

Cabinet



Forest Heath
District Council

Title:	Agenda												
Date:	Tuesday 14 July 2015												
Time:	6.00 pm												
Venue:	Council Chamber District Offices College Heath Road Mildenhall												
Membership:	<p>Leader James Waters</p> <p>Deputy Leader Robin Millar</p> <table border="0"> <thead> <tr> <th><u>Councillor</u></th> <th><u>Portfolio</u></th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Robin Millar</td> <td>Families and Communities</td> </tr> <tr> <td>James Waters</td> <td>Planning and Growth</td> </tr> </tbody> </table>	<u>Councillor</u>	<u>Portfolio</u>	David Bowman	Operations	Stephen Edwards	Resources and Performance	Andy Drummond	Leisure and Culture	Robin Millar	Families and Communities	James Waters	Planning and Growth
<u>Councillor</u>	<u>Portfolio</u>												
David Bowman	Operations												
Stephen Edwards	Resources and Performance												
Andy Drummond	Leisure and Culture												
Robin Millar	Families and Communities												
James Waters	Planning and Growth												
Interests – Declaration and Restriction on Participation:	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.												
Quorum:	Three Members												
Committee administrator:	Sharon Turner FHDC Cabinet Officer/Committee Administrator Tel: 01638 719237 Email: sharon.turner@westsuffolk.gov.uk												

Agenda

Page No

Procedural Matters

Part 1 - Public

1. Apologies for Absence

2. Minutes

1 - 6

To approve as a correct record the minutes of the Cabinet meeting held on 2 June 2015 (attached).

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 District are invited to put one question/statement 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 wished to speak must register at least 15 minutes before the time the meeting is scheduled to start.

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

5. Report from the Performance and Audit Scrutiny Committee: 4 June 2015

7 - 12

Report No: **CAB/FH/15/027**

Portfolio Holder: Stephen Edwards

Chairman of the Committee: Colin Noble Lead Officer: Christine Brain

6. Report from the Overview and Scrutiny Committee: 11 June 2015

13 - 16

Report No: **CAB/FH/15/028**

Chairman of the Committee: Simon Cole Lead Officer: Christine Brain

	Page No
<p>7. Single Issue Review (SIR) of Core Strategy Policy CS7 and Site Specific Allocations (SSA) Local Plan - Consultation Documents</p> <p>Report No: CAB/FH/15/029</p> <p><i>(incorporating the recommendations arising from the Local Plan Working Group meeting held on 30 June 2015)</i></p> <p>Portfolio Holder: James Waters Chairman of the Local Plan Working Group: Rona Burt Lead Officer: Marie Smith</p>	17 - 66
<p>8. West Suffolk Operational Hub</p> <p>Report No: CAB/FH/15/030</p> <p>Portfolio Holder: David Bowman Lead Officer: Mark Walsh</p>	67 - 84
<p>9. Mildenhall Hub Project</p> <p>Report No: CAB/FH/15/031</p> <p>Portfolio Holder: James Waters Lead Officer: Alex Wilson</p>	85 - 98
<p>10. West Suffolk Facilities Management</p> <p>Report No: CAB/FH/15/032</p> <p>Portfolio Holder: David Bowman Lead Officer: Mark Walsh</p>	99 - 130
<p>11. Revenues Collection and Performance Write-Offs</p> <p>Report No: CAB/FH/15/033</p> <p>Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann</p>	131 - 134
<p>12. Joint ARP Debt Management and Recovery Policy</p> <p>Report No: CAB/FH/15/034</p> <p>Portfolio Holder: Stephen Edwards Lead Officers: Rachael Mann and Jo Andrews</p>	135 - 156
<p>13. West Suffolk Sundry Debt Management and Recovery Policy</p> <p>Report No: CAB/FH/15/035</p> <p>Portfolio Holder: Stephen Edwards Lead Officers: Rachael Mann and Jo Howlett</p>	157 - 174
<p>14. Decisions Plan: July 2015 to May 2016</p> <p>Report No: CAB/FH/15/036</p> <p>To consider the most recently published version of the Cabinet's Decisions Plan</p> <p>Portfolio Holder: James Waters Lead Officer: Ian Gallin</p>	175 - 186

15. Exclusion of the 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 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

16. Exempt Appendices: West Suffolk Facilities Management (para 3) 187 - 190

Exempt Appendices D and E to Report No: **CAB/FH/15/032**
Portfolio Holder: David Bowman 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)

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

17. Exempt Appendices: Revenues Collection Performance and Write-Offs (paras 1 and 2) 191 - 194

Exempt Appendices to Report No: **CAB/FH/15/033**
Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann

(This item is to be considered under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, as it contains information relating to an individual(s) and information which is likely to reveal the identity of an individual)

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

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 2 June 2015 at 6.00 pm at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters
Vice Chairman Robin Millar

David Bowman Stephen Edwards
Andy Drummond

In attendance: Rona Burt
 Simon Cole
 Colin Noble

63. **Apologies for Absence**

There were no apologies for absence.

64. **Minutes**

The minutes of the Cabinet meetings held on 17 March 2015 and 31 March 2015 were unanimously accepted as an accurate record and signed by the Leader.

65. **Open Forum**

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

66. **Public Participation**

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

67. **Report of the Anglia Revenues and Benefits Partnership Joint Committee: 19 March 2015 (Report No CAB/FH/15/021)**

The Cabinet received and noted Report No CAB/FH/15/021, 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.
- (8) Risk Based Verification.

With the vote being unanimous, it was

RESOLVED:

That the content of the report be noted.

**68. Recommendations of the Local Plan Working Group: 22 April 2015
(Report No CAB/FH/15/022)**

Councillor Rona Burt, the (Outgoing) Portfolio Holder for Planning, Housing and Growth and the (Outgoing) Chairman of the Local Plan Working Group presented this report which explained that on 22 April 2015, the Working Group had considered the following substantive item of business:

1. Regulation 18 Stage 'Further Issues and Options' Single Issue Review (SIR) and Site Specific Allocations (SIR) Local Plan Documents.

Councillor Burt also explained that as these consultation documents would now be presented to Cabinet on 14 July 2015, this would give the opportunity for these to also be considered by the Working Group prior to the Cabinet meeting.

With the vote being unanimous, it was

RESOLVED:

That:-

1. Progress made to the Core Strategy Single Issue Review (SIR) and Site Specific Allocations (SSA) Further Issues and Options Local Plan Documents be endorsed.
2. The Core Strategy Single Issue Review (SIR) and Site Specific Allocations (SSA) Further Issues and Options Local Plan Documents be prepared alongside the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) and be approved for public consultation.

**69. Revenues Collection and Performance Write-Offs
(Report No CAB/FH/15/023)**

The Cabinet Member for Resources and Performance presented this report, which sought approval for the write-off of uncollectable amounts in respect of Council Tax, Business Rates and Housing Benefit Overpayments. The specific reasons for recommending these write-offs, was included within the exempt Appendices 1, 2 and 3 to Report No CAB/FH/15/023.

The Cabinet Member also referred to paragraphs 3.2 and 3.3 of the report which set out the collection rates for both National Non Domestic Rates (NNDR) and Council Tax and explained that the figures within these paragraphs had been transposed and should actually read as follows:

*"3.2 As at 30 April 2015, the total National Non Domestic Rates (NNDR) billed Anglia Revenues Partnership on behalf of Forest Heath District Council (as the billing Authority) is £22.59m per annum. The collection rate as at 30 April 2015 was **10.44%** against a profiled target of **11.08%**."*

*"3.3 As at 30 April 2015, the total Council Tax billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (includes the County, Police and Parish precept elements) is just over £25m per annum. The collection rate as at 30 April 2015 was **11.80%** against a profiled target of **11.80%**."*

With the vote being unanimous, it was

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendices to Report No CAB/FH/15/023 be approved as follows:

1. Exempt Appendix 1: Council Tax totalling £4,506.78
2. Exempt Appendix 2: Business Rates totalling £84,870.46
3. Exempt Appendix 3: Housing Benefit Overpayments totalling £7,953.64

70. **West Suffolk Joint Pay Policy Statement 2015/2016
(Report No CAB/FH/15/024)**

The Cabinet Member for Resources and Performance presented this report which set out 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. Therefore, 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.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That the West Suffolk Joint Pay Policy Statement for 2015/2016 as contained in Appendix 1 to Report No CAB/FH/15/024, be approved.

71. **Annual Review and Appointment of the Cabinet's Working Group, Joint Committees/Panels and Other Groups (Report No CAB/FH/15/025)**

The Cabinet were requested to review the membership and Terms of Reference of its Working Group, Joint Committees/Panels and other Groups for the year 2015/2016. The existing Terms of Reference for each body was contained within Appendices A to E of the report.

With the vote being unanimous, it was

RESOLVED:

1. That:-

- (a) The Local Plan Working Group continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix A to Report No CAB/FH/15/025.
- (b) The Service Manager (Legal) be given delegated authority to appoint Members to the Local Plan Working Group, in line with the political balance requirements (see Section 1.4 of Report No CAB/FH/15/025), on the basis of nominations from the Group Leaders.
- (c) The future direction of the Local Plan Working Group, as outlined in Section 1.2.3 of Report No CAB/FH/15/025, be noted.

2. That:-

- (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 B, C D and E to Report No CAB/FH/15/025 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 of Report No CAB/FH/15/025, on the basis of political balance requirements, where appropriate (see Section 1.4 of Report No CAB/FH/15/025) and on the nominations from the Group Leaders.
- (c) Meetings of the Joint Steering Group and Panels set out in Section 1.3.1 of Report No CAB/FH/15/025, continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.4 of Report No CAB/FH/15/025.

3. That:-

- (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/FH/15/025, 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.
- (c) Following the adoption of the Joint Development Management Policies Document and subject to the approval of St Edmundsbury Borough 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.

4. That:-

- (a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2 of Report No CAB/FH/15/025.
- (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.

