places particular emphasis on developers and prospective applicants engaging with the communities who lie close to or may

be affected by their development proposals. Used in this way community engagement usually takes place at some point prior to submission of a planning application.

- 2.2 There are many reasons for undertaking pre-application public consultation, including:
- to inform people about a proposed development prior to a planning application being submitted;
  - to engage the local community and stakeholders in the planning process;
  - to give interested parties the chance to express their views on the proposed development;
  - to gain particular insight or detailed information which is relevant to the scheme;
  - to gauge local opinion; and
  - to identify ways in which a proposed development could be improved.
- 2.3 It is worth noting that pre-application public consultation is not a referendum on the development proposals. It is also worth noting that community engagement, including pre-application consultation, is not a statutory requirement. The outcome of the community engagement process does not bind the developer to any particular course of action. However, whether the developer observes the findings of the process or not, they remain a material consideration in the determination of any related planning application, as to the extent to which the developer has observed them.
- 2.4 Pre-application consultation started on 6 March 2015 and was originally scheduled to run for one month until 6 April 2015. However, given the large response, it was decided to extend the consultation period by two further weeks and end it on 20 April 2015. The process was advertised in the press, online in a dedicated webpage on the Council's website, through parish noticeboards, letters to local residents, letters to Parish Councils, emails to local district and county councillors and through a press release and related press articles.
- 2.5 A public consultation event was held at Great Barton Village Hall on 16 March 2015 where over a six hour period those attending could view information boards, discuss the plans and leave comments. Council officers also attended Parish Council meetings at Great Barton, Fornham St Martin, Ingham, Culford and Fornham All Saints. Meetings were also held with Bury St Edmunds Town Council and the proposed development was also on the agenda for a local Suffolk County Council 'Our Place' Meeting.
- 2.6 640 responses were received during the consultation period. They came via the web-based comment form, paper comment forms at events/meetings, e-mail responses and letters and forms in the post. In addition, one paper petition (555 signatures) was submitted to the councils and they were notified of a further online petition (283 signatures) at the end of April. A summary of the pre-application consultation responses is shown in the table below.

<b>Nature of response</b>	<b>Number of</b>	<b>Percentage</b>
Support	19	3%
Comment	36	6%
Query/queries	12	2%
Express concern(s)	35	5%
Object	540*¬	84%

\* = including paper petition with 555 signatures (counted as 1 response)

¬ = including online petition with 283 signatures as at 30.4.15 (counted as 1 response)

2.7 The ten most frequent issues raised by those that objected (in descending order of frequency) were:

- Highways / traffic
- Location / site selection
- Noise
- Odour / smell
- Planning policy
- Vermin
- Pollution / contamination
- Safety
- Landscape and visual impact
- Consultation / publication

Further detail on the responses received during the pre-application consultation can be found at Appendix A. A detailed analysis of all the responses received (Statement of Community Involvement) would form part of any planning application.

### **3. Next Steps**

3.1 Having received and analysed the pre-application consultation responses we are now developing our proposals further to take account of the issues that have been raised. Traffic survey work will be undertaken to understand with better accuracy the potential impact of the development to the surrounding road network (with addition of known sugar beet campaign traffic loading). Site access and egress will also be reviewed as part of the developing site design which will, where possible, also seek to address many of the other matters raised during the consultation period.

3.2 It is clear from many of the consultation responses received that further information is required in terms of our justification for a single site operation and the process with which we reviewed potential sites and concluded that Hollow Road Farm is the best overall option. It is therefore recommended that further pre-application consultation is undertaken to allow public scrutiny of these proposals ahead of any planning application coming forward. This is likely to be issued later in the summer.

3.3 Site design work will continue to develop in order to bring further clarity to our proposals, address some of the issues that have been raised during pre-

application consultation, provide further accuracy to cost estimates and develop a package of information for planning and any procurement process.

3.4 Further communication will be required as it is clear from many of the responses that there is still a lack of understanding about the proposals and specifically the nature of a waste transfer station.

3.5 There are three distinct phases to this project:

1. Feasibility (including planning)
2. Procurement
3. Construction

We are still in the feasibility phase of the project which includes site selection, developing a business case and seeking a planning consent. In order to prepare a business case and have the necessary information to make a detailed planning application, design needs to progress sufficiently to inform these elements of the project. The funding requested in this report will allow more detailed iterations of design and work on the required planning information to progress.

#### 4. Finance

4.1 To date, all costs during the feasibility and deliverability phases of this project have been shared equally with Suffolk County Council and St Edmundsbury Borough Council. St Edmundsbury provided initial funding of £100,000 (report F51 dated 30 June 2014). A further £20,000 of funding has been made available through the Cabinet Office under the One Public Estate Programme (OPEP) which aims to support projects to co-locate public sector assets.

4.2 In order for the project to progress, funding, in line with other equivalent projects, will be required to finalise a business case in the autumn. Estimates elements of further cost required are:

Project Management / Concertus	£40,000
Planning advice	£15,000
BREEAM advisors	£4,000
Images and visual impact studies	£6,000
Planning application and land option	£52,000
Legal advice	£13,000
Direct costs	£30,000
Communications	£20,000
Consulting engineers (surveys / design)	£130,000
Other / contingency	£50,000
Total	£360,000

4.3 The anticipated share of these costs for West Suffolk is anticipated to be £180,000. Appropriate arrangements need to be made to share these costs between Forest Heath District Council and St Edmundsbury Borough Council. An accurate basis on which to share these costs between the West Suffolk Councils will be made for the business case. Until then it is recommended that they be shared on the standard 35:65 ratio and reconciled at a later date.

- 4.4 In order to reflect a 35:65 cost share between the West Suffolk authorities on both the current and future expenditure for this project, Forest Heath DC will be requested to make budget provision for £98,000 (35% of West Suffolk's £280,000 share – net of £20,000 OPEP funding) and St Edmundsbury will be requested to make a further budget provision of £82,000 (65% of West Suffolk's £280,000 share – net of £20,000 OPEP funding, minus the £100,000 already approved Report F51). Both amounts to be funded from each authority's Strategic Priorities and Medium Term Financial Strategy reserve.
- 4.5 A separate report that seeks financial approval for the funding of a number of major projects will come forward separately.



## **Appendix A – Response to the West Suffolk Operational Hub pre-application consultation**

### **The main issues raised**

#### **Highways/traffic**

The highways and traffic comments claim that the existing highway network in the vicinity of the site could not cope with the additional traffic which would be generated by the proposed development. They also suggest that the additional traffic would give rise to safety issues, that the proposed means of access to the site is unsatisfactory or unsafe and that the proposed development would create or worsen a number of “rat-run” routes.

**Note:** A Traffic Assessment will be submitted with any planning application and will consider these matters during development of the scheme’s design.

We anticipate that the majority of vehicle movements to and from the site will be outside peak times. A Traffic Assessment will be submitted as part of the planning application; this is likely to include data from surveys of existing traffic movements.

*Source: Frequently Asked Questions, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## Location/site selection

The comments relating to this issue claim that there are more suitable sites for the proposed development, that the site is too close to residential areas or too close to Bury St Edmunds, that the proposed development should be located in a rural area away from housing or simply that the site shouldn't be developed.

**Note:** Further pre-application consultation will be undertaken to explain the reason for co-location to a single site in terms of operational efficiency and within the context of National and European waste regulation and policy. It will also explain the process of selection and why the proposed site at Hollow Road Farm has been chosen.

The initial feasibility work to find a suitable location looked at a wide range of sites around the town based on the following criteria:

- their availability;
- their suitability for this type of use;
- their accessibility;
- how well they relate to the main centres of population;
- their planning designation.

The site needs to have good access to the trunk road network and not to lead to heavy goods vehicles running through residential areas.

The ideal situation would have been to find a site which was allocated within the Development Plan but none were available for this type of use. For example, there are no sites available on Bury St Edmunds industrial estates of sufficient size to accommodate the proposed development and with direct access to the primary road network.

We will therefore be making a strong case as to why an exception to planning policy should be made. The case will focus on the absence of other suitable sites and suitability and availability of this site.

As a departure from the development plan, the application, if approved, will be referred to the Secretary of State. The Secretary of State will consider whether it needs to be called in for their determination.

*Source: Frequently Asked Questions, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## Noise

The comments made in respect of noise relate to the impact of noise from the various noise sources which people believe would be created by the proposed development. Some comments refer to the possibility of the noise being generated 24 hours a day and one or two refer to the impact of vibration in addition to noise and the noise generated by the construction of the scheme.

There would be some daytime construction noise for about 12 months whilst the site is prepared and facilities built. This would be controlled through planning conditions.

Once in operation there would be some low levels of noise, mainly from vehicles moving around the site. The design has included features which reduce the need for reversing (and the associated bleeping noise) and this will be considered again in the next design stage.

A noise assessment will be carried out to support the planning application. If the assessment identifies that noise mitigation measures will be required to make the development acceptable these measures will be incorporated into the design of the facility. Overall noise levels would be maintained within guidelines so that they would not be high enough to be likely to give rise to complaints.

*Source: Consultation Leaflet, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## **Vermin**

The comments on this issue claim that the development would attract vermin to the area, particularly seagulls, rats and flies, and that these may harm public health.

Waste will not be on site very long and therefore should not attract significant numbers of pests, vermin or birds. Normal pest control measures will also be in place. The waste transfer station will be fully enclosed and doors kept shut when not accepting vehicles.

Concerns about seagulls will also be addressed by ensuring that the design of the buildings and materials used act as a deterrent to nesting.

*Source: Frequently Asked Questions, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## **Pollution/contamination**

The comments on this issue centre on the air pollution which would be caused by the vehicles travelling to and from the site.

## **Odour/smell**

The majority of comments made in respect of odour and smell express a desire not to have another odour generating use in the locality. The British Sugar plant is cited most regularly in the responses as the current odour concern. A number of comments made related to the proposed mitigation measures referred to in the public consultation material. Some expressed concern about the impact of certain mitigation measures themselves on the health of nearby residents, another sought further information on the proposed measures and others claimed that the mitigation measures would not be sufficient.

All waste would be stored within a closed building before being transferred and would usually be on site for less than a day so we do not expect there to be any major smells or problems with vermin. We would also have features such as misting sprays and ventilation to reduce smells.

Waste would be kept inside the building with doors closed when not in use to keep smell or noise inside as much as possible. Drainage from all hard standing areas would be through oil and petrol interceptors to prevent pollution.

*Source: Consultation Leaflet, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## **Planning**

The comments made in respect of this issue are dominated by claims that the proposed development is contrary to planning policy. They also pick up on the fact that the Hollow Road Farm site is not an allocated site. Another line of commenting suggests that the proposals should be considered through the local plan process.

**Note:** These comments will be considered as part of the Planning Statement which will be submitted with any planning application. Also, see response to Location/site selection, above.

## **Landscape and visual impact**

The comments made on this point claim that the proposed development will have an unacceptable landscape and visual impact on the site and the surrounding area. Some of the comments suggest that it will compound the negative landscape and visual impact of the nearby British Sugar plant while others suggest it will be out of keeping with the rural landscape. A few responses argue that the site comprises elevated ground which is more easily seen from the surrounding area. A handful of responses request that the landscape proposals for the site be bolstered. One response requests that the southern edge of the site be screened in addition to the other three sides.

**Note:** A Landscape and Visual Impact Assessment will be submitted with the planning application which will consider these comments.

The waste transfer station will be a steel-framed building measuring around 68 metres by 37 metres. We have taken into consideration the siting and visual impact of the new buildings in relation to views close to the site, from the town centre and from Barton Hill. We will keep as much vegetation on site as possible including existing banking on the western edge of the site and a new 15 metre strip of hedge and planting would be created at the north and east boundaries of the site. Our lighting plans would also help to minimise any impact on the surrounding area, including wildlife.

*Source: Consultation Leaflet, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)*

## Light pollution

The comments here expressed concern about light pollution which may result from the proposed development if it is to be lit during the hours of darkness. Some suggest that the lighting for the proposed development should be designed so as to minimise light spillage.

**Note:** Lighting plans will be submitted with any planning application.

## Consultation / publication

Those commenting on the consultation itself felt that only a single option for the proposed development did not make for meaningful consultation.

It was also claimed that the publicity material and the public consultation material did not give enough information on the proposed development; some specifically cited the omission of the findings of the survey and assessment work. Additionally, respondents contended that the consultation was held at short notice, was poorly timed (given the upcoming elections), that the consultation period was too short and that the public consultation was not publicised widely enough.

On the issue of submitting their comments, concerns were expressed by some respondents that submissions were not acknowledged, that forms supplied at the public consultation event were unsuitable and that at one point during the public consultation event the response forms ran out due to the high attendance.

**Note:** A Statement of Community Involvement, outlining the level of community engagement will be submitted with any planning application.

## Property values

Comments on this topic claim that property values in the area surrounding the site would be reduced by the proposed development. Some respondents ask whether compensation would be paid to those affected while one response asks if the council tax band of affected properties would be adjusted.

The effect of development and proposed development on property prices is not a material consideration in planning decisions.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

**Note:** Requests for changes to a property's council tax valuation are dealt with by the Government's Valuation Office Agency. [www.gov.uk/government/organisations/valuation-office-agency](http://www.gov.uk/government/organisations/valuation-office-agency)

## Process

The comments on this matter express concern that the means by which the development proposals for Hollow Road Farm have been progressed have been in some way improper or procedurally incorrect. Some claim that the development has

been presented as a fait accompli, some are concerned that money has already been paid to the landowner, some say the process is too quick while others claim it is undemocratic.

A small number of respondents suggested that a public consultation on all of the alternative sites should be carried out while another respondent said that the wider strategic consequences of the proposed development should be publicly debated and thought through. Further responses suggest that it was not right to consult on the proposals because they were not complete. Comments in a similar vein said that not enough information on the project had been shared with the public and that more information was needed on the scheme's potential impacts.

Finally, concern was raised about how the councils, which include St Edmundsbury Borough Council, could apply for planning permission from St Edmundsbury Borough Council, implying a lack of impartiality.

St Edmundsbury Borough Council is the planning authority for this application. The council carries out a wide range of services and has a number of different roles, many of them governed by legislation. There are times when it is involved in different aspects of a project – in this case the council is both an applicant (alongside Suffolk County Council and Forest Heath District Council) and decision-maker, as the local planning authority. By law, St Edmundsbury's planning function is kept completely separate from the council's other functions. The actual decision about whether to grant approval or not rests with councillors on the Development Control Committee. Their decisions have to take regard of the relevant planning laws and guidance.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

## **Cost**

The comments received in relation to cost claim that the cost of the proposed West Suffolk operational hub to the taxpayer is unacceptable, that the project is a waste of money or that the money would be better spent elsewhere. Some said that the councils' financial justification for the proposed development needs to be evidenced while others complained that the project was entirely cost driven.