**72. Decisions Plan: June 2015 to May 2016
(Report No CAB/FH/15/026)**

The Cabinet considered Report No CAB/FH/15/026, which was the Cabinet Decisions Plan covering the period June 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.

73. Exclusion of the Press and Public

Refer to Minute No 74. below.

74. **Revenues Collection Performance and Write-Offs (paras 1 and 2)
(Appendices 1, 2 and 3 to Report No CAB/FH/15/017)**

The Cabinet considered Exempt Appendices 1, 2 and 3 to Report No CAB/FH/15/017, however, as no reference was made to specific detail, this item was not held in private session.

The Meeting concluded at 6.15 pm

Signed by:

Chairman

Cabinet



Forest Heath
District Council

Title of Report:	Report from the Performance and Audit Scrutiny Committee: 4 June 2015	
Report No:	CAB/FH/15/027	
Report to and date:	Cabinet	14 July 2015
Portfolio Holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Chairman of the Committee:	Colin Noble Chairman of the Performance and Audit Scrutiny Committee Tel: 07545 423795 Email: colin.noble@forest-heath.gov.uk	
Lead Officer:	Christine Brain Scrutiny Officer Tel: 01638 719729 Email: Christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 4 June 2015, the Performance and Audit Scrutiny Committee held an informal joint meeting with members of St Edmundsbury's Performance and Audit Scrutiny Committee, and <u>considered the first seven items jointly:</u></p> <ol style="list-style-type: none"> (1) Internal Audit Annual Report (2014-2015) and Outline Internal Audit Plan (2015-2016) (2) Annual Governance Statement (2013-2014) Action Plan Update (3) Key Performance Indicators and Quarter 4 Performance Report 2014-2015 (4) Performance Management Report 2015-2016; (5) West Suffolk Strategic Risk Register Quarterly Report – March 2015 	

	<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</p>
Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report No CAB/FH/15/027, being the report of the Performance and Audit Scrutiny Committee.
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<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>
Consultation:	<ul style="list-style-type: none"> • See reports listed in Section 2 below.
Alternative option(s):	<ul style="list-style-type: none"> • See reports listed in Section 2 below
Implications:	
Are there any financial implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers
Are there any legal and/or policy implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any equality implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Risk/opportunity assessment:	Please see background papers.
Ward(s) affected:	Please see background papers.
Background papers:	Please see background papers, which are listed at the end of the report.
Documents attached:	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/FH/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 publicised 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. The Committee also 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/FH/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/FH/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 Forest Heath, the final quarter four performance showed that of a total of 25 indicators, 7 were green, 7 were amber, 1 was 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/FH/15/009)**
 - 1.4.1 The Committee received and noted the report, which set out the Councils 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 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/FH/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 Forest Heath District Council and St Edmundsbury Borough 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/FH/15/011)**

- 1.6.1 The Committee receives 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/FH/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/FH/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/FH/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/FH/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 underspend of £39,000. 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 overspend of £1,608,000. 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 £7,819,000.
- 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/FH/15/015.

2. Background Papers

- 2.1.1 Report PAS/FH/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/FH/15/007 to the Performance and Audit Scrutiny Committee: West Suffolk Annual Governance Statement (2013-2014) Action Plan Update
- 2.1.3 Report PAS/FH/15/008 to the Performance and Audit Scrutiny Committee: Key Performance Indicators and Quarter 4 Performance Report 2014-2015
- 2.1.4 Report PAS/FH/15/009 to the Performance and Audit Scrutiny Committee: Performance Management Report 2015-2016
- 2.1.5 Report PAS/FH/15/010 to the Performance and Audit Scrutiny Committee: West Suffolk Strategic Risk Register Quarterly Report – March 2015
- 2.1.6 Report PAS/FH/15/011 to the Performance and Audit Scrutiny Committee: Biannual Corporate Complaints and Compliments Digest
- 2.1.7 Report PAS/FH/15/012 to the Performance and Audit Scrutiny Committee: Work Programme Update
- 2.1.8 Report PAS/FH/15/013 to the Performance and Audit Scrutiny Committee: Ernst and Young – Annual Certifications Report (2013-2014)
- 2.1.9 Report PAS/FH/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/FH/15/015 to the Performance and Audit Scrutiny Committee: Financial Outturn Report (Revenue and Capital) 2014-2015

Cabinet



Forest Heath
District Council

Title of Report:	Report from the Overview and Scrutiny Committee: 11 June 2015	
Report No:	CAB/FH/15/028	
Report to and date:	Cabinet	14 July 2015
Chairman of the Committee:	Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk	
Lead Officer:	Christine Brain Scrutiny Officer Tel: 01638 719729 Email: Christine.brain@westsuffolk.gov.uk	
Purpose of report:	On 11 June 2015, the Overview and Scrutiny Committee considered the following reports: (1) Overview and Scrutiny Draft Annual Report (2014-2015); (2) Decisions Plan: July 2015 to May 2016; and (3) Work Programme and Re-appointments to Task Group / Suffolk County Council Health Scrutiny.	
Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/15/028, being the report of the Overview and Scrutiny Committee.	
Key Decision: <i>(Check the appropriate box and delete all those that do not 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"/>	
Consultation:	<ul style="list-style-type: none"> • See reports listed in Section 2 below. 	
Alternative option(s):	<ul style="list-style-type: none"> • See reports listed in Section 2 below 	

Implications:	
Are there any financial implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers
Are there any legal and/or policy implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Are there any equality implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Risk/opportunity assessment:	Please see background papers.
Ward(s) affected:	Please see background papers.
Background papers:	Please see background papers, which are listed at the end of the report.
Documents attached:	None

1. Key issues and reasons for recommendation

1.1 Overview and Scrutiny Draft Annual Report (2014-2015) (Report No: OAS/FH/15/005)

1.1.1 The Committee received its tenth annual report on the activity of the Overview and Scrutiny Committee, which informed Members of the activity of the Committee carried out during the period May 2014 – April 2015.

1.1.2 The Committee considered the Draft Annual Report attached as Appendix 1 to Report OAS/FH/15/005 and **RECOMMENDS that full Council be asked to approve the Overview and Scrutiny Annual Report for 2014-2015.**

1.2 Decisions Plan: June 2015 to May 2016 (Report No: OAS/FH/15/006)

1.2.1 The Committee considered the latest Decisions Plan, covering the period June 2015 to May 2016. Members reviewed the Decisions Plan in detail and asked a number of questions to which the Director 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 St Edmundsbury Borough Council prior to any final decisions being made by Cabinet.

1.2.3 Members also discussed the Mildenhall Hub Project. The Director updated the Committee on the project, and it was suggested that the Committee might also wish to pre-scrutinise the project in January/February 2016.

1.2.4 The Committee **RESOLVED:**

1) That the following items from the Decisions Plan be considered jointly with St Edmundsbury Borough Councils Overview and Scrutiny Committee prior to being considered by Cabinet:

- i) West Suffolk Operational Hub; and**
- ii) Local Housing Investment Option**

2) That the Mildenhall Hub Project be scrutinised by the Committee in January / February 2016 prior to being considered by Cabinet.

1.3 Work Programme and Re-appointments to Task Groups / Suffolk County Council Health Scrutiny (Report No: OAS/FH/15/007)

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 St Edmundsbury'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 David Bimson; Ruth Bowman and Bill Sadler be 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. As Councillor David Bimson had been the District Council's representative for 2014-2015, and was keen to continue, the Committee **RECOMMENDS that full Council be asked to confirm the appointment of Councillor David Bimson to the Suffolk Health Scrutiny Committee for 2015-2016.**

1.3.4 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.

Members discussed the rolling work programme and noted that a report on a Car Parking Review was scheduled to be presented to the Committee on 23 July 2015. The Committee wished to seek clarification on the report to ensure that what was being proposed did not duplicate the work of the Newmarket Vision Group.

Finally, the Committee was advised that as from September 2015, Portfolio Holders would be invited and programmed to attend an Overview and Scrutiny Meeting during the year to give a short presentation on their portfolio. This would enable the Portfolio Holders and Overview and Scrutiny Members to have a dialogue and the chance to ask questions.

The Committee **noted** the annual items expected to be presented to the Committee during 2015/2016.

2. Background Papers

- 2.1.1 Report OAS/FH/15/005 to the Overview and Scrutiny Committee: Overview and Scrutiny Draft Annual Report (21014-2015)
- 2.1.2 Report OAS/FH/15/006 to the Overview and Scrutiny Committee: Decisions Plan: July 2015 to May 2016
- 2.1.3 Report OAS/FH/15/007 to the Overview and Scrutiny Committee: Work Programme and Re-appointments to Task and Finish Group / Suffolk County Council Health Scrutiny

Cabinet



Forest Heath
District Council

Title of Report:	Single Issue Review (SIR) of Core Strategy Policy CS7 and Site Specific Allocations (SSA) Local Plan - Consultation Documents	
Report No:	CAB/FH/15/029	
Report to and date:	Cabinet	14 July 2015
Portfolio holder:	James Waters Portfolio Holder for Planning and Growth Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Chairman of the Local Plan Working Group:	Rona Burt Chairman of the Local Plan Working Group Tel: 01638 712309 Email: rona.burt@forest-heath.gov.uk	
Lead officer:	Marie Smith Service Manager (Planning Strategy) Tel: 01638 719260 Email: marie.smith@westsuffolk.gov.uk	
Purpose of report:	On 30 June 2015, the Local Plan Working Group considered the following substantive items of business: 1. To endorse progress made on the Core Strategy Single Issue Review (CS SIR) and Site Allocations (SSA) Issues and Options Local Plan Documents for consultation. 2. To inform the final draft Core Strategy Single Issue Review (SIR) and Site Allocations Local Plan (SALP) Issues and Options documents for consultation	
Recommendation:	It is <u>RECOMMENDED</u> that: (1) Progress made to the Core Strategy Single Issue Review (CS SIR) and Site Allocations (SSA) Issues and Options Local Plan Documents be endorsed; and (2) The Core Strategy Single Issue Review (SIR) (Working Paper 1) and the Site Specific Allocations (SSA) Issues and	