## **Litter/fly-tipping**

The comments here raise concerns that the proposed development will increase levels of litter in the area surrounding the site as well as increasing fly-tipping. Some respondents suggest that the roads and verges in the vicinity of the site should be kept free of litter.

Good management processes would limit litter – these would include netting off lorries taking rubbish away from the site and ensuring that vehicles are cleaned down effectively. In addition, the Environmental Permit for the site would require us to manage the site well. If any littering or fly tipping occurs a team would be sent out to pick it up.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

### **Agricultural land**

The comments made in respect of agricultural land state that the proposed development should not be located on or is a waste of such land.

### **Ecology**

The comments made in respect of this matter claim that wildlife will be affected, harmed or driven away by the proposed development and imply that the site ought to be preserved in its current form to protect wildlife. One response asks how the impact of the proposed development on wildlife will be known.

**Note:** A Preliminary Ecological Assessment has been undertaken and will be submitted with any planning application.

### **Environment**

These comments claim that the proposed development will have a negative effect on the local environment. One response asks whether an assessment of the scheme's environmental impact has been carried out.

The applicants have written to St Edmundsbury Borough Council's Planning Team to ask for an Environmental Impact Assessment (EIA) Screening Opinion. This will determine whether the proposal is likely to have a significant effect on the environment and therefore whether it requires an Environmental Statement to be submitted in support of the planning application. If it does require an assessment there is a prescribed process which will be followed. If an EIA is not required the site's environmental impact will be considered through a number of different assessments which will be submitted with the planning application and reviewed by the local planning authority as decision maker.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

### **Cumulative impact**

The comments here express concern about the cumulative impact of the proposed development and other significant developments proposed in the locality. The other significant developments referred to are the housing allocations for this part of the Borough as set out in the Bury St Edmunds and Rural Vision 2031 documents.

Particular concern is expressed about the Berkeley Homes proposal for the land to the north of Moreton Hall.

Both councils have been involved in the process that led to approval for development in this area and so are aware of the need to take this into account. Cumulative impacts will be considered as part of the planning process.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

## Design

The comments on design are particularly varied. A variety of layout and design alterations or improvements are suggested with a view to reducing the proposed development's impact on residential amenity and for several other reasons. A contingent of the comments suggest that the buildings as proposed would be too high and should be single storey, no higher than the buildings on the adjacent site or cut into the ground. Numerous comments were made in respect of the architectural and design approach to the buildings proposed; some in favour of striking designs, some in favour of traditional or functional designs and still others in favour of buildings designed to blend into the surroundings.

Other lines of commenting are that considering design is premature unless planning permission has been granted; that the scheme offers little in terms of original or low impact design and that the level access recycling facilities proposed are a good idea.

**Note:** Design will be one of the factors taken into account by the Development Control Committee as part of the planning decision-making process

## Operating hours

The comments received in respect of operating hours were expressions of concern that the site may or will operate 24 hours a day.

We are not anticipating that there would be much of a requirement for night operations (after 10pm and before 6am) on the site. However, 24/7 consent would provide some flexibility if we ever needed a small overnight operation some time in the future.

Source: *Frequently Asked Questions*, [www.westsuffolk.gov.uk/wsoh](http://www.westsuffolk.gov.uk/wsoh)

## Health

The comments here ranged from general expressions of concern that the proposed development will be harmful to the health of local residents to specific concerns such as microbes being blown from the site on the wind, cyanide release from the site and the health impact that the news of the proposed development has had on local residents.

## Future expansion



The comments on this point express concern about the proposed development being expanded in the future. Another line of commenting queries the purpose of the additional land within the proposed application site.

### **Future maintenance**

The comments on future maintenance express concern that the councils' proposals for maintaining the site will be would not be followed through. One comment raised specific concern about future management of any landscape planting on the site based on poor management of landscape planting elsewhere.

### **Adjacent land**

Concern was expressed in relation to land adjacent to the proposed site being developed for commercial or industrial purposes should the proposed development be granted planning permission.

### **Additional services**

The comments received on this point were mixed. They were the result of the second question on the comments form. The question asked:

*"In addition to the Household Waste Recycling Centre please tell us of other public services you would like to see offered at the new site."*

A number of respondents answered as intended with suggestions of additional services. These included paint recycling/disposal, asbestos disposal, the sale of garden compost and mulch (presumably recycled from brown bin waste), a Gumtree drop-off area and a shop for unwanted items (it should be noted a shop for unwanted items formed part of public consultation proposals). One respondent requested that the list of permitted blue bin waste collection items be extended to include glass.

Other respondents commented in different ways on the issue of additional services. Some expressed a desire to see no additional services saying those already proposed were enough and that providing more services would generate more traffic. Other responses sought to clarify whether a waste incinerator would form part of the proposals. Finally, some responses suggested other unrelated uses for the site (e.g. park and ride, hotel, supermarket etc) which one assumes are suggested instead of the proposed development rather than in addition to it.

### **Surveys**

The comments made in respect of this topic were: a request that the results of the survey and assessment work used to inform and support the proposals be made public; claims that the survey work was unsatisfactory or claims that further survey and assessment work was necessary. The further survey and assessment work sought related to noise, low frequency ground vibration, light pollution, odour, vermin and traffic. A "full" consultation was also sought.

**Note:** Survey information and assessments carried out will be submitted with the planning application and, alongside all the other accompanying documentation, will be made public. There is also a statutory requirement for formal consultation on planning applications.

### **Economy/tourism**

The comments received in respect of this issue claim that the proposed development would make Bury St Edmunds less attractive to tourists, or would even put them off coming to Bury St Edmunds, and therefore would harm Bury's economy.

### **Archaeology**

The comment received in respect of archaeology suggests that the site is of high archaeological interest and therefore that a full archaeological investigation of the site should be carried out.

**Note:** A report on archaeology will be submitted with any planning application

# Cabinet



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Suffolk Business Park/Eastern Relief Road, Bury St Edmunds: Update</b>	
<b>Report No:</b>	<b>CAB/SE/15/041</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Portfolio holder:</b>	Cllr John Griffiths Leader of the Council <b>Tel:</b> 01284 757001 <b>Email:</b> john.griffiths@stedsbcc.gov.uk	
<b>Lead officer:</b>	Steven Wood Head of Planning and Growth <b>Tel:</b> 01284 757306 <b>Email:</b> steven.wood@westsuffolk.gov.uk	
<b>Purpose of report:</b>	To provide an update with regard to the Suffolk Business Park/Eastern Relief Road project since the last reports (Papers COU/SE/15/015 and COU/SE/15/016 refer) dated 25 March 2015 presented to Council.  To clarify the reference to the planning permission for the Eastern Relief Road quoted in previous reports.	
<b>Recommendations:</b>	<b>Cabinet is asked to <u>NOTE</u> the contents of Report No: CAB/SE/15/041.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Report is for information only.	
<b>Consultation:</b>	The development of the Eastern Relief Road and Suffolk Business Park is a long established policy of St Edmundsbury Borough Council (SEBC). Most recently the Vision 2031 documents confirm the allocation of the residential, commercial and leisure/community uses along with the Eastern Relief Road (ERR) and junction 45 of the A14 Trunk Road upgrade.  In June 2010 the Masterplan for the extension to	

	<p>Suffolk Business Park was adopted following the due consultation phase.</p> <p>A series of meetings have also been held with Rougham Parish Council; Moreton Hall Residents' Association; and local business representative organisations.</p>		
<b>Alternative option(s):</b>	<p>Not to develop the Suffolk Business Park or Eastern Relief Road would adversely affect the supply of residential and commercial premises for Bury St Edmunds and would jeopardise the proper planning of the town.</p>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • As detailed in the report		
Are there any <b>staffing</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Time and resources of existing staff to enable the project to progress		
Are there any <b>ICT</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
Are there any <b>legal and/or policy</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • As detailed in previous reports.		
Are there any <b>equality</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Risk/opportunity assessment:</b>	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>		
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
The CPO fails to be confirmed by the Secretary of State	Medium	Instruct expert consultants and follow due process	Low
Recovery of CPO costs	Medium	Legal agreement	Low
Time taken to confirm the CPO affects the delivery of the road	High	Consultants advice and LEP support. SCC to procure the ERR in two phases.	Low
If the land is not acquired and the ERR cannot be secured, the area will be vulnerable to requests for ad hoc developments which will reduce the chances of a road being funded and additional development requests for other parts of the district.	High	Agree the CPO process to purchase the said land	Medium
Taylor Wimpey is unable to provide its £1.4m contribution towards the electricity infrastructure works.	Medium	Include security for the loan in the legal agreement to enable the funding to be recovered anyway.	Low

The costs increase throughout the programme or costs exceed the estimates	Low	Fix the prices in the legal agreement with the electricity provider.	Low
The commercial lets do not come forward within the timescale to repay the electricity infrastructure loan	Medium	Engage a commercial developer to promote the land.	Low
<b>Ward(s) affected:</b>	All Wards		
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	Reports <a href="#">COU/SE/15/015</a> and <a href="#">COU/SE/15/016</a> to Council: 25 March 2015. Report <a href="#">CAB/SE/15/021</a> to Cabinet: 24 March 2015. Reports <a href="#">CAB/SE/15/016</a> and <a href="#">CAB/SE/15/017</a> to Cabinet and Council: 24 February 2015. Report <a href="#">F97</a> to Cabinet: 2 September 2014. Report <a href="#">F120</a> to Council: 23 September 2014. Suffolk Business Park Masterplan dated June 2010.		
<b>Documents attached:</b>	None		

## **Key issues and reasons for recommendation(s)**

### **1. Background**

- 1.1 Suffolk Business Park is a 68 hectare strategic site to the east of Bury St Edmunds (edge of Moreton Hall and partially in the Parish of Rougham) allocated for employment use. In addition there are allocations in the local plan for 500 homes and a secondary school incorporating leisure and community uses.
- 1.2 The delivery of the commercial, residential, educational and leisure/community uses are dependent on the Eastern Relief Road (ERR) and the improvement of junction 45 of the A14 Trunk Road.
- 1.3 The extension to Suffolk Business Park for commercial use was first allocated in the Replacement St Edmundsbury Borough Local Plan in 1998. This allocation has been confirmed through the adoption of the Core Strategy and most recently in the Bury St Edmunds Vision 2031 documents.
- 1.4 The £15 million cost of the ERR has been allocated from New Anglia Local Enterprise Partnership; Suffolk County Council and SEBC. The contract for the construction of the ERR will be let this summer by Suffolk County Council.
- 1.5 Negotiations between the land owning parties have been continuing since 2006 and have yet to reach agreement. It is considered that the need to provide employment land in Bury St Edmunds is now becoming urgent and the need to deliver the wider opportunities set out in the Vision 2031 documents is increasingly pressing. It is for these reasons that it is considered that there is a compelling case in the public interest for the making of a Compulsory Purchase Order (CPO) so that delivery of the Eastern Relief Road and all the benefits that it will bring, may be secured.
- 1.6 On 25 March 2015, Council approved the use of the Council's compulsory purchase powers in relation to the land shown on the drawing (Appendix 1) presented with the report, subject to appropriate attempts to explore options with the landowner which would resolve the matter without the need for the Council to invoke its CPO powers.
- 1.7 CPO powers would only be invoked in full if the negotiations with land owners failed or were not concluded.

### **2. Negotiations**

- 2.1 Prior to the involvement of the Council, Taylor Wimpey and Churchmanor had been meeting regularly to agree a Joint Venture which would be based upon all the landowners contributing the necessary land for development on Suffolk Business Park. This agreement has not been signed and is currently not being progressed.
- 2.2 The Council had been holding meetings with Taylor Wimpey and Churchmanor for some time both individually and together. These meetings and in particular the meeting held on 24 October 2014, have set out the

issues that need to be resolved to enable the development to proceed. Subsequent discussions and the submission of a heads of terms document from Churchmanor have, at this point in time, not resulted in a satisfactory resolution to provide the Council with any confidence that the site assembly will happen without the Council using its CPO powers.

- 2.3 Government guidance asks Councils to make best endeavours to resolve these matters by negotiation so as to avoid the use of statutory powers. To this end, the Head of Planning and Growth informed both Churchmanor Estates Company Ltd (as agent for the landowner) and Sir George Agnew, Rougham Estates (the present owners of part of the land in question) and Taylor Wimpey (the present owners of part of the land in question) in writing that the Council had passed a resolution to, in principle, use its CPO powers to facilitate the sustainable urban extension known as Suffolk Business Park/Eastern Relief Road. The letter invited both parties to resolve the issue of land assembly without the need for the Council to invoke its CPO powers.
- 2.4 Since Council published its intention to consider the use of CPO powers there has been a change in attitude from Churchmanor. It is considered that showing a clear intention to use the CPO process has acted as a catalyst for a more positive dialogue with partners. In addition, after several invitations from SEBC, Rougham Estates have agreed to come in to meet with Officers.
- 2.5 It is the intention that these negotiations will continue with the hope that the parties will reach agreement without resorting to the use of CPO powers. It is important however, that the CPO process should continue in parallel so that the powers will be in place, should the need arise.

### **3. Planning matters**

- 3.1 Suffolk Business Park is an allocated site in the St Edmundsbury Core Strategy (adopted 2010) and the Bury St Edmunds Vision 2031 (adopted 2014). The site also benefits from a Masterplan (adopted 2010) which sets out the broad parameters of how the site should come forward. Planning permission for the precise alignment of the Eastern Relief Road was granted on 8 August 2014 (Planning reference number DC/14/0328/FUL). Please note that there was a previous consent for the Eastern Relief Road granted in February 2014 for a slightly different alignment. The alignment that is being progressed (and which is the subject of the CPO) is that which was granted planning permission on 8 August 2014 and not as described in the previous reports to Cabinet and Council on 24 February, 24 March and 25 March 2015.

### **4. Electricity Infrastructure Funding**

- 4.1 At the full Council meeting on the 25 March 2015, SEBC included a total of £4,528,871 in its capital programme to enable electricity infrastructure to be provided to serve the developments (Report CAB/SE/15/021 refers).
- 4.2 The electricity will be provided to the developments in two phases. Initially 7MVA of electricity will be available via a temporary substation. This electricity will be sufficient to serve the school, residential, ERR and first businesses on the business park. The cost of these initial works is £1.5m. The second phase

of infrastructure works will be required in the future to provide the remaining 18MVA of power via a new primary substation.