	<p>Options (Working Paper 2) Local Plan Documents, Tables of Proposed Material Amendments (Working Papers 3 and 4) and accompanying Strategic Environmental Assessment (SEA)/Sustainability Appraisal (SA), together with supporting documents, be approved for public consultation.</p> <p>(3) The Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth, be authorised to make any minor typographical, factual, spelling and grammatical changes to these documents, provided that it does not materially affect the substance or meaning.</p>		
<p>Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><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"/></p>		
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:	<ul style="list-style-type: none"> • See Report No: LOP/FH/15/005 		
Alternative option(s):	<ul style="list-style-type: none"> • See Report No: LOP/FH/15/005 		
Implications:			
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>See Report No: LOP/FH/15/005</p>		
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>See Report No: LOP/FH/15/005</p>		
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>See Report No: LOP/FH/15/005</p>		
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>See Report No: LOP/FH/15/005</p>		
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>See Report No: LOP/FH/15/005</p>		
Risk/opportunity assessment:			
<p>Risk area</p>	<p>Inherent level of risk (before controls)</p>	<p>Controls</p>	<p>Residual risk (after controls)</p>
<p>See Report No: LOP/FH/15/005</p>			

Ward(s) affected:	All Wards in the District.
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	(Agenda Papers - Local Plan Working Group: 30 June 2015)
Documents attached:	<p><u>Working Paper 1:</u> Policy CS7 - Single Issue Review for Overall Housing Provision and Distribution 2011 – 2031 (Regulation 18: Issues and Options consultation)</p> <p><u>Working Paper 2:</u> Site Allocations Local Plan (Regulation 18: Issues and Options consultation) <i>(as presented to the Local Plan Working Group on 30 June 2015)</i> <i>(Working Paper 2 not attached, but can be viewed by accessing the links below:)</i></p> <p>(Report No LOP/FH/15/005: Working Paper 2)</p> <p>(Report No LOP/FH/15/005: Working Paper 2: Amended Site Allocations Plan - Brandon)</p> <p><u>Working Paper 3:</u> Table of proposed material amendments to the Core Strategy SIR document <i>(in relation to Working Paper 1 above)</i></p> <p><u>Working Paper 4:</u> Table of proposed material amendments to the Site Allocations Local Plan document <i>(in relation to Working Paper 2 above)</i></p>

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 The Forest Heath Core Strategy was adopted in May 2010. Following a successful High Court Challenge in May 2011, parts of policy CS7 detailing how the overall housing need would be distributed between the settlements over a 20 year period (to 2031) were quashed (removed from the Strategy). Consequential amendments were also made to policies CS1 (Spatial Strategy) and CS13 (Infrastructure and Developer Contributions).
- 1.1.2 The Site Allocations Local Plan (SALP) will identify which sites should be developed, in order to achieve the visions and objectives of the Core Strategy, including the outcomes of the Single Issue Review process which is specifically considering the quantum and distribution of housing growth. This Local Plan will provide a planning framework for the allocation of sites in Forest Heath district up to 2031.
- 1.1.3 **Working Paper 1** is the second 'Issues and Options' (Regulation 18) consultation document for the Core Strategy Single Issue Review. This document considers two options for the level of housing to be provided within the district from 2011 to 2031 and four reasonable alternative options for its distribution between towns and villages.
- 1.1.4 The Working Group considered the content of Working Paper 1 and Members expressed their general support for the options contained within the consultation document.
- 1.1.5 A table of proposed amendments to the draft Single Issue Review document was presented to the Working Group (attached as Working Paper 3) and Members expressed their support for the changes. In addition, three further changes to the document were proposed by the Working Group, which are included in the attached table of amendments.
- 1.1.6 **Working Paper 2** is the Site Allocations Issues and Options Local Plan (SALP) consultation document; it updates and supersedes the issues and options consultation undertaken in 2006.
- 1.1.7 The Working Group considered the content of Working Paper 2 and Members expressed their general support for the options contained within the consultation document.
- 1.1.8 A table of proposed amendments to the SALP document were presented to the Working Group (attached as Working Paper 4) and Members expressed their support for the changes. In addition, two further changes to the document were proposed by the Working Group, which are included in the attached table of amendments.

1.2 Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

- 1.2.1 A Sustainability Appraisal (SA) is a tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are

required for all local development documents. Strategic Environmental Assessment (SEA) is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

1.2.2 Consultants have been appointed to undertake the SA and SEA work in relation to the emerging Core Strategy SIR and SALP consultation documents. A full report setting out the findings of the SA and SEA will accompany the documents for consultation.

1.2.3 **Infrastructure**

A draft Infrastructure Delivery Plan (IDP) has also been prepared and accompanies the Core Strategy SIR and SALP documents. Following a workshop with infrastructure providers on 13 April 2015, the document begins to set out the infrastructure issues and requirements for the district. Comments can also be made on the draft IDP.

2. The Next Steps

2.1 Following approval of the consultation documents by Cabinet, the design and printing of the documents will take a further three weeks. Therefore consultation is planned from 11 August 2015 for an eight week period (ending 6 October 2015).

2.2 The Local Development Scheme (timeline for preparation) anticipates the following timeline:

- Further Regulation 18 consultation for both the Site Allocations and Core Strategy Single Issue Review in February / March 2016 putting forward the Councils preferred approach to housing distribution sites and other land use allocations;
- Final version of Pre Submission (Regulation 19) consultation for both documents taking place in August/September 2016;
- Submission to the Secretary of state in November 2016;
- The Examination in Public in February 2016; and
- Adoption in August 2017.

2.3 The change in consultation date for the Issues and Options consultation has meant an update to the Local Development Scheme is required and will be published on the Council's website, alongside the consultation documents, in August 2015.

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Forest Heath District Council
Single Issue Review (SIR) of
Core Strategy Policy CS7
Overall Housing Provision and Distribution
(Further) Issues and Options

2nd Regulation 18 stage
Consultation

August 2015



Forest Heath
District Council

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1. What is this consultation about?

- 1.1 Forest Heath District Council is planning for long term growth so that there is certainty in how and where our settlements will grow. This consultation document, on Core Strategy Policy CS7, is your opportunity to contribute to how Forest Heath will look and function in the future.
- 1.2 The purpose of this document is to stimulate debate by asking questions on the level of housing to be provided within the district, and possible options for its distribution between towns and villages. We welcome responses from both the public and statutory stakeholders.
- 1.3 Help in explaining some of the technical aspects is provided in the full glossary at Appendix A and in accompanying leaflets and consultation materials, available on line <http://westsuffolk.jdi-consult.net/localplan/>
- 1.4 This second Regulation 18 consultation updates and supersedes the issues and options consultation undertaken in 2012. This document will be subject to an 8 week period of statutory consultation between 11 August 2015 and 6 October 2015.
- 1.5 The consultation documents are available to view on the Council's website at <http://westsuffolk.jdi-consult.net/localplan/> Details of how to comment on this document are set out below.

Evidence which has helped inform this document

- 1.6 We have a number of documents that are based on research and evidence (listed below). We have used this evidence to develop the consultation options in this Single Issue Review.

Title of document	Purpose of document
Draft Infrastructure Delivery Plan (IDP)	Sets out the infrastructure issues and requirements for the district. Updates parts of the 2009 Infrastructure and Environmental Capacity Appraisal (IECA). (Infrastructure is things such as schools, roads, community facilities and open spaces) Comments on the draft IDP can be made on the Council's public consultation website at http://westsuffolk.jdi-consult.net/localplan/
Infrastructure and Environmental Capacity Appraisal (IECA)	Considers how much growth each settlement can take based on environmental and infrastructure constraints and the need for and means of providing and maintaining social, physical and environmental infrastructure to support growth in Forest Heath District. (Environmental constraints are things such as flood zones and nature conservation designations). The appraisal was produced in 2009 and is being partially updated by the IDP (see above).

	<p>The IECA can be viewed at http://www.westsuffolk.gov.uk/planning/Planning_Policies/backgroundpolicyevidence.cfm</p>
Strategic Housing Market Assessment (SHMA)	<p>A document which provides an objective measurable assessment of the need for all homes, including affordable homes, to inform local plan reviews.</p> <p>The Cambridge sub-region SHMA can be viewed at http://www.cambridgeshireinsight.org.uk/housing/shma/shma-current-version</p>
Strategic Housing Land Availability Assessment (SHLAA)	<p>This document is produced periodically to help demonstrate that the district has sufficient sites to meet demand for housing. It is a key evidence base for the Site Allocations document because it considers the status of all known housing sites within the district such as their availability, suitability and deliverability.</p> <p>The latest SHLAA can be viewed at http://westsuffolk.jdi-consult.net/localplan/</p>

Sustainability Appraisal and Habitats Regulations (Screening) Assessment

- 1.7 The Sustainability Appraisal (SA) is an appraisal of the economic, social and environmental sustainability of an emerging local plan, and alternatives. An interim SA Report is published alongside this consultation document, with a view to providing further information on the merits of the alternatives that are currently under consideration. The interim SA Report also explains how 'scoping' work was undertaken in early 2015, which included consultation on a Scoping Report (see <http://westsuffolk.jdi-consult.net/localplan/>). The Scoping Report draws together information about the district to establish a sustainability baseline and determine the key issues and objectives that should be a focus of SA.
- 1.8 The Habitats Regulations (SI No. 2010/490) require 'appropriate assessment' of land use plans that are likely to have a significant effect on a 'European site' (certain internationally designated wildlife habitats) either alone or in combination with other plans or projects. The options in this document have been subject to screening to determine whether they are likely to have a significant effect on any European site and hence whether 'appropriate assessment' will be required at a later stage in the plan-making process, if those options are taken forward. The process of screening and, if required, appropriate assessment under the Habitats Regulations is commonly referred to as Habitats Regulations Assessment (HRA) and the initial stage as HRA Screening. The HRA Screening Report

has been prepared by independent consultants LUC on behalf of the Council.