- 4.3 The electricity infrastructure works will be commissioned by Taylor Wimpey and therefore a loan agreement is being prepared between SEBC and Taylor Wimpey for the first phase of works. Due diligence is being undertaken to the satisfaction of the Section 151 Officer and the Monitoring Officer prior to the loan being signed.
- 4.4 It is proposed that the £4,528,871 funding would be repaid firstly from the contribution from Taylor Wimpey (£1.4m) and then the remainder either from the commercial lets as they come forward for Suffolk Business Park or by the commercial developer who will be appointed to bring the land forward. Traditionally, such a commercial developer would raise finance for the upfront costs associated with providing services to the site; this includes the internal access road, utilities etc.

## **5. Finance/Budget/Resource Implications**

- 5.1 The loan agreement between SEBC and Taylor Wimpey will clearly detail (inter alia) the nature of the security for the loan; the instalment dates/triggers for paying the loan; interest costs and the repayment schedule.
- 5.2 Costs associated with making the CPO fall into two general categories, costs incurred during the process of making the Order and then costs relating to the promotion of the CPO, including acquisition of the land should the order be invoked.

### **Costs incurred during the process of making the CPO**

- 5.3 Council Report CAB/SE/15/017 – 24 February 2015 approved a £150,000 budget for the project which included the costs associated with making this Order. The Council is in the process of agreeing a mechanism for the costs associated with making the order to be recovered.

### **Costs relating to the promotion of the CPO**

- 5.4 The Council must have access to the necessary resources to meet the costs of the promotion of the CPO, including land acquisition and planning blight costs. However it will fall to developers to meet all costs associated with the redevelopment of the site.
- 5.5 There are options for covering the costs of the acquisition which include agreeing a back to back arrangement with a commercial developer. Alternatively, it is possible for the Council to enter into an indemnity agreement with a developer to ensure that the Council isn't liable for the acquisition costs.
- 5.6 To assist with understanding the magnitude of the acquisition costs, officers commissioned Lambert Smith Hampton to provide a valuation in line with the Compensation Code. The s151 Officer and Monitoring Officer will need to be satisfied that the Council has a mechanism in place to recover costs associated with acquisition prior to the process being started. The CPO will not be invoked unless it is clear how the acquisition/compensation payments will be met.



# Cabinet



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Confirmation of Article 4 Direction for Bury St Edmunds</b>	
<b>Report No:</b>	<b>CAB/SE/15/042</b> [to be completed by Democratic Services]	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
<b>Portfolio holder:</b>	Alaric Pugh Portfolio Holder for Planning and Growth <b>Tel:</b> 07930 460899 <b>Email:</b> alaric.pugh@stedsbc.gov.uk	
<b>Lead officer:</b>	Christine Leveson Principal Conservation Officer <b>Tel:</b> 01284 757356 <b>Email:</b> chris.leveson@westsuffolk.gov.uk	
<b>Purpose of report:</b>	To seek the confirmation of the Article 4 Direction for Bury St Edmunds	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the Article 4 Direction for Bury St Edmunds made on 25 March 2015, as contained in Appendix 1 to Report No: CAB/SE/15/042, be confirmed.</b>	
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b><u>do not</u></b> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p>	
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>		
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>Public consultation took place between 1 April – 15 May 2015, with drop-in sessions on 15 and 29 April</li> </ul>	
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>The complete removal of the Article 4 Directions in Bury St Edmunds was considered. This could result in significant changes being made to properties through permitted development rights, which would cause harm to the character and appearance of the two conservation areas. It was therefore decided that this option</li> </ul>	

	<p>was not acceptable.</p> <ul style="list-style-type: none"> <li>• Not withdrawing the permitted development rights relating to the provision of microgeneration was considered. It was agreed that this would undermine the impact of the Article 4 Directions which withdrew the rights to make changes to the exterior of the properties and would result in harm to the character and appearance of the conservation areas. It was therefore decided that this option was not acceptable.</li> </ul>
<b>Implications:</b>	
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
<b>Ward(s) affected:</b>	Abbeygate, Eastgate, Risbygate, Minden and Moreton Hall Wards
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	None
<b>Documents attached:</b>	<p><b>Appendix 1:</b> the Article 4 Direction for Bury St Edmunds</p> <p><b>Appendix 2:</b> Bury St Edmunds Town Centre Conservation Area</p> <p><b>Appendix 3:</b> Bury St Edmunds Victoria Street Conservation Area</p>

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Amendment of the Article 4 Directions for Bury St Edmunds**

- 1.1.1 A Task and Finish Group was set up by the Overview and Scrutiny Committee tasked with improving the effectiveness and management of Article 4 Directions within Bury St Edmunds. The Task and Finish Group reviewed the existing Article 4 Directions in the two Bury St Edmunds conservation areas following a number of enforcement issues and concern that the current arrangement was leading to confusion for property owners who did not understand that restrictions did not apply uniformly in a street or area.
- 1.1.2 The Group considered the coverage of the Article 4 Directions. The existing Directions were made on a selective basis, where individual properties were identified. This approach has led to confusion because owners do not realise that the restrictions do not apply to everyone. An alternative approach is to make a Direction which applies to a whole conservation area. After considering the advantages and disadvantages of both approaches, the Group decided to proceed with the Directions on an area-wide basis.
- 1.1.3 The Group also considered using an Article 4 Direction to remove the permitted development rights relating to microgeneration equipment (solar panels and photovoltaic cells). The impact that microgeneration equipment could have on the character and appearance of the conservation area was considered and the Group decided that the relevant permitted development rights should be withdrawn.
- 1.1.4 A new Direction was therefore prepared to cover all properties within the two Bury St Edmunds Conservation Areas. Both of these conservation areas already include properties which are protected by an Article 4 Direction. The earliest Directions date back to 1985, but the majority were made in 2001. Since the various Directions were made, the legislation governing Article 4 Directions has been amended and new classes of permitted development have been introduced which did not exist when the original Directions were made.
- 1.1.5 The new Direction cancels the previous ones and makes a new one in their place. The new Article 4 Direction encompasses the whole of the two conservation areas, with the restrictions applying to all individual properties as relevant. The new Article 4 Direction comprises two schedules. The restrictions in the First Schedule had immediate effect and those in the Second Schedule would come into effect if the Direction is confirmed. If the Direction is not confirmed, those restrictions in the First Schedule would lapse after 6 months from the date of service of the Direction.
- 1.1.6 Public consultation on the proposed amendments took place between 1 April and 15 May 2015. Two drop-in sessions were held in the Apex on 15 and 29 April. Both sessions were well attended with 15 people on 15 April and 13 people on 29 April. Five written responses were received, only two of which were objections and these were based on the restriction of microgeneration equipment (solar panels and photovoltaic cells) on road-facing roof slopes. No objections were received to the restrictions in the First Schedule and overall a very positive response was received from residents.

## 1.2 **Ward Members consultation**

- 1.2.1 The Bury St Edmunds Area Working Party (BSE AWP) approved the public consultation on the proposed amendments at their meeting on 10 March 2015. Ordinarily, the results of the consultation would be taken back to the Working Party for a recommendation to be made to Cabinet.
- 1.2.2 As a review of the BSE AWP (and other Area Working Parties) is currently being undertaken, with the outcome of this review not likely to be known until September 2015, it was agreed at the meeting on 10 March that liaison with all affected Ward Members would take place following the close of the public consultation and any comments from Members would be reported to Cabinet together with a recommendation.
- 1.2.3 Councillor Wakelam raised an objection about the restriction on microgeneration equipment, and considered that the visual impact could be ameliorated by careful choice of equipment. She also noted that the Council had signed up to Creating the Greenest County and a priority of this is to reduce domestic emissions. This amendment to the Article 4 Directions will be directly contrary to that policy. She also raised a further concern about the cost of a planning application adding to the householder's costs.
- 1.2.4 In response to these comments, the effect of the Article 4 Direction is to require planning permission for development which would otherwise be permitted development ie. not requiring permission. The restriction only relates to those roof slopes facing a road or open space, so does not preclude installations on rear elevations. There may be products available which would be acceptable and, should such products be proposed in a planning application, they would be favourably considered. Without a planning application there would be no means of ensuring that suitable products were chosen, however.
- It is also worth noting that during the drop-in sessions more residents were in favour of the restriction on microgeneration than were against it as they considered it to have a detrimental impact on the conservation areas.
- 1.2.5 In terms of reducing emissions (as opposed to generating heat and electricity through microgeneration), there are many ways this can be achieved in the conservation area such as with draught-proofing, sealed unit double glazing (which can be used in the traditional style sash windows and has already been successfully installed in many properties covered by the Article 4 Direction) and external wall insulation. The Historic England website also contains advice on upgrading the energy performance of historic buildings.
- 1.2.6 Finally, there is no fee for a planning application which is only required as a consequence of the Article 4 Direction, so an application for microgeneration equipment which would otherwise be permitted development would not incur any additional cost to the householder.
- 1.2.7 Having regard to the results of the public consultation, which demonstrated overall support for the new Article 4 Direction, Cabinet is recommended to confirm the Article 4 Direction contained in Appendix 1.

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
ORDER 1995**

**DIRECTION MADE UNDER ARTICLE 4(1) TO CANCEL A PREVIOUS DIRECTION  
AND MAKE A NEW DIRECTION TO WITHDRAW CERTAIN PERMITTED  
DEVELOPMENT RIGHTS IN THE BURY ST EDMUNDS TOWN CENTRE AND  
VICTORIA STREET CONSERVATION AREAS**

WHEREAS the Council of the Borough of St Edmundsbury (the Council), being the appropriate local planning authority within the meaning of article 4(4) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), is satisfied that development of the descriptions set out in the First and Second Schedules below cannot be carried out on, or within the curtilages of, buildings within the Bury St Edmunds Town Centre and Victoria Street Conservation Areas, the boundaries of which are marked on the attached maps.

The restriction of development set out in the First Schedule takes effect immediately. The restriction of development set out in the Second Schedule is intended to take effect on 1 July 2015

NOW THEREFORE the said Council in pursuance of the power conferred upon them by article 5(13) of the Town and Country Planning (General Permitted Development) Order 1995 hereby directs that the existing Direction shall be cancelled and a new Direction be made in its place under article 4(1) with effect that that permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the First and Second Schedules below.

**FIRST SCHEDULE**

**Categories of permitted development which are restricted under Article 4(1)  
of the Town and Country Planning (General Permitted Development) Order  
1995 WITH IMMEDIATE EFFECT**

The following restrictions apply to those parts of a building which front a relevant location unless otherwise stated. For the purposes of this Schedule, a relevant location comprises a highway, waterway, or open space.

**Schedule 2 Part 1: Development within the curtilage of a dwellinghouse**

Class A	The enlargement, improvement or other alteration of a dwellinghouse
Class C	Any other alteration to the roof of a dwellinghouse
Class D	The construction of a porch outside any external door of a dwellinghouse
Class F	The provision of a hard surface or the replacement of such a surface
Class G	The installation, alteration (including removal) or replacement of a chimney, flue or soil and vent pipe on any elevation of a dwellinghouse

**Schedule 2 Part 2: Minor operations**

Class A	The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure
Class B	The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road
Class C	The painting of the exterior of any building or work



Class D The installation, alteration or replacement of an electrical outlet mounted on a wall for recharging electric vehicles

**Schedule 2 Part 31: Demolition of buildings**

Class B Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure

**SECOND SCHEDULE**

**Categories of permitted development which are restricted under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 WHICH IS INTENDED TO TAKE EFFECT FROM 1 JULY 2015**

**Schedule 2 Part 40: Installation of domestic microgeneration equipment**

Class A The installation, alteration or replacement of solar PV or solar thermal equipment on a dwellinghouse or block of flats or a building within the curtilage of a dwellinghouse or block of flats

**Schedule 2 Part 43: Installation of non-domestic microgeneration equipment**

Class A The installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or a block of flats

**CONFIRMED UNDER THE COMMON SEAL OF  
ST EDMUNDSBURY BOROUGH COUNCIL  
hereunto affixed on this the 25 day of  
March 2015 as its deed in the presence of:**

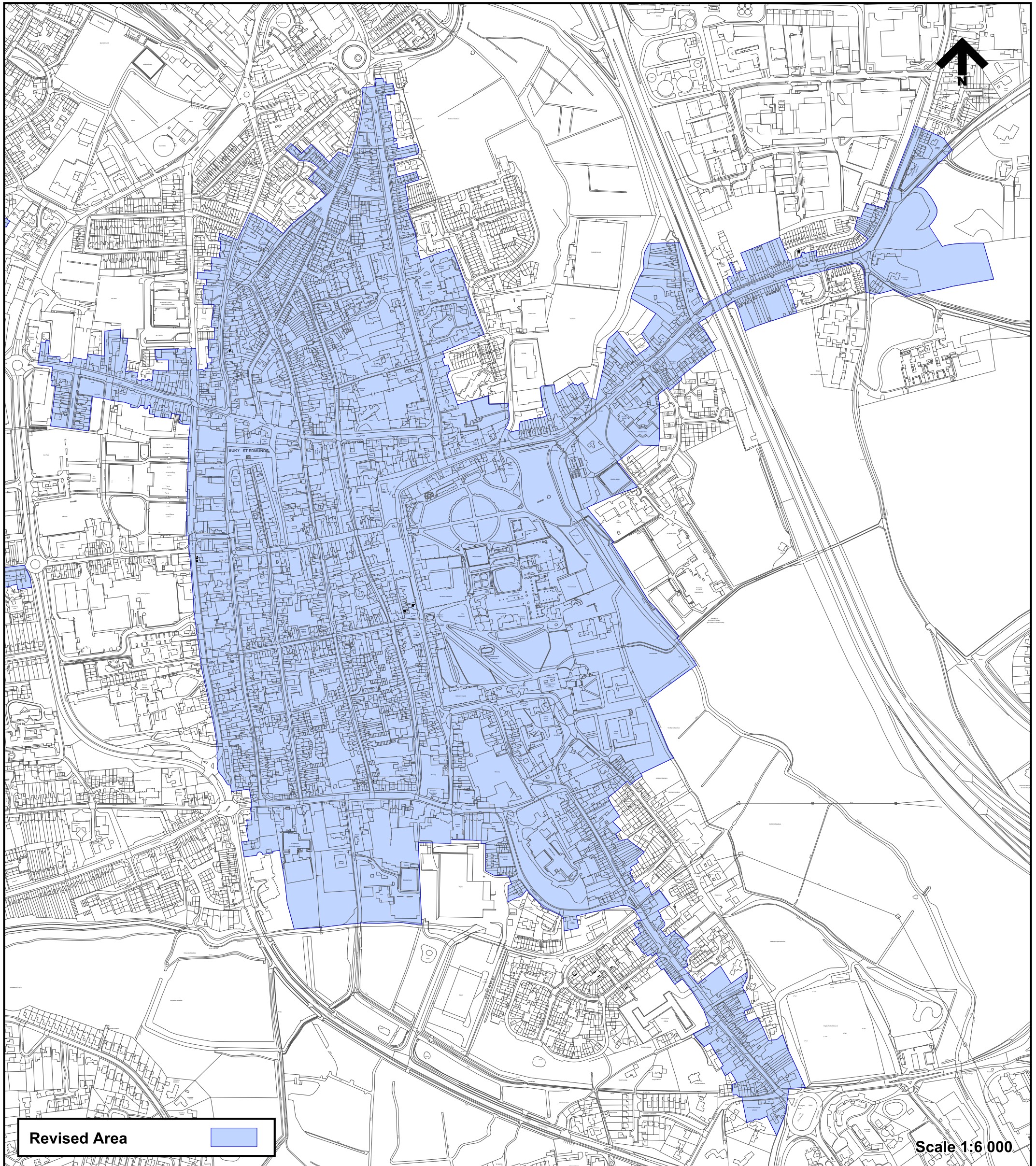


  
Authorised Signatory



# Bury St Edmunds Town Centre Conservation Area

Revised 27th September 2012



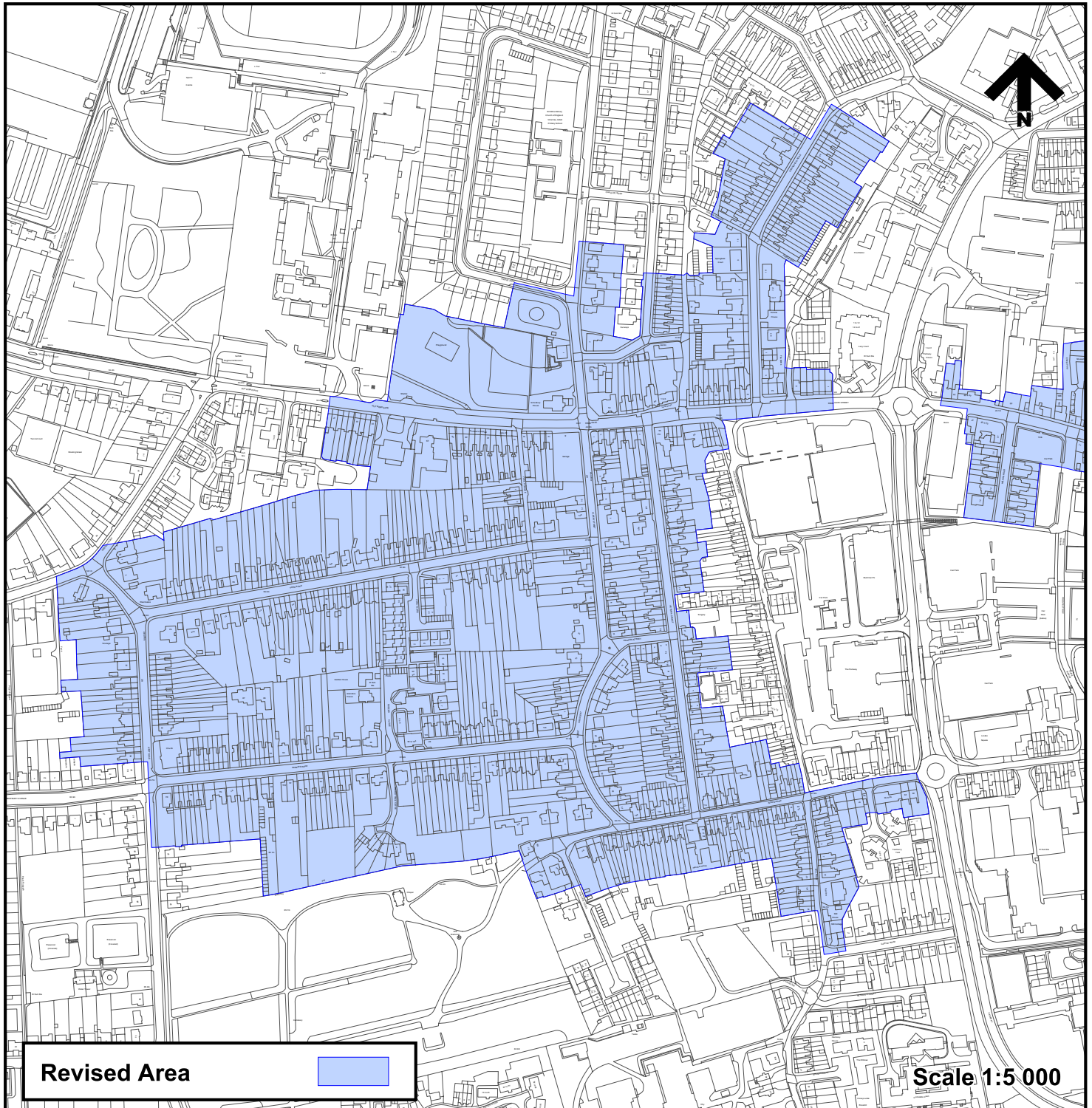


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# Bury St Edmunds Victoria Street Conservation Area

Revised 27th September 2012



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or otherwise make available the Licensed Data to third parties in any form.

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### Decisions Plan

#### **Key Decisions and other executive decisions to be considered**

**Date: 1 June 2015 to 31 May 2016**

**Publication Date: 22 May 2015**

The following plan shows both the key decisions and other decisions/matters taken in private, that the Cabinet, Joint Committees or Officers under delegated authority, are intending to take up to 31 May 2016. This table is updated on a monthly rolling basis and provides at least 28 clear days' notice of the consideration of any key decisions and of the taking of any items in private.

Executive decisions are taken at public meetings of the Cabinet and by other bodies provided with executive decision-making powers. Some decisions and items may be taken in private during the parts of the meeting at which the public may be excluded, when it is likely that confidential or exempt information may be disclosed. This is indicated on the relevant meeting agenda and in the '*Reason for taking the item in private*' column relevant to each item detailed on the plan.

Members of the public may wish to:

- make enquiries in respect of any of the intended decisions listed below;
- receive copies of any of the documents in the public domain listed below;
- receive copies of any other documents in the public domain relevant to those matters listed below which may be submitted to the decision taker; or
- make representations in relation to why meetings to consider the listed items intended for consideration in private should be open to the public.

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format [firstname.surname@westsuffolk.gov.uk](mailto:firstname.surname@westsuffolk.gov.uk) or via St Edmundsbury Borough Council, West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
10/06/15  (Deferred from 19 March 2015)  Page 78	<b>Anglia Revenues and Benefits Partnership Strategic Review</b> As part of its Strategic Review, the Anglia Revenues and Benefits Partnership Joint Committee will be asked to consider options and the potential role of Anglia Revenues Partnership Trading (ARPT) as a limited company and how this could integrate with the existing Partnership. Its recommendations would be forwarded to the relevant partner authorities for consideration accordingly.	Not applicable	(R) - Council 07/07/2015	Anglia Revenues and Benefits Partnership Joint Committee/ Council	Ian Houlder Resources and Performance Tel: 01284 810074	Liz Watts Director Tel: 01284 757252	All Wards	Recommendations from the Anglia Revenues and Benefits Partnership Joint Committee to Council.
23/06/15  (Deferred from 10 February 2015)	<b>Review of Pedestrianisation of Abbeygate Street, Bury St Edmunds</b> The Cabinet will be asked to consider a response to Suffolk County Council's forthcoming review of the pedestrianisation scheme	Not applicable	(D)	Cabinet	Peter Stevens Operations Tel: 01787 280284	Mark Walsh Head of Operations Tel: 01284 757300	Abbeygate	Report to Cabinet.

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	in Abbeygate Street, Bury St Edmunds.							
23/06/15  (Deferred from 5 November 2013)	<b>Station Hill, Bury St Edmunds Masterplan</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking adoption of the Masterplan for Station Hill, Bury St Edmunds.	Not applicable	(R) - Council 07/07/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Abbeygate ; Eastgate; Fornham; Minden; Moreton Hall; Northgate; Risbygate; Southgate; St Olaves; Westgate	Recommendations from the Sustainable Development Working Party to Cabinet and Council.
23/06/15	<b>Review and of Cabinet Area Working Parties</b> Following its annual review of Working Parties, Panels, Groups etc in May 2015, the Cabinet will be asked to consider a subsequent review of the future of the Area Working Parties.	Not applicable	(D)	Cabinet	John Griffiths Leader of the Council Tel: 07958 700434	Alex Wilson Director Tel: 01284 757695	All Wards	Report to Cabinet.
23/06/15  (Deferred from 26 May 2015)	<b>Debt Management: Shared Recovery Policy</b> The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny	Not applicable	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards	Recommendations of the Overview and Scrutiny Committee and Anglia

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	Committee and Anglia Revenues and Benefits Partnership (ARP) Joint Committee in respect of seeking approval for a shared recovery policy applicable for all seven ARP partners.							Revenues and Benefits Partnership Joint Committee to Cabinet.
23/06/15	<b>Local Housing Investment Options: Update</b> Update no longer required as full business case is expected to come forward in September 2015.							
23/06/15	<b>Amendments to Article 4 Directions in Bury St Edmunds' Conservation Areas – Post Consultation</b> The Cabinet will be asked to consider amendments to Article 4 Directions in the two Conservation Areas in Bury St Edmunds, following consultation.	Not applicable	(KD)	Cabinet	Alaric Pugh Planning and Growth Tel: 07930 460899	Christine Leveson Principal Conservation Officer Tel: 01284 757356	Abbeygate ; Eastgate; Minden; Northgate; Risbygate; Southgate; St Olaves; Westgate	Report to Cabinet

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23/06/15	<b>Environmental Enhancement Grant</b> Item removed as no longer under consideration.							
23/06/15  Page 81	<b>Epicentre – Haverhill Research Park (Haverhill Innovation Centre)</b> This item has been removed from the Plan at the present time as the project progresses.							
23/06/15	<b>West Suffolk Hospital, Bury St Edmunds Masterplan</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking approval for the adoption of the Masterplan for West Suffolk Hospital in Bury St Edmunds.	Not applicable	(R) – Council 07/07/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Southgate	Recommendations of the Sustainable Development Working Party to Cabinet and Council.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
Date to be confirmed but prior to Council on 7 July 2015  Page 82	<b>Leisure Development Proposals for West Stow Country Park: Outcome of 'Application to Bid' Process</b> The Portfolio Holder will be asked to make recommendations to full Council, following consideration of the outcomes from the 'Application to Bid' process for leisure development proposals for West Stow Country Park.	Paragraph 3	(R) to Council – 07/07/2015	Portfolio Holder/ Council	Joanna Rayner Leisure and Culture Tel:07872 456836	Richard Hartley Commercial Manager Tel: 01284 757055	All Wards	Exempt Report to Council
23/06/15	<b>West Suffolk Sundry Debt Management and Recovery Policy</b> The Cabinet will be asked to consider a new West Suffolk Sundry Debt Management Policy, which reflects revised practices that have been adopted in this area as a result of shared services across St Edmundsbury Borough and Forest Heath District Councils and the	Not applicable	(D)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Jo Howlett Service Manager (Finance and Performance) Tel: 01284 757264	All Wards	Report to Cabinet



Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	implementation of the shared financial management system.							
23/06/15	<b>Revenues Collection Performance and Write-Offs</b> Item removed – no decision required.							
23/06/15	<b>West Suffolk Operational Hub: Business Case</b> The Cabinet will be asked to consider and make recommendations to Council in respect of seeking approval for the business case for the West Suffolk Operational Hub (Waste) at Hollow Road Farm, Bury St Edmunds. This will also be subject to approval by Suffolk County Council and Forest Heath District Council.	Paragraph 3	(R) to Council – 07/07/2015	Cabinet/ Council	John Griffiths Leader of the Council Tel: 07958 700434	Mark Walsh Head of Operations Tel: 01284 757300	All Wards	Report to Cabinet with exempt appendices and recommendations to Council.
23/06/15	<b>Suffolk Waste Partnership – Organic Waste Options</b>	Paragraph 3	(R) to Council – 07/07/2015	Cabinet/ Council	Peter Stevens Operations Tel: 01787	Mark Walsh Head of Operations	All Wards	Report to Cabinet with exempt

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	The Cabinet will be asked to recommend to Council options for the handling of organic waste, which will also be subject to approval of the authorities that comprise the Suffolk Waste Partnership.				280284	Tel: 01284 757300		appendices and recommendations to Council.
23/06/15 Page 84	<b>Facilities Management Joint Venture Company</b> The Cabinet will be asked to recommend to Council proposals for a Facilities Management Joint Venture Company, which is also being considered by Forest Heath District Council.	Paragraph 3	(R) to Council – 07/07/2015	Cabinet/ Council	Peter Stevens Operations Tel: 01787 280284	Mark Walsh Head of Operations Tel: 01284 757300	All Wards	Report to Cabinet with exempt appendices and recommendations to Council.
23/06/15	<b>Temporary Accommodation Provision</b> The Cabinet will be asked to consider options for temporary accommodation provision within St Edmundsbury and make recommendations to Council accordingly.	Paragraph 3	(R) to Council – 07/07/2015	Cabinet/ Council	Sara Mildmay-White Housing Tel: 01359 270580	Simon Phelan Head of Housing Tel: 01638 719440	All Wards	Report to Cabinet with recommendations to Council.

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23/06/15	<b>Eastern Relief Road/Suffolk Business Park</b> The Cabinet will receive an update on how this project is progressing which may or may not require additional decisions of the Cabinet.	Not applicable	(D) - potentially	Cabinet	John Griffiths Leader of the Council Tel: 07958 700434	Steven Wood Head of Planning and Growth Tel: 01284 757306	All Wards	Report to Cabinet.
08/09/15	<b>Haverhill Town Centre Masterplan</b> The Cabinet will consider the recommendations of the Sustainable Development Working Party in respect of recommending to full Council the adoption of the Haverhill Town Centre Masterplan.	Not applicable	(R) - Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Haverhill East; Haverhill North; Haverhill South; Haverhill West	Recommendations from the Sustainable Development Working Party to Cabinet and Council.
08/09/15 (Deferred from 23 June 2015)	<b>Public Service Village Phase II: Progression to Next Stage</b> The Cabinet will receive an update on the Public Service Village Phase II project and will be asked to recommend to full	Not applicable	(R) - Council 22/09/2015	Cabinet/ Council	John Griffiths Leader of the Council Tel: 07958 700434	Steven Wood Head of Planning and Growth Tel: 01284 757306	All Wards	Report to Cabinet with recommendations to Council.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Council that a further forward funding allocation to progress the project be approved.							
08/09/15  (Deferred from 10 February 2015)	<b>Erskine Lodge, Great Whelnetham Development Brief</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking approval for the adoption of the Development Brief for Erskine Lodge in Great Whelnetham.	Not applicable	(R) – Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Horringer & Whelnetham	Recommendations of the Sustainable Development Working Party to Cabinet and Council.
08/09/15  (Deferred from 2 Sept 2014)	<b>North East Bury St Edmunds Masterplan</b> Whilst full Council adopted the North East Bury St Edmunds Masterplan in June 2014, Members requested that the Transport Assessment which will accompany the forthcoming planning	Not applicable	(D)	Cabinet	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Abbeygate Eastgate; Fornham; Great Barton; Minden; Moreton Hall; Northgate Risbygate	Recommendations from the Sustainable Development Working Party to Cabinet.