How to make comments

- 1.9 We ask that responses are made electronically visiting the council's public consultation website
<http://westsuffolk.jdi-consult.net/localplan/>
- 1.10 Alternatively, written responses will be accepted and a paper response form can be obtained by telephoning 01284 757368 or emailing
planning.policy@westsuffolk.gov.uk
- 1.11 Please return paper response forms/letters to:
- Strategic Planning Team
Forest Heath District Council
West Suffolk House
Western Way
Bury St Edmunds
IP33 3YU
- 1.12 When making a comment it is important to be as specific as possible, setting out the question you are referring to and your answer.
- 1.13 Please be aware that any representations made on this document will be available for everyone to view, regardless of whether they are submitted by post or online.
- 1.14 The questions are set out at various points within this document. If you wish to submit supporting material with your response it would be helpful if you can do so electronically and include a summary of the content within the question response.
- 1.15 Where there are groups who share a common view on an issue in the document, it would be helpful if that group could send in a single response indicating how many people it is representing and how the response has been authorised.

What happens next?

- 1.16 The responses to this consultation will help inform a further consultation document, which will set out the Council's preferred strategy for the level and distribution of housing across the district. This consultation is programmed to take place in early 2016.
- 1.17 Following this, a final draft of the Core Strategy Policy CS7 will be prepared, which the Council will submit to the Secretary of State for an independent planning examination. This final draft will be known as the Proposed Submission Document and when it is published in 2016 there will be another and final opportunity for the public and stakeholders to comment.

2. The Single Issue Review process

- 2.1. The Core Strategy is part of Forest Heath's Development Plan, a suite of planning documents that will eventually replace the Council's Local Plan (1995) saved policies, in accordance with the National Planning Policy Framework (NPPF (2012)).
- 2.2. The Core Strategy is the principal strategic document which provides an overall vision and framework for the growth of Forest Heath and is underpinned by the principle of sustainability. This Single Issue Review (SIR) of Core Strategy Policy CS7 was prompted by a successful High Court challenge, details in Appendix B, History of the Single Issue Review.
- 2.3. As a result, the Council was required to look again at certain parts of the Core Strategy CS7 that had been quashed by the High Court ruling and to reconsider the most appropriate locations for housing growth throughout the district. This process is termed a Single Issue Review (SIR) and requires all of the relevant legislative processes and procedures as identified within the Town and Country Planning (Local Planning) (England) Regulations 2012 to be followed.
- 2.4. Following the revocation of Regional Spatial Strategies (RSS) in January 2013, the Government made it clear that it was for each Local Authority to determine the right level of housing for their area. Specifically, the NPPF (2012) states Local Planning Authorities should:

"..use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period", (NPPF (2012) para. 47).

- 2.5. The NPPF (2012) also provides advice on Local Plans and in relation to housing it refers to a need for authorities to prepare a Strategic Housing Market Assessment or SHMA. Paragraph 47 states:

"to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- *meets household and population projections, taking account of migration and demographic change;*
- *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes;*
- *caters for housing demand and the scale of housing necessary to meet this demand". (NPPF (2012) para 159)*

- 2.6 Against a background of the assent of the Localism Act, the revocation of the RSS, and the requirements of the NPPF (2012), the Council resolved to widen the scope of the Single Issue Review to encompass all future options for the overall housing requirement for the District, as well as the distribution and phasing of housing across the district in order to comprehensively review Core Strategy Policy CS7
- 2.7 In July 2012, an initial Issues and Options consultation took place on the Core Strategy Single Issue Review. The results of this consultation, and Council comments to the responses received, can be viewed in a separate report on the Council's website called 'Core Strategy Single Issue Review – responses to 2012 representations'. <http://westsuffolk.jdi-consult.net/localplan/>

Anticipated timetable for the Single Issue Review (SIR)

Approximate Timetable	Reg. No.	Stage in Single Issue Review
July - September 2012	18	Initial Issues and Options Consultation
August – October 2015	18	Further consultation on Issues and Options
February – March 2016	18	Final consultation on Preferred Options
August – September 2016	19	SIR Proposed Submission document consultation
November 2016	22	Submission of SIR document to the Secretary of State
February 2017	24	Examination in Public into 'soundness' of SIR
June 2017	25	Inspector's Report into 'soundness' of the SIR
August 2017	26	Adoption of SIR document by the Council and incorporation into the Development Plan for the district.

*The timetable above is based on the July 2015 Local Development Scheme

3. Evidence of local housing needs

- 3.1 The Council now has the responsibility for setting the district's housing requirement. This target must be set in the context of a collaborative approach, with a duty to co-operate, as set out in the NPPF (2012). The evidence that has helped us develop options for meeting a full and objective assessment of local housing need to 2031, (thereby meeting needs for the next 15 years) is set out below.

Strategic Housing Market Assessment (2012 update)

- 3.2 The NPPF (2012) para. 159, gives advice on Local Plans in relation to housing and refers to a need for authorities to prepare a Strategic Housing Market Assessment (SHMA). Updates to this document take into account any emerging patterns and trends in the housing market. The SHMA provides an assessment of the housing market across the Cambridge sub-region, which includes Forest Heath. The SHMA identifies housing need in the sub region by forecasting population growth and looking at factors such as housing stock condition, dwelling profile, occupation, vacancy rates, property prices, the rental market, homelessness, affordability, and drivers in the housing and building markets.
- 3.3 The most recent SHMA update (2013), has been informed by Cambridgeshire County Council's Population, Housing and Employment Forecasts technical report produced for the sub-region, which indicates a total net annual need of **350** dwellings for Forest Heath in the period 2011-2031, or **7000** homes in total.
- 3.4 The local authorities in the sub-region (including Forest Heath) have signed a Memorandum of Understanding agreeing that the housing requirement figures in the updated SHMA represent the agreed level of provision by district, in order to meet the overall identified need for additional housing within the Cambridge Sub Region Housing Market Area.

How many new homes do we need to provide?

- 3.5 The SHMA derived Objectively Assessed Need (OAN) sets a housing requirement figure of 7000 market and affordable houses, (referred to as 'all homes') in the district in the plan period 2011-2031.
- 3.6 In addition, the SHMA separately calculates the affordable need for the district. It identifies the current affordable need (update 2014) for new affordable homes (excluding supply from re-letting and re-sales from existing stock) in the district at 2703 dwellings. In light of Government policy the Council needs to consider whether meeting the requirement for 7000 dwellings will be sufficient to meet the full and objectively assessed needs for both market and affordable housing (2703 homes).

- 3.7 The identified affordable need of 2703 homes is higher than can be delivered on 7000 homes through affordable housing policy CS9. However the two assessments of need (SHMA 'all homes' and affordable need) were not intended to be compared in this way and were calculated using different methodologies, in particular the 2703 figure includes within it existing unmet need of some 1694 homes.
- 3.8 This plan-led affordable provision will be predominantly delivered by market-led development, (with the exception of rural exception housing schemes). To meet the full affordable need of 2703 would require an uplift which may not be achievable in practice when taking account of sites available, suitable and deliverable, the market/viability considerations and sustainability issues including the district's environmental constraints.
- 3.9 It is therefore important that the Council explores whether or not the 'all homes' figure of 7000 dwellings can be stretched to enable more of the affordable needs to be met. This is considered as an option later in this section, and is supported by evidence in the accompanying SIR technical paper available on the Council's website at <http://westsuffolk.jdi-consult.net/localplan/>. Firstly we have set out what housing provision has already been built or committed in the plan period 2011-2014.

RAF Mildenhall

- 3.10 On 8 January 2015 the US Office of the Secretary of Defense announced that the US will be withdrawing from the UK airbases in Mildenhall, Alconbury and Molesworth. The announcement also confirmed growth at RAF Lakenheath. The USAF functions which are currently held at RAF Mildenhall will move to RAF Lakenheath and other bases both in the UK and overseas. The US Office of the Secretary of Defense has indicated that the withdrawal from RAF Mildenhall will commence in 2019 and be complete by around 2022.
- 3.11 The divestment of all USAF services from RAF Mildenhall will see 3200 USAF personnel leave as part of their normal relocation cycle. The two additional F-35A squadrons at RAF Lakenheath will mean an increase of approximately 1200 USAF personnel at RAF Lakenheath. This is a net loss of 2000 USAF personnel and does not include their dependents, non-military US staff, UK Ministry of Defence staff or civilian employees.
- 3.12 There is currently uncertainty as to the future use of the RAF Mildenhall base and given the length of the runway at RAF Mildenhall, the British Ministry of Defence (MOD) have been given the opportunity to consider if they might have a defence need for the site. This may have an impact on the affordable housing need and possibly the overall housing need. The council will continue to

work with the Cambridge sub-region to understand any consequences to plan for the district post 2020.

Housing provision already planned for or built

3.13 Housing completions from 1 April 2011 to 31 March 2014 are 939 dwellings. Sites with outstanding planning permission at 31 March 2014 total 762 dwellings. This indicates 1700 (rounded) have already either been built or are planned to be built. Any further planning consents arising after 31 March 2014, will be taken into account when preparing the Site Allocations Local Plan.

Homes built or planned from 1 April 2011 to 31 March 2014	Homes
a. Actual net dwelling completions 2011 – 2014	939
b. Committed large and small sites (with planning permission at 31 March 2014)	762
Total	1,701

3.14 Taking account of what has already been built or planned for, (and making an allowance for windfall) shows that the number we need to plan for will be lower than the overall target housing provision. Where there are commitments it's assumed they will be built out, even if the permission lapses, there's an agreement the site is suitable and permission would be renewed if there is no material change in policy circumstances.

Options for housing provision

3.15 The options for the growth of the district need to take into account the evidence referred to in this plan and accompanying SIR technical paper and present realistic options for housing provision. Two reasonable options have been identified;

Options for housing provision

	Overall number of homes each year	Overall number of homes over 20 years (2011-2031)	Homes already built or planned (as at 31 March 2014)	Additional homes required 2011 -2031
Option 1 The 'all homes' housing requirement of the SHMA (2013)	350	7000 homes	1700	5300
Option 2 Uplift for affordable housing (+10%)	385	7700 homes	1700	6000

Option 1: Core Strategy Policy CS7

Forest Heath plans to provide 7000 dwellings in the period 2011-2031 or 350 homes each year.

- 3.16 Option 1 would provide the number of 'all homes' planned for in the SHMA 2013 update. This option already includes provision to meet affordable housing need, as they are included as part of the 'all homes' requirement.
- 3.17 If we plan to deliver 7000 homes and apply policy CS9 this alone will not be able to meet the full affordable needs of 2703 homes. Given the environmental, delivery and other constraints referred to in para 3.8, there are clearly challenges ahead in trying to meet the full affordable housing need through the plan led process. Affordable housing provision remains a key priority of the council which is supported through other mechanisms, such as through rural exception schemes and those set out in the joint housing strategy 2015-2018.
http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/WestSuffolkHousingStrategy.pdf

Pros

- this would address the 'all homes' requirement set out in the SHMA (2013);
- this would accord with meeting the housing provision agreed with the local authorities in the SHMA sub-region;
- this annual rate of growth is considered reasonable based on previous annual delivery rates.

Cons

- this option would fall short of meeting the full or more of the affordable needs in the district.

Option 2: Core Strategy Policy CS7

Forest Heath plans to provide 7700 dwellings in the period 2011-2031 or 385 homes each year.

- 3.18 Option 2 proposes a 10 per cent increase on the SHMA 'all homes' requirement in order to address more of the affordable need. This equates to an additional 700 homes, of which 210 could be additional affordable units, based on achieving 30% affordable provision under policy CS9.

- 3.19 If we apply the Council's affordable housing policy CS9 to a provision of 7700 homes, although it will meet more of the affordable needs than option 1, it is not likely to be able to achieve the full 2703 affordable homes needed.
- 3.20 It is not considered reasonable to consult on a higher growth option at this time. The sites are not available and the settlement constraints, including environmental constraints (the European designation Special Protection Area), equine protection policy and large amount of Flood Plain make the higher growth options unachievable.

Pros

- this option would meet more of the affordable housing needs than option 1;
- this would more than address the 'all homes' requirement set out in the SHMA (2013).

Cons

- although providing more affordable dwellings, this option would still fall short of meeting the full affordable needs in the district;
- this would result in more market housing than required by the SHMA, as the affordable provision will be delivered through market housing, which could affect housing delivery planned for elsewhere in the sub region;
- this level of growth would be hard to deliver, as it is higher than annual average rate over the previous 10 years, only exceeded during housing boom in 2007/08 and 2009/10;
- the level of growth would be difficult to deliver due to the significant environmental constraints in the district.

Question 1: Which of the two options for growth do you think we should plan for and why? Please provide evidence to support your answer where appropriate.

4. Environmental constraints to housing growth

- 4.1 One of the core planning principles of the NPPF (2012) paragraph 17 is to:

'Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations for land should prefer land of lesser environmental value, where consistent with other policies in this Framework'

- 4.2 Almost 50 per cent of Forest Heath District is designated for nature conservation value, with three sites designated at the European level, 27 nationally important Sites of Special Scientific Interest (SSSI) and over 70 County Wildlife Sites. The international sites include the Breckland Special Protection Area (SPA), and Special Area of Conservation (SAC).
- 4.3 There are also many features of geological, archaeological and historic interest which contribute to the character of the district and should be protected from damage where development takes place.
- 4.4 In addition, large areas of land in the district fall within Flood Zones 2 and 3 and there are aircraft noise constraints (based on 1994 data) due to the large airbases at RAF Mildenhall and RAF Lakenheath. However, it is important to note that flightpaths may change as a result of the announcement to close USAF Mildenhall, and restructure activities at USAF Lakenheath, over the next 5 to 7 years.
- 4.5 Ideally, the distribution of housing in the district would not impact on any environmental constraints. However, the level of housing to be provided means it is inevitable that some of the growth will need to be on land which is environmentally constrained in some way. The challenge is to ensure that where this occurs, adequate mitigation can be put in place to ensure no adverse effects are caused to the features of environmental interest. The key environmental constraints to growth in each settlement are summarised below;

Brandon

- 4.6 Brandon is designated as market town in Core Strategy Policy CS1. However, further growth in the town is significantly constrained by:
- European site designations for stone curlew, woodlark and nightjar. The special protection area and its buffer zones are described in the Core Strategy. This results in only limited settlement expansion in Brandon without first demonstrating mitigation for the presence of the various protected species;

- there is traffic congestion in Brandon. This could be resolved by the provision of a relief road. However, the recent highways improvement to the A11 may lessen the congestion currently experienced in the town, such that the bypass is not considered necessary, therefore the need for such a road is dependant upon further highway evidence. The building of a relief road is dependent on firm funding commitments and mitigation of the environmental/habitat constraints. Any such scheme would also involve the participation and support of Breckland District and Norfolk and Suffolk County Councils;
- airbase noise constraints to the south of Brandon as a consequence of aircraft landing at and taking off from RAF Lakenheath;
- land within Flood Zones 2 and 3 to the north of the settlement along the Little Ouse river according to the Environment Agency's mapping.
- a site of special scientific interest (SSSI) lies to the south and east of Brandon;
- Brandon is surrounded by an extensive area of forest, Brandon Country Park and High Lodge Forest Centre.

4.7 Because of the environmental constraints in Brandon, it is not considered reasonable at this time to consult on a medium or high level of growth in the settlement. Higher growth in Brandon could only be considered if it can be demonstrated that there are no adverse effects of the development on the integrity of the SPA through the Habitat Regulations Assessment process, as set out in Core Strategy Policy CS2.

Mildenhall

4.8 Mildenhall is also a market town and is also a sustainable location for new development, albeit it is constrained by:

- the special protection area (SPA) designations for stone curlew, nightjar and woodlark. Very limited settlement expansion is possible to the east of the settlement without first demonstrating appropriate mitigation for the presence of the protected species;
- aircraft noise constraints to the north of the town associated with RAF Mildenhall airbase flight paths;
- a significant area of land to the south of the settlement that lies within Flood Zones 2 and 3 according to data provided by the Environment Agency.

Newmarket

4.9 Newmarket is a market town and is a sustainable location for new development, albeit it is tightly constrained by;

- there is a significant area of land within Flood Zones 1 or 2 running north/ south through the middle of the settlement;

- settlement expansion is significantly constrained by the Horse Racing Industry and its associated land uses. Other policies within the Local Plan seek to safeguard the racing industry and its assets;
- land to the east and south-west of the settlement is within the Newmarket Heath Site of Special Scientific Interest (SSSI);
- The need to carefully manage the movements of vehicles and horses within the town itself.

Lakenheath

4.10 Lakenheath is designated as a key service centre in Core Strategy Policy CS1 and is a sustainable location for new development, albeit it is constrained by:

- European site designations for stone curlew. The special protection area (SPA) and its buffer zones are described in the Core Strategy and limit possible settlement expansion in Lakenheath without first demonstrating mitigation for the presence of various protected species);
- historic information indicates there are noise constraints to the south of Lakenheath due to aircraft landing at and taking off from RAF Lakenheath. These are shown on the constraint maps. More recent evidence submitted with planning applications in the settlement indicates the aircraft noise affects a wider extent of the village. As the aircraft noise constraint data is updated it will be used to inform the determination of planning applications and local plan;
- land within Flood Zones 2 and 3 to the north, west and south of the settlement, according to the Environment Agency's mapping;
- Maids Cross Hill Local Nature Reserve and Site of Special Scientific Interest (SSSI) lies to the south east of Lakenheath;
- a special area of conservation (SAC) zone lies to the south-east of Lakenheath;
- a county wildlife site (CWS) lies to the east of Lakenheath;
- there is a Ministry of Defence (MOD) safeguarded zone around the airbase;
- there is a Conservation Area in the centre, along with a number of listed buildings.

Red Lodge

4.11 Red Lodge is a key service centre and is a sustainable location for new development, albeit it is constrained by:

- European site designations for the stone curlew. The special protection area and its buffer zones are described in the Core Strategy. In effect this limits possible settlement expansion in Red Lodge to the east without first demonstrating mitigation for the direct and indirect impacts of development on the specified protected species;

- land within Flood Zones 2 and 3 runs along the River Kennett where it coincides with the district boundary to the south of the settlement according to the Environment Agency's mapping;
- Red Lodge Heath to the south of Turnpike Road is a 21 hectare site of special scientific interest (SSSI) within the existing settlement boundary;
- the A11 runs to the north-west of the settlement and forms a physical boundary to existing development;

Beck Row

4.12 Beck Row is a primary village, where small scale housing growth will be appropriate to meet local needs. Constraints to growth include:

- there are aircraft noise constraints to the north and south as a consequence of aircraft landing at and taking off from both RAF Lakenheath and RAF Mildenhall;
- to the west of the settlement there are areas of land within Flood Zones 2 and 3;
- there is a local nature reserve, also identified as an area of archaeological importance in the centre of the settlement;
- the A1101 forms a physical boundary to the south and confines any further development;
- coalescence should be avoided with the settlement of Holywell Row, lying to the east of Beck Row;

Exning

4.13 Exning is a primary village, where small scale housing growth will be appropriate to meet local needs. Constraints to growth in Exning include:

- land within Flood Zones 2 and 3 running north/south through the settlement and also to the east of the settlement boundary.

Kentford

4.14 Kentford is a primary village, where small scale housing growth will be appropriate to meet local needs. Constraints to growth in Kentford include:

- land within Flood Zones 2 and 3 running north/south through the settlement.
- Habitats Regulations designations for stone curlew. The habitats protection buffers are described in the Core Strategy in Policy CS2 and the effect is that very limited settlement expansion is possible to the south and east without demonstrating mitigation for the presence of the protected species.