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Page 87	application should firstly be considered by the Sustainable Development Working Party (SDWP) before the planning application is determined by the Development Control Committee. The Cabinet will be asked to consider the recommendations from the SDWP relating to this issue.						Southgate; Westgate	
08/09/15 (Deferred from 2 Dec 2014)	<b>South East Bury St Edmunds Masterplan</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking approval for the South East Bury St Edmunds Masterplan.	Not applicable	(R) – Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Abbeygate ; Eastgate; Minden; Moreton Hall; Northgate; Risbygate; Rougham; Southgate; St Olaves; Westgate	Recommendations from the Sustainable Development Working Party to Cabinet and Council.
08/09/15 (Deferred from 2	<b>Hopton Development Brief</b> The Cabinet will be asked to consider the	Not applicable	(R) – Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930	Steven Wood Head of Planning and Growth Tel: 01284	Barningham	Recommendations of the Sustainable Development

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
Dec 2014)	recommendations of the Sustainable Development Working Party in respect of seeking adoption of the Development Brief for Hopton.				460899	757306		Working Party to Cabinet and Council.
08/09/15 (Deferred from 23 June 2015)	<b>Land to East of Barrow Hill, Barrow Development Brief</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking approval for the adoption of the Development Brief for Land to East of Barrow Hill, Barrow.	Not applicable	(R) – Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Barrow	Recommendations of the Sustainable Development Working Party to Cabinet and Council.
08/09/15 (Deferred from 10 February 2015)	<b>Public Service Village (PSV) Phase Two - Revisions to Existing Masterplan</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development	Not applicable	(R) - Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Minden; Risbygate ; St Olaves	Recommendations from the Sustainable Development Working Party to Cabinet and Council.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Working Party in respect of seeking approval for the revisions to the existing PSV Masterplan.							
08/09/15  Page 89	<b>Animal Boarding, Dog Breeding Establishments and Pet Shops - Licensing Conditions</b> The Cabinet will be asked to consider the recommendations of the Licensing and Regulatory Committee regarding proposed revised licensing conditions for Animal Boarding, Dog Breeding Establishments and Pet Shops, following consultation.	Not applicable	(R) - Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Tom Wright Business Regulation and Licensing Manager Tel: 01638 719223	All Wards	Recommendations from the Licensing and Regulatory Committee to Cabinet and Council.
08/09/15  (Deferred from 21 Oct 2014)	<b>Local Housing Investment Options</b> The Cabinet will be asked to recommend to Council the business cases for:  - Wholly Council	Paragraph 3	(R) - Council 22/09/2015	Cabinet/ Council	Sara Mildmay-White Housing Tel: 01359 270580	Simon Phelan Head of Housing Tel: 01638 719440	All Wards	Report to Cabinet with recommendations to Council.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	- owned Housing Company the provision of commercial loan(s) to Registered Providers/Not for Profit Community Organisations.							
08/09/15	<b>Delivery of Haverhill Town Centre Masterplan: Post Adoption</b> The Cabinet will be asked to consider how the Council proposes to deliver the actions contained in the final adopted Haverhill Town Centre Masterplan.	Not applicable	(D)	Cabinet	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Haverhill East; Haverhill North; Haverhill South; Haverhill West	Report to Cabinet.
08/09/15	<b>Wickhambrook Development Brief</b> The Cabinet will be asked to consider the recommendations of the Sustainable Development Working Party in respect of seeking adoption the Wickhambrook	Not applicable	(R) - Council 22/09/2015	Cabinet/ Council	Alaric Pugh Planning and Growth Tel: 07930 460899	Steven Wood Head of Planning and Growth Tel: 01284 757306	Wickham -brook	Recommendations of the Sustainable Development Working Party to Cabinet and Council.



Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Development Brief.							
08/09/15	<b>Revenues Collection Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards	Report to Cabinet with exempt appendices.
20/10/15 (Deferred from 10 Dec 2013)	<b>Street Vending Policy</b> The Cabinet will be asked to consider the recommendations of the Licensing and Regulatory Committee in terms of seeking approval for a revised Street Vending Policy	Not applicable	(D)	Cabinet	Alaric Pugh Planning and Growth Tel: 07930 460899	Tom Wright Business Regulation and Licensing Manager Tel: 01638 719223	All Wards	Recommendations from the Licensing and Regulatory Committee to Cabinet.
20/10/15 (Deferred from 2 Dec 2014)	<b>Definitions and provisions made for political parties and pressure groups in revised Market Licence Regulations</b> With the exception of the topics listed above, approval was given by	Not applicable	(D)	Cabinet	Peter Stevens Operations Tel: 01787 280284	Mark Walsh Head of Operations Tel: 01284 757300	All Wards	Report to Cabinet.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
Page 92	Cabinet for revised Market Regulations on 2 September 2014. The Cabinet will be asked to consider a further report on these topics for appropriate wording to be incorporated as an amendment to the approved Market Regulations.							
	20/10/15	<b>Revenues Collection Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards
08/12/15	<b>Revenues Collection Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards	Report to Cabinet with exempt appendices.
09/02/16	<b>Revenues Collection</b>	Paragraphs 1 and	(KD)	Cabinet	Ian Houlder	Rachael Mann	All Wards	Report to

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	<b>Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	2			Resources and Performance Tel: 01284 810074	Head of Resources and Performance Tel: 01638 719245		Cabinet with exempt appendices.
29/03/16  Page 93	<b>Revenues Collection Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards	Report to Cabinet with exempt appendices.
24/05/16	<b>Revenues Collection Performance and Write-Offs</b> The Cabinet will be asked to consider writing off outstanding debts detailed in the exempt appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance Tel: 01284 810074	Rachael Mann Head of Resources and Performance Tel: 01638 719245	All Wards	Report to Cabinet with exempt appendices.

**NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS**

**In accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended)**

The public may be excluded from all or part of the meeting during the consideration of items of business on the grounds that it involves the likely disclosure of exempt information defined in Schedule 12(A) of the Act, as follows:

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

- 4 pages
1. Information relating to any individual.
  2. Information which is likely to reveal the identity of an individual.
  3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
  5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
  6. Information which reveals that the authority proposes –
    - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (b) to make an order or direction under any enactment.
  7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**In accordance with Section 100A(3) (a) and (b) of the Local Government Act 1972 (as amended)**

Confidential information is also not for public access, but the difference between this and exempt information is that a Government department, legal opinion or the court has prohibited its disclosure in the public domain. Should confidential information require consideration in private, this will be detailed in this Decisions Plan.

**NOTE 2: KEY DECISION DEFINITION**

- (a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:
  - (i) be significant in terms of its effects on communities living or working in an area in the Borough/District; or
  - (ii) result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme;
  - (iii) comprise or include the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objections, the approval of a Minister of the Crown.
- (b) A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this Constitution.

**NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS**

**(a) Membership of the Cabinet and their Portfolios:**

<b>Cabinet Member</b>	<b>Portfolio</b>
Councillor John Griffiths Councillor Sara Mildmay-White	Leader of the Council Deputy Leader of the Council/ Housing
Councillor Robert Everitt Councillor Ian Houlder	Portfolio Holder for Families and Communities Portfolio Holder for Resources and Performance
Councillor Alaric Pugh Councillor Joanna Rayner Councillor Peter Stevens	Portfolio Holder for Planning and Growth Portfolio Holder for Leisure and Culture Portfolio Holder for Operations

(b) **Membership of the Anglia Revenues Partnership Joint Committee (Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, Suffolk Coastal District Council , St Edmundsbury Borough Council and Waveney District Council**

<b>Full Breckland Cabinet Member</b>	<b>Full East Cambridgeshire District Council Cabinet Member</b>	<b>Full Fenland District Council Cabinet Member</b>	<b>Full Forest Heath District Council Cabinet Member</b>	<b>Full Suffolk Coastal District Council Cabinet Member</b>	<b>Full St Edmundsbury Borough Council Cabinet Member</b>	<b>Full Waveney District Council Cabinet Member</b>
Councillor Paul Claussen Councillor William Smith	Councillor David Ambrose-Smith Councillor Lis Every	Councillor John Clark Councillor Chris Seaton	To be confirmed To be confirmed	To be confirmed To be confirmed	To be confirmed To be confirmed	To be confirmed To be confirmed
<b>Substitute Breckland Cabinet Member</b>	<b>Substitute East Cambridgeshire District Council Cabinet Member</b>	<b>Substitute Fenland District Council Cabinet Member</b>	<b>Substitute Forest Heath District Council Cabinet Member</b>	<b>Substitute Suffolk Coastal District Council Cabinet Member</b>	<b>Substitute St Edmundsbury Borough Council Cabinet Member</b>	<b>Substitute Waveney District Council Cabinet Member</b>
Vacancy Vacancy	Vacancy Vacancy	Vacancy Vacancy	To be confirmed Vacancy	To be confirmed To be confirmed	To be confirmed To be confirmed	To be confirmed To be confirmed

Fiona Osman  
Service Manager (Democratic and Elections)  
Date: 22 May 2015

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# Cabinet



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>West Suffolk Facilities Management</b>	
<b>Report No:</b>	<b>CAB/SE/15/045</b> [to be completed by Democratic Services]	
<b>Report to and date:</b>	<b>Cabinet</b>	23 June 2015
	<b>Council</b>	7 July 2015
<b>Portfolio holder:</b>	Peter Stevens Portfolio Holder for Operations <b>Tel:</b> 07775 877000 <b>Email:</b> peter.stevens@stedsbc.gov.uk	
<b>Lead officer:</b>	Mark Walsh Head of Operations <b>Tel:</b> 01284 757300 <b>Email:</b> mark.walsh@westsuffolk.gov.uk	
<b>Purpose of report:</b>	<p>This report outlines the options we have reviewed for the future provision of Facilities Management (FM) services at Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC).</p> <p>The report sets-out the current position in terms of service provision, costs and contractual arrangements, outlines the options reviewed for the future provision of these services and seeks approval for pursuing a preferred option to establish an arms-length joint venture company with Eastern Facilities Management Services (EFMS) for the delivery of these services.</p>	
<b>Recommendations:</b>	<p><b>It is <u>RECOMMENDED</u> that, subject to the approval of full Council:</b></p> <p>(1) <b>the contents of Report No: CAB/SE/15/045 be noted;</b></p> <p>(2) <b>approval is given to establish a Joint Venture Company with Eastern Facilities Management Services (EFMS) Ltd for the delivery of Facilities Management services at Forest Heath District Council and St Edmundsbury Borough Council; and</b></p>	

	<b>(3) delegated authority be given to the Head of Operations, in consultation with the Head of Resources and Performance, the Service Manager (Legal) and respective Portfolio Holders for Operations to finalise and confirm the outstanding legal and governance matters outlined herein at 3.11 to 3.15 and 3.21 of Report No: CAB/SE/15/045, before signing contracts to establish the new Joint Venture company with EFMS.</b>		
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b>do not</b> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>As it is a decision of full Council and not Cabinet.</p>		
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>			
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• Staff will be consulted ahead of any TUPE</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• Outlined in 2.3 and Appendix B</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Some initial set-up costs. Reduced FM costs and the opportunity to increase income from other sources over time.</li> </ul>
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>• FHDC FM staff will TUPE transfer to the Joint Venture (JV) company.</li> </ul>
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>•</li> </ul>
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Considering other future potential JV companies, chose the appropriate JV and Governance model</li> <li>• Ensure the arrangement is legally compliant and that contracts are correct.</li> </ul>
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Breach of procurement rules	Medium	Robust internal and external legal advice	Low

Current interim arrangements fail to provide adequate services	Medium	Maintain robust contract management	Low
Costs of services exceed estimates	Medium	Carry out detailed and continuous review of service level requirements and staffing	Low
<b>Ward(s) affected:</b>		All Ward/s	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>			
<b>Documents attached:</b>		<b>Appendix A</b> – West Suffolk sites where FM services are delivered <b>Appendix B</b> – Advantages and disadvantages of options considered <b>Appendix C</b> – EFMS Capability Statement <b>Exempt Appendix D</b> – Costs and savings <b>Exempt Appendix E</b> – EFMS Credit reference	

## **1. Background**

- 1.1 Facilities Management (FM) services at FHDC and SEBC are currently delivered through a range of different methods. The bulk of the FM services at SEBC are contracted out to a company called Ocean Integrated Services Ltd. This contract is ending which provides an opportunity to bring together FM services across West Suffolk into a single arrangement. FHDC FM services are currently predominantly in-house with Ocean covering some sites in Newmarket. SEBC has some FM arrangements that fall outside of the Ocean contract and are provided by other contractors (e.g. cleaning at public halls).
- 1.2 Along with the rest of the public sector, Local Government has entered a period of significant change. There can be little doubt that in the next few years rationalising the public estate through co-location will become far more prevalent in response to financial pressures and Central Government initiatives like the One Public Estate Programme. Our arrangements for FM services therefore need to offer maximum flexibility along with value for money, high performance and perhaps offer the potential for commercial business growth and income to the councils.
- 1.3 The FM services referred to in this report are considered to include the following elements:
- (a) Internal cleaning of operational buildings.
  - (b) Window cleaning of operational buildings including bus shelters.
  - (c) Caretaker and custodial services.
  - (d) Postal and courier services.
  - (e) Public toilets attendance and cleansing.
  - (f) Catering at West Suffolk House (WSH)
- 1.4 Appendix A details the West Suffolk sites where FM services are delivered within the scope of this review.

### **Current FM Service Delivery at FHDC**

- 1.5 FM services at FHDC are mainly provided by an in-house team comprising of 1 x full time Caretaker, 1 x part time Courier and 5 x part time Cleaners. The service provided includes internal cleansing of operational buildings, caretaker services at the District Offices and courier services between the FHDC towns.
- 1.6 Attendance and cleaning at the Guineas public toilets and cleaning at the Customer Access Point in Newmarket is currently provided through an annual contract with Ocean Integrated Services Ltd.
- 1.7 Postal services at FHDC are currently provided in-house across departments and principally by members of the administration team in Legal and Democratic Services.