West Row

4.15 West Row is a primary village, where small scale housing growth will be appropriate to meet local needs. Constraints to growth in West Row include:

- aircraft noise constraints to the north, associated with both RAF Lakenheath and RAF Mildenhall airspace flight paths;
- land to the south of the settlement lies within Flood Zones 2 and 3 of the River Lark (according to data provided by the Environment Agency);
- potential for settlement coalescence with Thistley Green to the west and/or Mildenhall to the east.

Question 2: Are the constraints identified for each settlement an accurate reflection of the existing situation?

Question 3: Are there any other constraints you feel should be listed in the settlement sections above?

5. Housing distribution options

- 5.1 Having looked at how many new homes we need to provide, and the unique character and constraints of Forest Heath, the challenge is to establish an appropriate strategy for the distribution of housing within the district.
- 5.2 The settlement hierarchy (see below) in Core Strategy Policy CS1 is based on the services, facilities and capacities within the settlements to accommodate additional growth.

Core Strategy Policy CS1: Categorisation of Forest Heath Settlements

<u>Market towns</u>	<u>Key service centres</u>	<u>Primary villages</u>
Brandon Mildenhall Newmarket	Lakenheath Red Lodge	Beck Row Exning Kentford West Row
<u>Secondary villages</u>	<u>Small settlements</u>	
Barton Mills Elveden Eriswell Freckenham Gazeley Holywell Row	Icklingham Moulton Tuddenham Worlington	Cavenham Dalham Herringswell Higham Santon Downham
N.B Sustainable Military Settlements are not included		

Settlement capacity

- 5.3 The Infrastructure and Environmental Capacity Appraisal (IECA, 2009), prepared by Nathaniel Lichfield and Partners (NLP), considered the environmental capacity of market towns, key service centres and primary villages and the need for and means of providing and maintaining social, physical and environmental infrastructure to support growth in Forest Heath for the periods to 2021. The appraisal suggests that, in very broad terms, the district is capable of sustaining such a level of growth set out in the two options in section 3 of this document. This evidence is being updated/supplemented by the draft Infrastructure Delivery Plan (IDP). <http://westsuffolk.jdi-consult.net/localplan/>
- 5.4 In addition, the most recent Strategic Housing Land Availability Assessment (SHLAA), anticipated to be published in July 2015, indicates, again in broad terms, that there are a sufficient number of relatively unconstrained sites across the district to deliver the two options for housing growth.

Developing the options

- 5.5 The challenge for the Council is to consider the options for distributing development across the district, bearing in mind the need to eventually put in place a strategy that is deliverable, and consistent with local and national policies. The options that follow have all taken into consideration the following issues;
- the need for the distribution of growth to accord with national and local policy, in particular the existing settlement hierarchy in Core Strategy Policy CS1
 - the high number of environmental constraints in the district
 - known infrastructure constraints
 - the availability of land to meet the distribution options
- 5.6 During the early development of the options, the Council consulted key infrastructure providers (water, transport, utilities, education, health etc.) to assess the implications of possible distribution scenarios on their services. A summary of their responses has been included as evidence in the draft Infrastructure Delivery Plan <http://westsuffolk.jdi-consult.net/localplan/> which has been used to assist in the assessment of sustainability implications during the production of the Sustainability Appraisal accompanying this document.
- 5.7 The next few pages set out four potential options for the distribution of housing across the district. The level of growth apportioned to each settlement has been classed as either low, medium, high or very high. The levels of growth are relative to the size of the settlement (the existing numbers of homes in the settlement/housing stock). These broad growth ranges, and percentage increase in housing stock, are shown on the maps for each option. These ranges, and what they mean in terms of a percentage increase of the overall housing in the settlement, are also set out below for information:

Level of growth	Percentage increase in existing housing stock
Low growth	Between 1-10% increase in existing housing stock
Medium growth	Between 10-15% increase in existing housing stock
High growth	15% + increase in existing housing stock
Very high growth	50% increase in existing housing stock

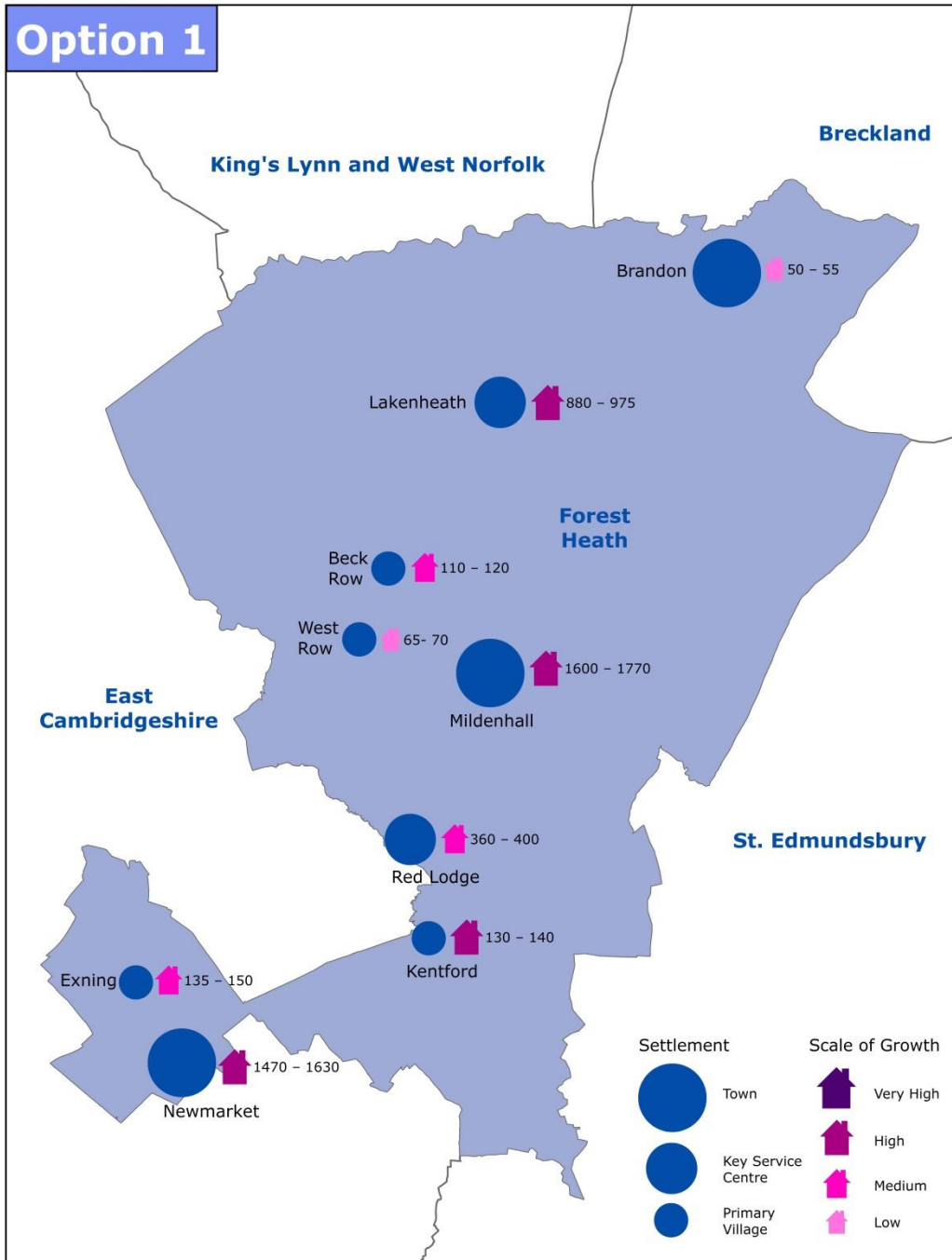
- 5.8 Information around the context of the levels of growth in relation to each settlement can be found in the Single Issue Review technical paper which accompanies this consultation document Plan <http://westsuffolk.jdi-consult.net/localplan/>. The technical paper also provides background evidence as to why some of the growth options have not been shown in some of the settlements. This may be because the settlement has particular constraints which make a higher level of growth unachievable, or because existing recent planning permissions/resolutions of grant planning permission have already provided a certain level of growth.

- 5.9 It is important to recognise that the options that follow are subject to ongoing testing to determine whether they can deliver the required level of housing in a sustainable manner. For example, delivering a very high level of new homes in Red Lodge through a planned extension would need additional infrastructure and services for the community to increase the sustainability of the settlement, and appropriate mitigation measures to ensure that the additional housing would not have a significant adverse effect on the Breckland Special Protection Area.
- 5.10 It must also be recognised that the final distribution option could be a combination of these four options, or may change as a result of information received as part of this consultation. It is also important to bear in mind that further housing will also come from unallocated sites, known as 'windfalls', which are schemes which comply with general local plan policies, for example for redeveloping derelict sites, finding a new use for empty buildings, or utilising infill plots within settlements.

Please note that on the maps on the following pages, the locations are indicative, not exact, and the houses are not to scale.

Option 1 – Focus on Mildenhall, Newmarket and Lakenheath

This option recognises the environmental constraints at Brandon, and focuses growth on Mildenhall, Newmarket and Lakenheath. Levels of growth in the primary villages would be high in Kentford, which relates to permissions already approved in the village, and medium in Beck Row and Exning, which again relates to existing planning approvals. Growth would be low in West Row. Further detail on how existing planning approvals have affected the growth options for each settlement can be found in the Single Issue Review technical report which accompanies this document.



Pros

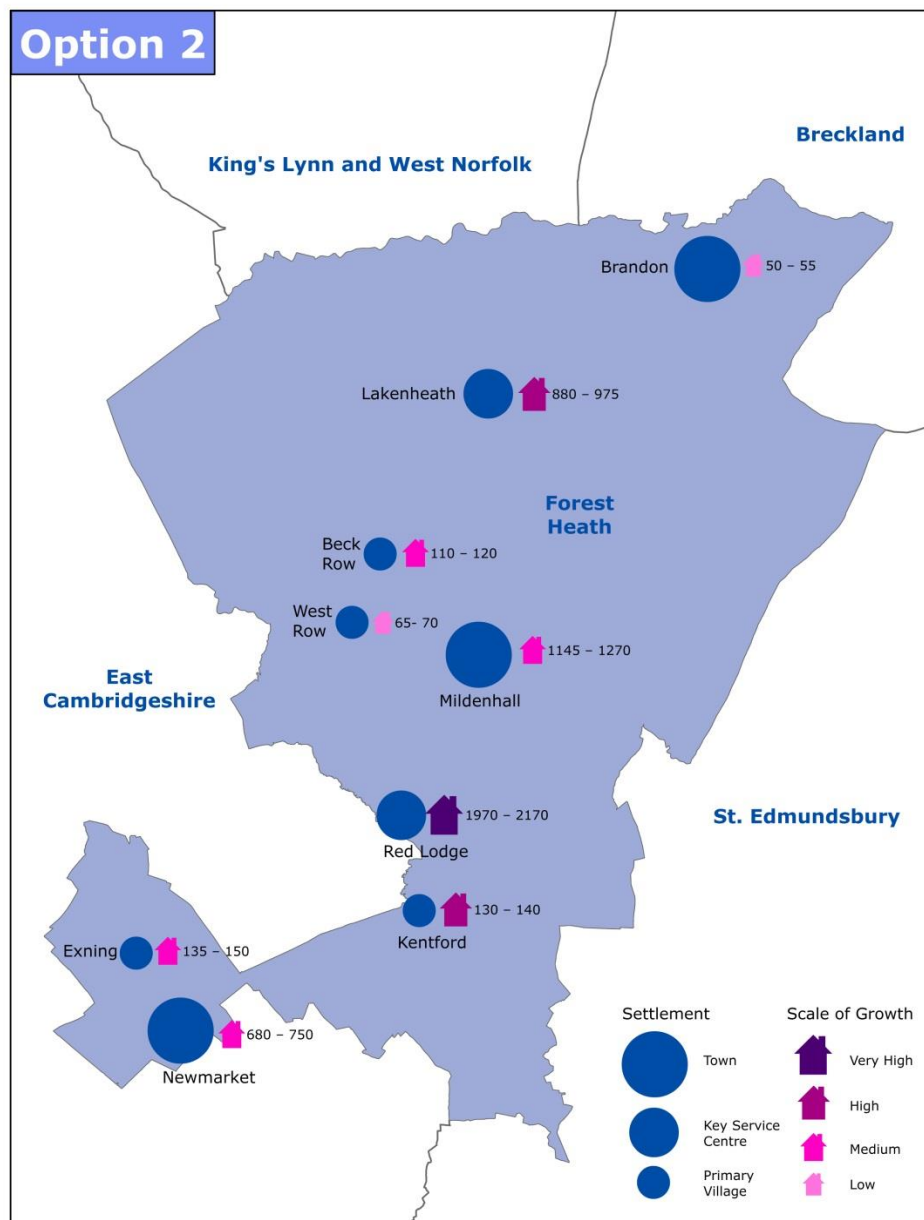
- growth would be concentrated in Mildenhall and Newmarket where a good range of key services and facilities already exist;
- the environmental designations around Brandon would be protected from the negative effects of development;
- focusing growth on settlements higher up in the settlement hierarchy of Core Strategy Policy CS1 is a sustainable approach to distributing most housing and affordable homes. It reflects the fact sites in these locations have greater potential for being larger than 10 units, the new threshold at which affordable provision can be secured;
- the opportunity and viability of public transport use will be optimised;
- the length of journeys by private car will be reduced due to the close location of homes to areas of existing and new employment in Mildenhall and Newmarket.

Cons

- there could be an adverse effect on areas of environmental importance around Lakenheath;
- growth in Newmarket would have to take into account the need to protect the Horse Racing Industry;
- primary villages with some services and facilities would receive limited additional development to help retain and/or improve them;
- the low level of additional growth proposed in Brandon would limit opportunities for the regeneration of the town;
- there is a risk that relying on a few larger sites with high infrastructure requirements would not deliver homes fast enough to maintain a 5 year housing land supply.

Option 2 – Focus on Lakenheath and Red Lodge, with a planned extension at Red Lodge and medium growth at Mildenhall and Newmarket

This option sees high levels of growth at both Lakenheath and Red Lodge. This option assumes Red Lodge has the capacity to expand with a second planned extension to the village. There would be medium levels of growth at Mildenhall and Newmarket (with the low level of growth at Brandon that reflects the environmental constraints). Levels of growth in the primary villages would be high in Kentford which relates to permissions already approved in the village, and medium in Beck Row and Exning, which again relates to existing planning approvals. Growth would be low in West Row. Further detail on how existing planning approvals have affected the growth options for each settlement can be found in the Single Issue Review technical report which accompanies this document.



Pros

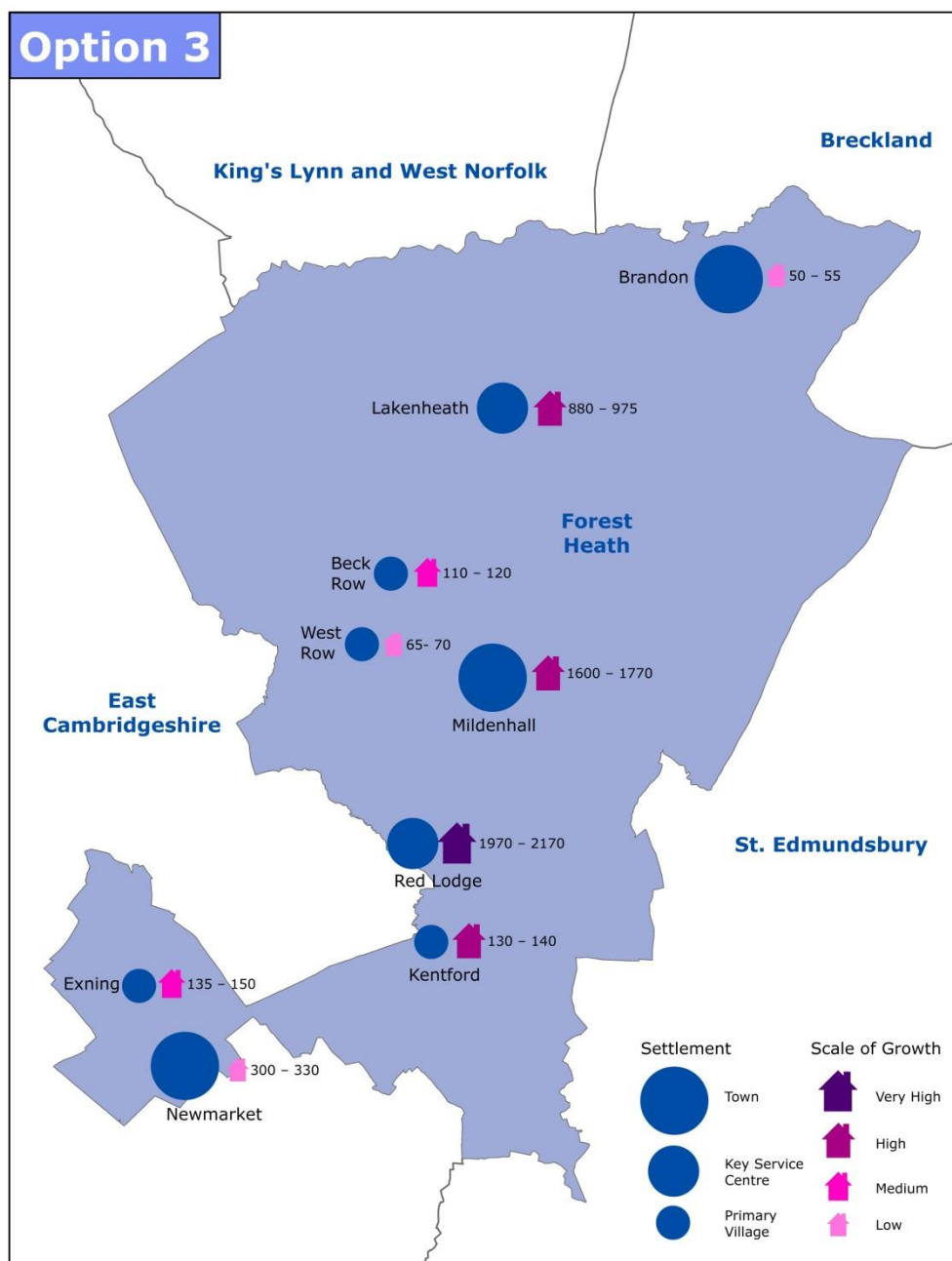
- distributing further growth to Red Lodge would improve the sustainability of the settlement and provide additional infrastructure and services for the community;
- there would be opportunities for a holistic approach to design and infrastructure, particularly in relation to the higher growth at Red Lodge;
- as each of the settlements in this option grow, existing and new local services and facilities (in addition to other types of infrastructure) can be provided and supported, making the settlements themselves more self-sufficient and ultimately sustainable;
- the environmental designations around Brandon would be protected from the negative effects of development.

Cons

- there could be an adverse effect on areas of environmental importance around Lakenheath;
- timescales and funding for the infrastructure required to support this level of growth are untested, particularly in relation to Red Lodge. Growth over the plan period may result in capacity issues/short term pressure on infrastructure and services;
- primary villages with some services and facilities would receive limited additional development to help retain and/or improve them;
- the low level of additional growth proposed in Brandon would limit opportunities for the regeneration of the town;
- there is a risk that relying on a few larger sites with high infrastructure requirements would not deliver homes fast enough to maintain a 5 year housing land supply.