### **Current FM Service Delivery at SEBC**

- 1.8 FM service delivery at SEBC is mainly through an outsourced service contract with a company called Ocean Integrated Services Ltd. This contract began in June 2010, was extended from three to five years in 2013 and expired at the

end of May 2015. The contract is currently being held over on a month to month basis until such time as revised arrangements for FM services are put in place. Prior to this contract FM services at SEBC were delivered by an in-house team.

- 1.9 The costs of FM services at West Suffolk House are split with SCC on an occupancy basis. The balance has since shifted significantly towards SCC in recent years as their occupancy has increased and they now take a larger burden of the cost for providing these services in this building. The current percentage occupation based on desk allocation at West Suffolk House is:-

57% Suffolk County Council (SCC)  
32% SEBC  
7% Other occupiers  
4% Unallocated desks

Costs for FM Services at Haverhill House are currently split with SCC on a 50:50 basis.

- 1.10 Cleaning at SEBC public halls and sports changing rooms is currently carried out by another company called Gleam Cleaning Services Ltd. The contract for these arrangements is renegotiated and held over on an annual basis.
- 1.11 Courier services between the major West Suffolk sites are currently provided by EFMS and an annual order for courier services is raised for this element of work. This arrangement utilises the current SCC courier route and is linked to the shared ownership with SCC of both West Suffolk House and Haverhill House.
- 1.12 Catering is provided at WSH by EFMS. This contract was won under competition and expires in June 2015. Catering arrangements at other SEBC locations (Apex, West Stow, Nowton Park, Haverhill Rec) will fall outside the current scope of this review.

### **Current Costs**

- 1.13 A breakdown of the current annual cost for providing FM services to the scope defined in 1.3 above at FHDC and SEBC, based upon the 2015/16 budget figures, is shown at Exempt Appendix D.

## **2. Options Appraisal**

- 2.1 With this review we have the opportunity to standardise FM services into a single arrangement across West Suffolk. This will make managing future arrangements more consistent and effective and we will also seek to reduce the day-to-day client involvement in operational matters and the time spent on contract management.
- 2.2 In reviewing our options it is also important to consider the shifting landscape in which these services will be delivered. Any future arrangements should provide flexibility for the reasons outlined in 1.2 above. We need to cut the cost of these services and have the ability to continually review and improve them to make them more cost effective with the passage of time. It is also recognised

that at the main SEBC offices, SCC are taking an increasing financial stake in the cost and delivery of these services as their occupancy of these buildings surpasses that of SEBC. Finally, there is an opportunity to consider whether any future arrangement can deliver a more commercial solution with the ability to grow it through adding other services (e.g. print, security, grounds maintenance) or securing sales revenue through providing work of a similar nature to other organisations in the locality.

2.3 In seeking to bring the arrangements for FM services together, four options were considered:-

- (1) **A new comprehensive outsourced contract** - re-tender the services currently outsourced to Ocean and include additional SEBC service areas not included in the current contract and the services currently provided in-house at FHDC;
- (2) **In-house provision** - bring the current outsourced SEBC contracts back in-house and align the management and delivery of all FHDC and SEBC services under a single management and supervision structure;
- (3) **Joint Venture with a privately owned FM company** – form a JV partnership with a selected private sector partner.
- (4) **Joint Venture with a publically owned FM company** – form a JV Partnership with SCCs arms-length company EFMS.

A Joint Venture (JV) is a business agreement in which the parties agree to develop a new entity and new assets by contributing equity. They exercise control over the enterprise and consequently share revenues, expenses and assets.

2.4 Appendix B contains a more detailed summary of the potential advantages and disadvantages of each of the options. Having explored these options in some detail we concluded that Option 4 offers the greatest potential and this option has been explored further in more detail.

2.5 Beyond the current services under review it is also clear that there are wider synergies and business potential to be achieved from a JV with EFMS:-

- (a) EFMS run a large fleet of vehicles, plant and equipment, much of which could potentially be serviced from our workshops in Bury St Edmunds.
- (b) EFMS are keen to investigate use of our bunkered fuel facilities.
- (c) EFMS currently have a large number of depots across the county and they are interested to explore shared facilities.
- (d) West Suffolk could provide trade waste services to EFMS across Suffolk.
- (e) Currently we are competing on grounds maintenance and there is an opportunity to rationalise on this work and boost opportunities for both parties.

- (f) EFMS currently outsource tree maintenance, a service we can provide to them.
  - (g) EFMS currently outsource external cleansing services (sweepers, gulley and septic tank emptying) which are services we can provide.
  - (h) EFMS are keen to develop security services through their strong historical contacts with schools and at other operational buildings. SEBC could monitor CCTV / alarms helping to meet CCTV business case objectives.
  - (i) Design and print services could be added.
- 2.6 Whilst our efforts to date have concentrated on the potential for a JV company to deliver the FM services described in 1.3 above, both parties are aware of these potential further business opportunities that could be derived from the arrangement moving forward.
- 2.7 Based on the foregoing and the detail attached in Appendix B, officers concluded that forming a JV company with EFMS should be explored in more detail. The past several months has involved work between officers and staff at EFMS to review the project in much greater detail.

### **3. Establishing a Joint Venture (JV) Company with EFMS**

- 3.1 Following informal consultation with respective Cabinet Members in January 2015, a project team was established to review the potential for forming a JV company with EFMS in greater detail. This has involved colleagues from legal, HR, finance as well as advice from an external legal practice experienced in establishing new commercial businesses (something of a new departure for West Suffolk).

#### **Who and What are Eastern Facilities Management Services (EFMS)?**

- 3.2 EFMS was established in November 2011 and was the first of SCCs divested wholly owned companies (Concertus and Opus People Solutions have since been established by SCC). Details of the company can be found at their website <http://www.easternfms.co.uk/>. EFMS undertakes design and print, catering, energy, facilities management and grounds maintenance services. SEBC in particular has had a significant working relationship with EFMS through the print, catering and courier services at West Suffolk House as well as utilising their energy supply contracts for our property estate. EFMS provide comprehensive and integrated FM services to many properties including Endeavour House and Landmark House in Ipswich.
- 3.3 In 2014 EFMS appointed a new senior management team. Predominantly from a private sector FM background, this team has been charged with developing and expanding the company. A copy of the initial Capability Statement from EFMS to the West Suffolk Councils can be found at Appendix C.

#### **Project to Investigate a JV Company with EFMS**

- 3.4 The project to investigate establishing a JV with EFMS has involved several different work streams:

- Service requirements
- Financial costs
- Due diligence
- Negotiating terms and conditions
- Legal
- Governance
- Human Resources (HR)
- Programme

### **Service Requirements and Costs**

- 3.5 There would be little point in pursuing a JV with EFMS if the costs were not attractive to the West Suffolk Councils. Therefore, as a priority, a comprehensive review of the sites and FM requirements was undertaken with EFMS in order that they could quickly provide a detailed proposal. This included visits to all the main sites and a review of the FM service levels required. Costs were developed by EFMS and were scrutinised open book between respective teams that included colleagues from Finance.
- 3.6 A summary of the costs identified and agreed by EFMS and West Suffolk are contained in Exempt Appendix D. These figures represent a potential saving 12.6% against the current costs for the defined basket of FM services at FHDC and SEBC. Any profits that the company makes will be either reinvested in the company or realised as a dividend to the shareholders (EFMS, FHDC and SEBC).

### **Due Diligence**

- 3.8 EFMS are a wholly owned subsidiary of SCC. A credit check has been undertaken to look at their last filed accounts dated 31 March 2014. The results of this credit check are contained at Exempt Appendix E.

### **Negotiating Terms and Conditions**

- 3.9 In considering the establishment of a JV company with EFMS a number of elements of the proposal have required discussion and negotiation. The headline issues have included:-
- Shareholding - agreed at 60:40 for EFMS and West Suffolk respectively;
  - The cost of supporting services that will be provided by EFMS to the JV company (HR, payroll, day-to-day legal advice, finance, procurement, business development, senior management);
  - The status of shares within the Articles of Association;
  - Developing a JV agreement; and
  - Intellectual Property and Restrictive Covenants.
- 3.10 These discussions are ongoing and whilst the major elements are agreed, there is some further work required to finalise the legal documents (Articles of Association, JV Agreement and Service Level Agreement).



## Legal and Governance

- 3.11 Legal advice has been provided by our in-house team as well as through contact and reports from Eversheds LLP. These work streams have focussed on a number of issues:-
- Reviewing ownership options and appropriate corporate vehicles for three potential JV models (including Corporation Tax and VAT implications);
  - Legality of setting up a JV company with EFMS in terms of EU Procurement Rules; and
  - Reviewing governance and management options.
- 3.12 Working with our legal advisors we explored three options for structuring a JV company with EFMS:-
- (1) Given that 'West Suffolk councils' has no legal status we could incorporate a jointly owned legal entity (a limited liability company) or a 'West Suffolk JV' which subscribes for shares in the 'FM JV' formed with EFMS;
  - (2) Elect either FHDC or SEBC to be the lead joint venture partner in the 'FM JV' with EFMS; or
  - (3) Enter into a three-party joint venture arrangement with EFMS, FHDC and SEBC.
- 3.13 Having reviewed these options with our legal advisors it appears that option three (a tri-partite JV arrangement between EFMS, FHDC and SEBC) offers the best solution in terms of tax implications, compliance with EU procurement rules and the ease to establish and, if ever necessary, to unwind the arrangement.
- 3.14 In terms of Governance the proposal is to establish a Shareholder Group comprising elected Members assisted by a senior officer that is not on the Board of Directors for the JV company and is a contract monitoring officer. This group will set the overall strategic direction to the JV company which will implement and monitor the delivery of this strategy on the shareholders behalf. The JV company will report to the shareholder group on an annual basis (or other such duration agreed) and will monitor the performance of the JV company.
- 3.15 The JV company is likely to have five Director positions; two from EFMS; two from West Suffolk senior officers and one being the JV company Managing Director (this position may initially be vacant in which case one of the remaining four directors will have a rotating casting vote). Some further work is to be carried out to clarify the requirements and skills for the West Suffolk Directors and identify our most suitable candidates for the roles (which will not be remunerated).

## **Human Resources (HR)**

- 3.16 All of the staff currently working for Ocean Integrated Services Ltd, Gleam Cleaning Services Ltd and FHDC, assigned to these FM services will TUPE transfer to the new JV company. These staff have been identified and at the appropriate time will need to be fully consulted about the transfer of their employment to the new JV company. Clearly, this will need to be handled correctly and sensitively to ensure that the transition is as smooth as possible for those affected. All of their terms and conditions of employment and pension rights will be protected.

## **JV Company Values**

- 3.17 The new JV company will be wholly owned by local Suffolk public bodies and as such will clearly have a vested interest in promoting the appropriate core values, both within the organisation and to the wider local community. The JV company will recruit predominantly from the local area and seek to be a local employer of choice within the community. It will also invest in its people through staff development and training and by providing them with the correct tools and equipment to enable them to carry their work out to the highest possible standard. Dedicated training resource has been included within the management proposals from EFMS to develop the individual staff members, increase competency across the contract and drive standards. All new cleaning and janitorial equipment will be provided by EFMS at contract commencement to facilitate the improvement in service standards.
- 3.18 EFMS is committed to working closely with West Suffolk College in order to provide training opportunities for young people. They will provide and maintain two apprentice places within the first year of operation and bring in additional apprentices every other year of the contract term. Both EFMS and the West Suffolk councils have strong links with West Suffolk College and will develop these further through the new JV company. Where it is able to do so effectively, the company will work with the third sector (e.g. charities) and support rehabilitation and return to work schemes.
- 3.19 In terms of sustainability the JV company will seek to minimise its harmful impact on the environment and the local community in which it delivers services. This will include a number of activities delivered by EFMS:-
- Reducing harmful emissions through effective route planning;
  - Ensuring materials are delivered directly to sites;
  - Sourcing low emission vehicles for the contract;
  - Sourcing locally - EFMS will use a Bury based firm for the majority of their consumable items;
  - Introducing cleaning technologies that use ionised water, not harmful chemicals;
  - Supporting local sustainability initiatives; and
  - Actively promoting 'reduce, recycle and re-use' throughout the staff team by tool box talks and leading by example.

## **Programme**

- 3.20 Given that the current FM contracts are holding-over there is a degree of uncertainty amongst the staff affected, it is important that the proposed new arrangements are brought into being as quickly as possible. An outline decision making and implementation programme is outlined below:-

SEBC Cabinet	23 June 2015
SEBC Council	7 July 2015
FHDC Cabinet	14 July 2015
FHDC Council	15 July 2015
Joint Venture contract signed	17 July 2015
Staff communication	20 July 2015 to 24 July 2015
Staff consultation	20 July 2015 to 11 September 2015
TUPE takes effect	14 September 2015
Contract begins	21 September 2015

### **A Name for the New Joint Venture Company**

- 3.21 The new Joint Venture Company will require a trading name. This will need to be decided in good time to enable printing, IT and staff uniforms to be branded.

**West Suffolk sites where FM services are delivered**

<b>Site</b>	<b>FHDC or SEBC</b>
West Suffolk House	SEBC
Bury Depot	SEBC
The Apex	SEBC
The Athenaeum	SEBC
Moyses Hall Museum	SEBC
Parkway Car Park	SEBC
West Stow Visitor Centre	SEBC
Severn Road Business Starter Units	SEBC
Harvey Adams Centre	FHDC
Haverhill House Council Offices	SEBC
Haverhill Depot	SEBC
Guineas Centre Toilets	FHDC
Guineas Centre Car Park	FHDC
Mildenhall Bus Station	SEBC
Mildenhall Depot	SEBC
Forest Heath District Offices	FHDC
Abbey Gardens Public Toilets	SEBC
Bury Cemetery Toilets & Chapel	SEBC
Ram Meadow Toilets	SEBC
Nowton Park Ranger Centre	SEBC
Haverhill Visitor Centre / Toilets	SEBC
Haverhill Cemetery Toilets	SEBC
Jubilee Walk Toilets	SEBC
Haverhill Recreation Ground Toilets	SEBC
Hardwick Heath Toilets / Changing Rooms	SEBC
Various Changing Rooms (5)	SEBC
Bury Bus Shelters (29)	SEBC
Haverhill Bus Shelters (17)	SEBC
Courier Service Between Various Sites	FHDC and SEBC
Guineas Customer Access Point	FHDC
Bury Bus Station	SEBC

## **Advantages and Disadvantages of Options Considered**

### **1. Option 1 – Comprehensive Outsourced Contract:**

1.1 This option considers the provision of the service by means of carrying out a competitive tendering process in order to award a contract to a service provider who will undertake the combined duties across West Suffolk as detailed within the paragraphs above.

#### 1.2 Advantages

- All services provided by one contractor – potential for scales of economy realised through increased buying power of larger FM companies.

#### 1.3 Disadvantages

- Lack of flexibility to meet changing future requirements and risk of expensive contract amendments;
- Costs from the market are unknown;
- Partial loss of control over performance of contract experienced through sub-contracting of services leading to potential reduction in the standard of service provided;
- Pressures on the commercial service provider to increase profitability of contract within the scope of fixed contract prices, again leading to reduction in service standards provided;
- Potential lack of client control over recruitment of key contract staff and increased contract management;
- Potential lack of client control over levels of support afforded by service provider to contract staff and the potential for contract staff and equipment being utilised on other contracts nearby; and
- The cost of the procurement process and officer resources required.

### **Option 1 Conclusions**

1.4 Clearly, the costs that we would get from the market are unknown at this stage but we would hope for them to be less than the current cost of £917K that FHDC and SEBC currently pay for these services each year. Given the likelihood of a much more changeable future (e.g. Mildenhall Hub, West Suffolk Operational Hub, PSV II, partnership working) outsourcing our requirements in this way risks time consuming and expensive contract amendments in future.

### **2. Option 2 – Bring Services Back In-house:**

2.1 For this option we considered the provision of the service by means of bringing currently outsourced contracts in-house (apart from window cleaning) to align those services with the in-house provision currently being provided at FHDC.

#### 2.2 Advantages

- All services provided directly by Council employees which in theory enables greater control to be realised through recruitment and management processes;
- Cost savings realised through courier service restructuring;
- Service quality standards/risks are directly controlled;
- Opportunity to realise cost savings through restructuring of staff;
- Potential cost savings realised against other options overall;
- Saving of officer's time through negation of tendering process;
- Flexible and adaptable to future change.

### 2.3 Disadvantages

- Not core business activity;
- Professional FM service providers are likely to be more on top of industry developments;
- Council wage rates are higher than those typically offered for many of these FM services;
- Council pension costs are typically higher than those offered in the private sector for these roles;
- Holiday and sickness cover for staff becomes the liability of the Council;
- Opportunity cost of the time and effort managing relatively lower paid staff.

### **Option 2 Conclusions**

- 2.4 Despite higher wage and pension rates, an exercise to review the likely cost of bringing these services in-house indicated that there could still be savings compared to the current position. However, managing and developing these services is no longer a core activity, particularly with diminished staff resources and other priorities competing for officer time.

### **3. Option 3 – Joint Venture (JV) with a privately owned FM company**

- 3.1 In considering this option we approached a well respected local FM service provider to discuss the potential of forming a JV company in which to place the FM services. Having shared data both parties were of the opinion that this was likely to be problematic for two reasons:-
- a) Within public procurement legislation there is clearly a risk of legal challenge associated with forming a JV in this way which would fall outside of the 'Teckal' exemption. Whilst the company had stated that discussions along a similar line with a County Council had been encouraging, there was no evidence to suggest this core issue and risk could be mitigated.
  - b) It was the view of the company that the value of our FM services did not justify the effort involved in setting-up such a JV vehicle.
- 3.2 The 'Teckal' exemption applies where a contracting authority (the cases all involve local and regional government bodies) contracts with a legally distinct entity. Usually this will be a company that the authority has set up either on its own or in concert with others in order to provide services. The conditions for the exemption are that:-

- The service provider carries out the principal part of its activities with the authority;
- The authority exercises the same level of control over the service provider as it does over its own departments; and
- There is no private sector ownership of the service provider nor any intention that there should be any.

Where these conditions are met, the arrangement will not be treated as a contract for the purposes of the procurement regime, rather it will be deemed to be an in-house administrative arrangement.

### 3.3 Advantages

- All services provided by one contractor – potential for scales of economy realised through increased buying power of larger FM company;
- Councils would have a financial stake in the business (open book accounting);
- The basket of services put in the JV vehicle is flexible and can, in theory, be readily expanded in future if both parties agree; and
- The arrangement is flexible to future changes to the services.

### 3.4 Disadvantages

- Having sought legal advice, the arrangement is not compliant with EU procurement regulations;
- We would risk legal challenge and potential fines;
- Considerable due diligence would be required to reach a legal agreement with a private sector partner; and
- Priorities of councils and private sector partner may not be aligned.

## **Option 3 Conclusions**

3.5 Having taken legal advice forming a JV in this way which would fall outside of what is known as the 'Teckal' exemption (see 3.2). The company we spoke to did say that they had been in discussion along similar lines with a County Council. However, there was no evidence to suggest this core issue and risk could be mitigated.

3.6 Discussions with a potential partner indicated that, from their perspective, there was insufficient value in the business to justify the expense of setting-up a JV company.

3.7 The risk of challenge around the legality of the arrangement in terms of public procurement regulations is considered to be a significant factor.

## **4. Option 4 – Joint Venture (JV) with EFMS Ltd**

4.1 This option considers bringing together all currently outsourced contracts and in-house staff and transferring them into a newly established JV company with EFMS who are a wholly owned arm's length subsidiary of SCC. This would be carried out by utilising a 'Teckal' exemption (see 3.2 above).

4.2 Discussions with EFMS hold the potential to create a JV company as a subsidiary of EFMS in which FHDC and SEBC would be shareholders. This is the preferred option of SCC given their increasing stake in West Suffolk House and Haverhill House.

#### 4.3 Advantages

- All services provided by one contractor – potential for scales of economy realised through increased buying power of larger FM company;
- Synergies with existing EFMS courier and catering services;
- Familiarity of staff operating within the umbrella of local government procedures;
- Funds remain in the public sector;
- Councils would have a financial stake in the business (open book accounting);
- Flexible – other services can be included later if required;
- EFMS would undertake day-to-day management and be main point of contact (as at Endeavour House) rather than a SEBC manager taking this primary role.

#### 4.4 Disadvantages

- Potential pressure on service provider to increase profitability of contract within the scope of fixed contract prices, again leading to reduction in service standards provided;
- Due diligence and external legal input required in reaching legal agreement with partner;
- Priorities of councils and EFMS partner may not always be fully aligned.

### **Option 4 Conclusions**

4.5 There is much potential merit in exploring a JV with EFMS. As a wholly owned subsidiary of SCC funds would remain in the public sector realm. There is potential beyond just FM services in working with EFMS. SCC are also keen for us to explore this option which offers potential for growth and development for West Suffolk commercial services as well.

4.6 It should be noted that EFMS have a relatively strong new management team having recently recruited a new MD, Finance Director and Commercial Director.



# **EFMS Capability Statement**

**for:**

Nadine Coleman

Mark Walsh

James Carrick

West Suffolk – comprising  
St Edmundsbury District Council and Forest Heath District Council

Monday 13<sup>th</sup> October 2014

Prepared by:

Jo Lardent – Commercial Director

Hannah Leys – Regional Head of Services

## Executive Summary

We believe that there are tremendous advantages to be derived from EFMS delivering your services. We have detailed these within this capability document but in summary:

1. **Single Point of Contact** - Hannah Leys will be your single point of contact for all services under the contract. Providing a responsive, customer focused service
2. **Support** - Hannah will have all the support functions that she requires to manage and develop her 'region' – HR, learning and development, financial control etc.
3. **Efficiencies** – We are confident that we can deliver cost savings to West Suffolk through the application of new working practices and the introduction of new technologies
4. **Management Information** - Streamlined back of house through our helpdesk system
5. **Service Improvement** - through staff engagement and work study
6. **Local Procurement** – We source from within the East Anglian region, therefore supporting and developing local SME's and entrepreneurial supply partners
7. **Rewarding our Teams** - Opportunities to reward our staff through a minimal hourly wage rate increase from savings generated across the contract
8. **Developing our People through Training** - Hannah has her own Learning and Development Business Partner and service specific trainers and experts
9. **ABCD Awards – Above and beyond the Call of Duty** - These are hugely popular awards and are often nominated by our clients!
10. **Reducing Absenteeism to Drive Service Quality** - EFMS are in the process of implementing an absence management system that will deliver proven cost savings
11. **No Costs to Tender** - Last, but by no means least – if West Suffolk chooses to work with EFMS in a new contract going forwards you will save the cost of a lengthy and costly tender process. In recognition that we will also save by working directly with you, we will amend our management fees to reflect this streamlined approach.

We look forward to developing these proposals with you over the coming weeks, to design an FM solution that adds value to you and enables you to focus on your core activity of providing service to local residents.



**Jo Lardent**  
**Commercial Director EFMS**

## **Introduction – why choose EFMS as your service provider?**

EFMS is in the unique position with West Suffolk that we have recent and detailed knowledge of your sites, services, customers and stakeholders having delivered your services historically. We continue to operate locally and have the resilience and support structures in place to seamlessly transfer any or all of your services under the management of EFMS.

Hannah Leys has tremendous expertise in the delivery of multi service, multi location contracts and the specific experience of having managed your West Suffolk portfolio historically. Hannah is now a senior member of our EFMS management team and will lead this project.

This following document demonstrates our experience and capability to deliver your services and also many of the new innovations and service improvements that a contract with EFMS will bring.

### **The new face of EFMS**

EFMS was divested from Suffolk County Council some years ago and continued to be managed by the existing Suffolk Traded Services management team up until September this year.

In February this year, the Non-executive Directors announced to the team that they were planning a radical overhaul of senior management. A new executive team is now in place to develop the EFMS portfolio of services and market sectors. EFMS is now a very different organisation! The new executive team will achieve the following goals:

- Create a customer focused FM service provider
- Bring the knowledge and expertise into the business to create an environment for growth
- Develop new service opportunities
- Develop new markets
- Establish new routes to market
- Professionalise the service delivery, to provide a high quality and consistent service.

Following your market test in 2010 we have continued to successfully deliver your catering series at West Suffolk House.

### **Delivering FM Service and Quality**

By October 2014 Ian Surtees, Jo Lardent and Marcus Yarham will have joined the EFMS Board as the executive directors of the business. Their goal is to achieve the mandate above and introduce new clients to the EFMS family. Please find their brief resumes below:

#### **Ian Surtees Managing Director - MBIFM MIOD**

Ian joined EFMS from an international facilities services business, where he managed a multi service portfolio, with an annual turnover in excess of £60m. Ian's experience spans the public sector, business and industry and the health and care sectors.

A trained chef and experienced caterer, Ian has managed Total Facilities Management (TFM) businesses within the facilities services sector for over 15 years. Ian lives in the region, is married with three children and is a keen sportsman.

Ian brings to EFMS an energy and passion for efficient and effective client facing services. Ian will ensure compliance to all systems, process and governance to ensure we operate safely and with our clients' interests at the heart of what we do, on a daily basis.

#### **Jo Lardent Commercial Director - BSc Hons MBIFM MIOD**

Jo is a caterer by profession, gaining a degree in catering management from Manchester University. She has worked in all aspects of catering but has spent the last 10 years selling and operating total facility management solutions to the public sector. Jo mobilised the soft FM contract for the Ipswich Hospital NHS Trust, transferring 502 staff under TUPE. Recent projects include Suffolk One, Woking Borough Council and most recently Kent County Council.

Jo understands the political arena, in which you operate, the challenges you face and will support West Suffolk in delivering an effective TFM solution that rewards excellence, but has the ability for penalty when required. Jo lives near Stowmarket in Suffolk and is happily married with 2 children.

#### **Marcus Yarham Finance Director**

Marcus joins the executive team from one of EFMS' major local competitors NPS (Norse). Marcus will develop new financial models that support our clients in achieving their need for financial visibility and financial rigor. Marcus has considerable expertise in the development of Joint Ventures and setting up special purpose vehicles (SPV) to enable innovative contracting solutions. Marcus lives south of Norwich with his wife and two young children.

At EFMS we are small enough to design your invoice to suit your accounting needs and tailor the management information we provide to you.

#### **Hannah Leys Regional Head of Services - MBA Dip NEBOSH BICSc**

Hannah has worked for the Company for 10 years offering high levels of FM service to her client portfolio. Hannah has significant experience in all of the FM disciplines that your West Suffolk opportunity includes – cleaning, security, building services etc. Hannah has a proven track record of delivering efficiency savings and increasing customer satisfaction. Much of this success is achieved through her loyal team and the retention of great staff, she has reduced churn by 11% in the last 2 years alone.

Hannah's career includes a period with Suffolk County Council where she undertook the Leadership Development Programme. In 2010 Hannah completed her Master's in Public Service Management. The significant benefit of this course was that along with her experience of managing complex FM operations, Hannah now fully understands the theoretical and technical intricacies of complex public sector organisations.

Hannah wants to work with West Suffolk to make your contract our flagship EFMS total facilities management contract.

## **Experience - Collaborative Working**

Ian, Jo, Marcus and Hannah have between them 81 years' experience in the delivery of FM services! Below we have highlighted just a couple of our current clients to evidence the way we work to develop client services and add real value!

We have a proven track record of working in a collaborative way with our customers which has resulted in continued relationships and the continuation of contracts for EFMS.

### **Case Study - Suffolk County Council @ Endeavour House**

We provide the complete range of FM services at Endeavour House, allowing our customers to concentrate on their core activities, while we provide a functioning and serviced building in which they can operate. Our services include:

- Full staff restaurant – serving breakfast and lunch, functions and events
- High street style coffee shop
- All cleaning and janitorial services, provision of high tech silent vacs and new ways of working
- Full FM helpdesk, monthly activity and task reporting
- Porter and handyman service
- Courier and dispatch, including postal services
- ID badge service
- Reprographics and photocopying, including access to our complete design and print service base in Ipswich and Bury St Edmunds
- Custodial and Security services
- Waste management.

We work hand in glove with the Councils chosen hard FM providers to ensure a seamless service for the 1,000 building occupants.

### **Different Contracting Models**

We have considerable experience working across other public sector areas and work closely with Boroughs and Districts on joint venture arrangements. We can and do provide advice on FM services, sharing our best practice and advice with others and showcasing the work that we have undertaken.

We have included as an appendix a number of collaborative working case studies, showcasing our work with Suffolk's Corporate Property team, Suffolk Fire and Rescue and IPS Library Services.

As a team, we have considerable experience of contracting in different ways to suit our client's corporate status and financial needs. We look forward to exploring the best options for West Suffolk with you as soon as we understand the service and property scope more clearly.

## **Our Staff Commitment**

Staff are our key asset – it sounds very hackneyed but it's true. We believe in investing in the training and development of our teams, supporting learning and development programmes both inside and outside the working environment. This approach has supported the excellent staff retention that we now see.

We are in the process of implementing our own EFMS NVQ programme delivered and administered by our own training team, led by Sara Hinchliffe.

## **TUPE Transfers**

When we handed our West Suffolk team to your new provider Ocean we managed the process professionally and in a timely manner. It is vital that the staff transferring under TUPE are dealt with, with dignity and respect and in line with all the guidance that surrounds the TUPE process.

We have TUPE transferred over 100 staff into EFMS in the last 5 years. Hannah has her own Human Resources Business Partner to advise and support the process when staff are coming into, or out of our organisation.

## **Our Understanding of your Scope ...**

We anticipate that an FM contract with West Suffolk could include (but is completely open to discussion and debate):

### **Properties:**

- West Suffolk House
- Haverhill House
- Playing Fields and Changing Facilities
- Public Conveniences and Car Parks
- High profile St Edmundsbury buildings in the centre of Bury; Athenaeum and the Apex
- Forest Heath District Council provisions.

### **Service Profile:**

- Facilities management services for your operational buildings
- Various security duties
- Courier and postal services
- Cleaning and window cleaning to your operational portfolio
- Cleaning and attendance of Public Conveniences
- Printing and design services
- Catering, hospitality and vending
- ID access control systems
- Reception.

## Capability

When it comes to soft FM solutions there are no staff based services that we can't provide. We are able to provide and support you with the following range of services:

- Full staff restaurant – serving breakfast and lunch, functions and events
- High street style coffee shop, or mobile coffee pods
- Reception and access control
- All cleaning and janitorial services – window cleaning, specialist cleans
- Kitchen Deep Cleans
- Management and servicing of catering and cleaning assets
- Pest control, treatment and eradication
- Full FM helpdesk, monthly activity and task reporting
- Portering and handyman service
- Courier and dispatch, including postal services
- ID badge service
- Reprographics and photocopying, including access to our complete design and print service base in Ipswich and Bury St Edmunds
- Custodial and Security services
- Waste management
- We can provide procurement services for you, acting as your buying agency
- Energy services – including bill validation, supplier payment, consultancy advice on low carbon solutions.

## Design & Print

Our experienced and creative team can guide you through the design process for any promotional or internal material which you need developed to a high standard. Whatever format and output you need, our state of the art press, run by expert operators can then make your designs into quality finished products, we offer:

- Creative Design Services
- Traditional Lithographic Printing
- Digital Printing
- Wide Format Printing.

Our innovative designs regularly reflect the region's imagery and culture. We love **local**. Picked from the best East Anglia has to offer, our team of experts can deliver any design, print and product you need. We are specialists. Cost effective services and a true collaborative ethos means that we can match any budget with high quality results. We work together.

## **Catering Services**

We currently provide this service for you, but we can offer much more ... We provide bespoke branded catering services as well as regional events and functions. We are the caterer of choice to public buildings, providing high quality staff restaurants and coffee shops. Our innovative solutions combine fresh, local seasonal produce with leading edge dining concepts, we offer:

- Events and Hospitality
- Civic Catering
- Corporate Contract Catering
- Equipment Maintenance
- Kitchen Design Consultancy.

## **Energy**

Unrivalled expertise sets our team apart, through fully compliant purchasing to innovative management of energy and water provision. Using the latest technology including smart metering and web-based monitoring, we are able to generate cost savings, improve forecasting and manage your accruals. All data is available to view via customer portals. We offer:

- Full lifecycle energy management
- Green advice
- Real time monitoring and incident reporting
- Energy design and consultancy

## **Facilities Management**

Managing a range of building services is a complex task. Our dedicated Facilities Management team enables us to be flexible to your needs: running welcome desks, resource bookings, cleaning, security and courier services, we can provide the service you require. This enables you to focus on your core business, knowing that all your support service requirements are being effectively co-ordinated, we offer:

- Security access and guarding
- Reception and concierge
- Building management
- Asset Management
- Courier and Postal Services
- Contract Cleaning.



## Benefits

We believe that there are tremendous advantages and benefits to be derived from EFMS delivering your services. We have highlighted the key areas below:

1. **Single Point of Contact** - Hannah Leys will be your single point of contact for all services under the contract. Providing a responsive, customer focused service
2. **Support** - Under the new management structure developed by our new MD Ian Surtees, Hannah will have under her direct management all the support functions that she requires to manage and develop her 'region' – HR, learning and development, financial control etc. the benefit to West Suffolk is the immediacy of management information that we will provide to inform your decision making
3. **Efficiencies** – detailed below, but we are confident that we can deliver cost savings to West Suffolk through the application of new working practices and the introduction of new technologies that save manual inputting and the duplication of processes
4. **Management Information** - Streamlined back of house through the helpdesk system
5. Savings in your West Suffolk client side team, from not having to manage multiple contract partners
6. **Service Improvement** - through staff engagement and work study
7. **Local Procurement** – this is really important to EFMS and a corner stone of how we do business. We will source coffee beans, vending ingredients and cleaning materials from within the East Anglian region, therefore supporting and developing local SME's and entrepreneurial supply partners
8. **Rewarding our Teams** - We are acutely aware of the low rates of pay that many FM operative suffer under. As part of our proposals to you, we propose to review:
  - Pay rates – in relation to the new National Minimum wage
  - Current pay structures and two tier working
  - Opportunities to reward our staff through a minimal hourly wage rate increase from savings generated across the contract, following the adoption of leaner working practices
  - Harmonisation where appropriate.
9. **Developing our People through Training** - At EFMS we have the luxury of our own dedicated training team. Hannah Leys, who would be your Head of Services, has her own Learning and Development Business Partner and access to service specific trainers and experts as and when needed
10. **ABCD Awards – Above and beyond the Call of Duty** - These are hugely popular with our staff and are utilised to give that 'pat on the back' when someone has provided exceptional client or customer service, or gone that extra mile to resolve a query. These awards are often nominated by our clients

**11. Reducing Absenteeism to drive Service Quality** - EFMS have implemented an absence management system (that Ian and Jo have previously utilised) from Honeydew. Honeydew will deliver:

- Proven absence reduction
- Notification to the line manager of an employee's absence – this could be via text, email or phone call. This will enable line managers to arrange suitable cover
- Effective real time monitoring of all unplanned absence
- Dashboard reporting for management control
- Reports by individual employee
- Mandates the application of the our EFMS sickness and absence policies
- Reduction in absence rates to between 3% and 5%
- Through the in-built reporting system, line managers will be informed of/or be able to view in the system:
  - employee absence on a daily basis
  - employees who reach trigger points
  - employees who are absent for Musco-Skeletal or Stress/Depression or Anxiety and require instant referral
  - employees who have reached RIDDOR stages of absence
  - requirement to undertake employee return to work interviews
  - requirement to keep in touch with staff who are on long term sick

**12. No Costs to Tender** - Last, but by no means least – if West Suffolk chooses to work with EFMS in a new contract going forwards you will save the cost of a lengthy and costly tender process. In recognition that we will also save by working directly with you, we will amend our management fees to reflect this streamlined approach.

## **Efficiencies**

We believe that there are considerable efficiencies to be driven out of the contract, but reviewing objectively how services are best delivered and by whom. We know that we currently win and compete for work against your Grounds Maintenance team. This is madness! Through a single supplier, this duplication of costs and effort will be removed immediately. We will then thoroughly review the current provision from EFMS and historically from West Suffolk to determine the best service frequency, depot locations etc. going forwards.

## **Back of House**

There will inevitably be savings in your back of house in the administrative and invoicing teams as a result of going to one service provider.

## **Visibility**

We would like to explore with you the application of information technology systems to manage and report FM data for us. Technology that has been used very successfully in the wider FM arena is the installation of a CAFM system (Computer Aided Facilities Management) software. All activities, both planned and reactive are channelled through the system via a managed helpdesk, which we would also provide.

Monthly we can then report to you on:

- Locations that received a planned grounds maintenance visit – you can then easily identify any missed sites
- What reactive pest control tasks were logged – indicating recurrent pest management issues that need resolving not just treating
- Reactive cleaning tasks, replenishment of toilet paper – why do certain locations always run out, lets install larger dispenser
- Helpdesk call by department or user – who is calling all the time and why?
- Maintenance activities – where is the damage occurring?

## **Case Study – Library Service**

We have worked with the library service to reduce costs following their divestment from Suffolk County Council, this was achieved through revision of all cleaning schedules, ensure consistency throughout the portfolio of sites and amending the pricing structures to introduce a fixed operational rate. We incorporated work which had previously been undertaken as one off work and were able to incorporate this into contract value rates to reduce previously hidden costs.

## **Case Study – Working Collaboratively**

Between 2009 to 2014 we worked with one of our customers on the reduction of operational costs in excess of £1.2m per annum. This was achieved through understanding our customer's needs, their values, the challenges they were facing and looking at how we could achieve the desired outcomes without reducing service levels.

We followed a process of recommendations and options along with an appraisal of potential savings, implications, assumptions and risks. This was then progressed and discussed with our

customer and re-evaluated until achievable and acceptable reductions was agreed. We worked closely with our customer throughout implementation to ensure that communications were clear and expectations met.

### **Case Study – Suffolk Fire and Rescue**

On a recent contract award with Suffolk Fire and Rescue service we worked with the customer to ensure that the service we were contracting to provide all of the benefits of a professional and experienced managed contract whilst not increasing any element of cost for the customer. This was achieved and we provided an added value service to our customer by allowing the team previously covering this operation to focus on their core business.

We have worked with many other companies on changes to service delivery, rebalancing of sites, reviews and recommendations on where potential savings could be introduced, how new technologies can assist in the speed of delivery reducing the number of hours required on contracts having a positive outcome on financial charges.

We have experience of working across other public sector areas and work closely with Boroughs and Districts on joint venture arrangements; we have shared our best practice and advice with others and showcasing the work that we have undertaken.

## **Partnership**

The true benefits will come when we genuinely work together. We would like to co-locate with your Estates or FM client side representatives. The key benefits of this approach are:

- Immediate and short routes for communication
- Through embedding ourselves in your environment, we will move quickly understand your culture and Council ethos
- Quicker decision making
- On the ground to be able to see areas of duplication and inefficiency.

## **Relationships**

We have an excellent relationship with West Suffolk and your client team, which we would like to build upon as we integrate your out-sourced FM services under our management team. As a current client you know EFMS well and we understand your vision and Council ethos.

The addition of the other FM services to our current West Suffolk services will make you a flagship contract for EFMS

## **Centre of Excellence**

We propose to work with you across the service disciplines to make West Suffolk a Centre of Excellence.

## **Staff**

EFMS takes a pragmatic approach to TUPE, and understand that while taking on the existing team members is more favourable to us, transferring team members may be anxious about a new employer. As such our HR Partner – Linda Marsh, a highly experienced TUPE expert, and her team of HR advisors will manage the process, alongside Hannah and her local team – all of whom are extremely sympathetic to the situation and will support the team throughout the consultation process.

## **Pensions**

EFMS holds full Admitted Body Status, so any retained team members will be reassured that their pension arrangements are safe whether they are on ex Council terms and conditions or under the pension arrangements of a private sector provider.

## **Recruitment**

Recruiting for new positions will be undertaken on your behalf using our process of advertising internally and externally, whilst involving you where appropriate in interviews and training to ensure you get the best candidates.

## Future Agility

Whatever contract type we opt for, it is inevitable that the service scope and building remit will flex over time. We will respond to these changes through:

- Costing all services by building from the outset, so that as services change and buildings close or change use, you will have complete visibility of the associated charges and cost reductions
- A robust Contract Variation process that captures in an auditable way the contract changes, so that essentially the specification is always live and up to date
- A dedicated workforce based on site, supported by a mobile team - this flexibility of staff enables us to cover any absence, planned or otherwise.

**Providing additional services** - we now provide a service cleaning void properties, returning them to a suitable condition to be re-let. This is a massive advantage for our customer as it has reduced their costs and turnaround time of the availability of the properties.

**Eyes and Ears for Haverbury** - we act as the eyes and ears of our customers across their property portfolios and report any issues that require their intervention such as pest infestation vandalism or misuse of areas by the tenants. We get feedback from our regular meetings and comments from the resident's forum and Haverbury Area Monitors. We were invited to attend a recent joint agency event in one residential area. We are also preparing quotes for projected new sites for our customer in order that they can be included in forecasted service charges to residents.

We feel we have developed a supportive and responsive relationship with our customer; we are their first point of contact for any cleaning needs and are happy to discuss other areas when they come up and work together to provide solutions. During the recent bad weather, when the customer's resources are stretched, we suggested that our own staff grit pathways when they are on site to reduce the need for anyone to travel unnecessarily. We have always accepted an invitation to the customer's charity golf day and last year we sponsored a hole.

## Public Relations and Communications

We would like to create a Communications Plan specifically for the West Suffolk contract that details the PR, website, twitter messages etc. that we are going to jointly and separately send out.

We will work hand in glove with your Comms team to ensure that all messages are authorised prior to dissemination.

## **Appendices**

### **Case Study – Suffolk County Councils Corporate Property Department**

Between 2009 to 2014 we worked with one of our customers on the reduction of operational costs in excess of £1.2m per annum, this was achieved through the understanding of our customer, their values, the challenges being faced and looking at who we could achieve the desired outcomes without reducing service levels to unacceptable standards. We followed a process of recommendations and options along with an appraisal of potential savings, implications, assumptions and risks, this was then progressed and discussed with our customer and re-evaluated until achievable and acceptable reductions were agreed. We worked closely with our customer throughout implementation ensure that communications were clear and expectations met.

### **Case Study – IPS Library Service**

We have worked with the library service for over 8 years and have recently undertaken to continue providing services following their divestment from SCC. We have undertaken an exercise to:

- Revise all of their cleaning schedules
- Ensure consistency throughout the portfolio of sites and
- Amend pricing structures to ensure a fixed rate is operational across all sites
- Deliver a programme of additional works.

We have dedicated one team member to be the single point of contact for the 29 libraries in their portfolio, to ensure our client gets a prompt and appropriate response to queries and additional FM tasks.

### **Case Study – Suffolk Fire and Rescue**

Following the recent contract award of Suffolk Fire and Rescue's FM service to their 24 retained Fire Stations we have successfully transferred (under TUPE) their previously in-house staff over to EFMS, this was undertaken in a professional way with compliments being made on the way this was handled by the EFMS Account Managers and Supervisors. The award of the contract followed an initial 1 year period of support work to the Fire Service where we supported ad hoc arrangements and covered sites with a mobile work force.

The major benefits that EFMS have brought to this contract are:

- Our Fire and Rescue client has a designated single point of contact
- The operatives delivering this contract for EFMS now have a dedicated and experienced line manager
- The Fire Service has regular contact with their FM provider
- Through us they have access to new technologies and equipment in order to undertake the requirements on this contract.

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