Option 3 – Focus on Red Lodge, with a planned extension and focus on Lakenheath and Mildenhall with lower growth in Newmarket

This option would meet the district’s housing requirements by allocating higher levels of growth at Red Lodge. This option assumes Red Lodge has the capacity to expand with a second planned extension to the village. There would also be high growth at Lakenheath and Mildenhall. Levels of growth in the primary villages would be high in Kentford which relates to permissions already approved in the village, and medium in Beck Row and Exning, which again relates to existing planning approvals. Growth would be low in West Row, as no planning permissions have been approved since 2011. Further detail on how existing planning approvals have affected the growth options for each settlement can be found in the technical report which accompanies this document.



Pros

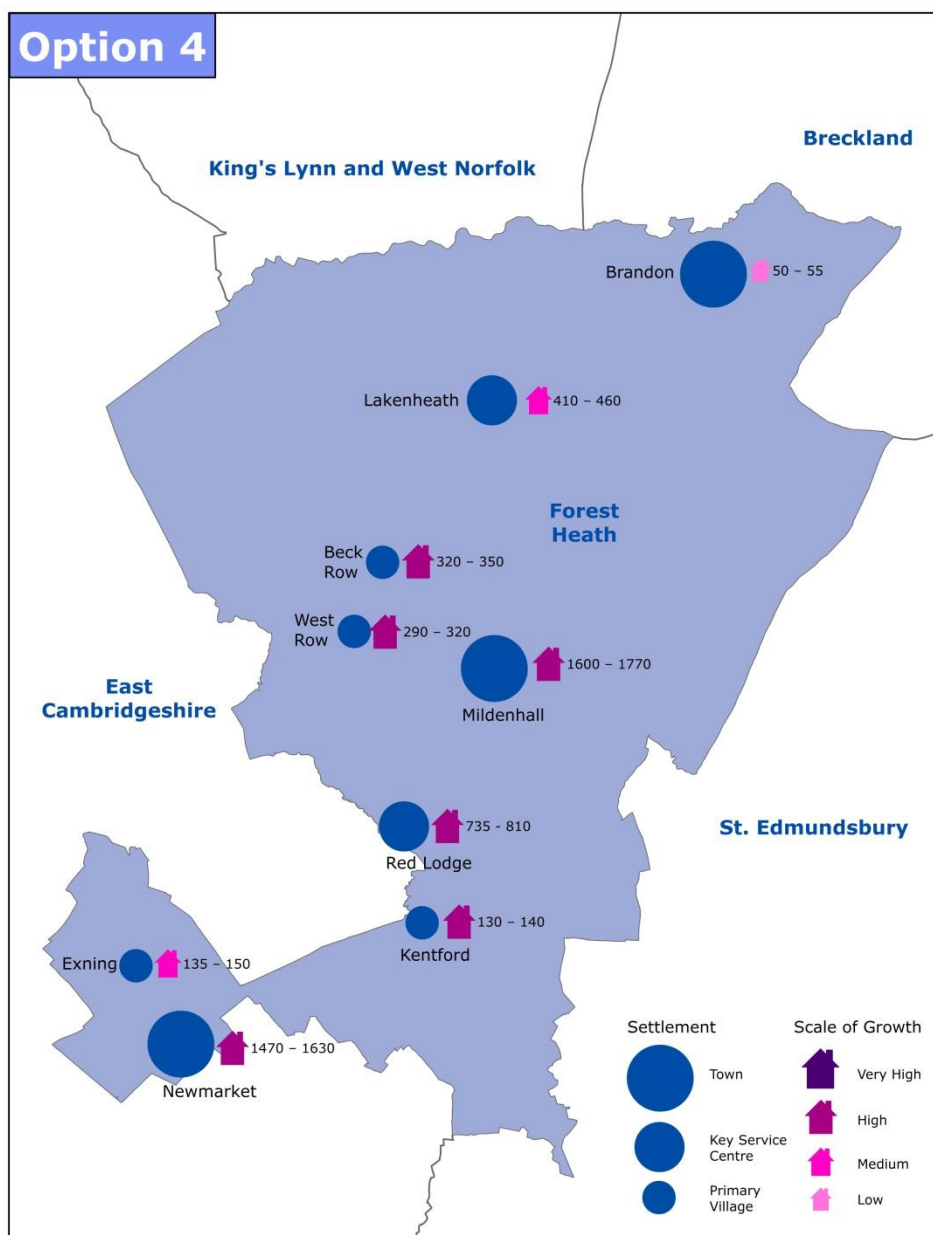
- distributing further growth to Red Lodge would improve the sustainability of the settlement and provide additional infrastructure and services for the community;
- there would be opportunities for a holistic approach to design and infrastructure, particularly in relation to the higher growth at Red Lodge.
- a large proportion of the growth would be directed to the sustainable market town of Mildenhall;
- the environmental designations around Brandon would be protected from the negative effects of development.

Cons

- an increase in development in Lakenheath could adversely impact on the important environmental designations surrounding the settlement;
- primary villages with some services and facilities would receive limited additional development to help retain and/or improve them;
- the low level of additional growth proposed in Brandon would limit opportunities for the regeneration of the town;
- timescales and funding for the infrastructure required to support this level of growth are untested, particularly in relation to Red Lodge;
- there is a risk that relying on a few larger sites with high infrastructure requirements would not deliver homes fast enough to maintain a 5 year housing land supply;
- lack of housing in Newmarket could result in more vehicle movements on approach roads coming into the town to access services.

Option 4 – Focus on Mildenhall, Newmarket and Red Lodge with more growth in those primary villages with capacity

This option would meet the district’s housing requirements by broadly following the hierarchy of settlements set out in Core Strategy Policy CS1 focussing the higher levels of growth in the most sustainable settlements (with the exception of the constrained low level at Brandon). This means higher levels of growth at Mildenhall, Newmarket and Red Lodge, with medium growth in Lakenheath and the two larger primary villages of Beck Row and West Row. Levels of growth would be high in Kentford which relates to permissions already approved in the village, and medium in Exning, which again relates to existing planning approvals. Further detail on how existing planning approvals, since 2011, have affected the growth options for each settlement can be found in the technical report which accompanies this document.



Pros

- focusing growth on settlements higher up in the settlement hierarchy of Core Strategy Policy CS1 is a sustainable approach to distributing most housing and affordable homes. It reflects the fact sites in these locations have greater potential for being larger than 10 units, the new threshold at which affordable provision can be secured;
- growth would be concentrated in Newmarket and Mildenhall where a good range of key services and facilities already exist;
- the opportunity and viability of public transport use will be optimised;
- the length of journeys by private car will be reduced due to the close location of homes to areas of existing and new employment in Newmarket and Mildenhall.
- there would be opportunities for a holistic approach to design and infrastructure, particularly in relation to the higher growth at Newmarket and Mildenhall;
- higher growth at the primary villages of Beck Row and West Row could help provide affordable housing;
- the environmental designations around Brandon would be protected from the negative effects of development;
- the opportunity and viability of public transport use will be optimised;
- the length of journeys by private car will be reduced due to the close location of homes to areas of existing and new employment in Newmarket and Mildenhall.

Cons

- growth in Newmarket would have to take into account the need to protect the Horse Racing Industry;
- an increase in development in Lakenheath and West Row could adversely impact on the important environmental designations surrounding the settlement;
- the low level of additional growth proposed in Brandon would limit opportunities for the regeneration of the town;
- timescales and funding for the infrastructure required to support this level of growth is untested;
- there is a risk that relying on a few larger sites with high infrastructure requirements would not deliver homes fast enough to maintain a 5 year housing land supply.
- growth would potentially be directed to a greater number of smaller sites in the primary villages of Beck Row and West Row which could reduce the

possibility of a development being financially capable of providing additional community benefits alongside housing growth;

- would result in some housing being in not particularly sustainable locations in terms of transport (West Row and Beck Row).

6. Summary of distribution options and questions

The table below summarises the four distribution options. The numbers in brackets are the number of new homes that could be provided under each option. The housing stock figures are included for information under each settlement in the table. As stated in section 5, the Single Issue Review technical paper which accompanies this document sets out further information on the how the broad ranges have been calculated and explains how existing planning approvals have affected the growth options for each settlement.

Level of growth	Percentage increase in existing housing stock
Low growth	Between 1-10% increase in existing housing stock
Medium growth	Between 10-15% increase in existing housing stock
High growth	15% + increase in existing housing stock
Very high growth	50% increase in existing housing stock

Summary of distribution options				
Settlement	1. Focus on Mildenhall, Newmarket and Lakenheath	2. Focus on Lakenheath and Red Lodge, with a planned extension at Red Lodge and medium growth at Mildenhall and Newmarket	3. Focus on Red Lodge, with a planned extension and focus on Lakenheath and Mildenhall with lower growth in Newmarket	4. Focus on Mildenhall, Newmarket and Red Lodge with more growth in those primary villages with capacity
Brandon (2014 housing stock 4669)	Low growth (50 – 55)	Low growth (50 – 55)	Low growth (50 – 55)	Low growth (50 – 55)
Mildenhall (2014 housing stock 5617)	High growth (1600 – 1770)	Medium growth (1145 – 1270)	High growth (1600 – 1770)	High growth (1600 – 1770)
Newmarket (2014 housing stock 8167)	High growth (1470 – 1630)	Medium growth (680 – 750)	Low growth (300 – 330)	High growth (1470 – 1630)

Summary of distribution options				
Settlement	1. Focus on Mildenhall, Newmarket and Lakenheath	2. Focus on Lakenheath and Red Lodge, with a planned extension at Red Lodge and medium growth at Mildenhall and Newmarket	3. Focus on Red Lodge, with a planned extension and focus on Lakenheath and Mildenhall with lower growth in Newmarket	4. Focus on Mildenhall, Newmarket and Red Lodge with more growth in those primary villages with capacity
Lakenheath (2014 housing stock 2756)	High growth (880 – 975)	High growth (880 – 975)	High growth (880 – 975)	Medium growth (410 – 460)
Red Lodge (2014 housing stock 2760)	Medium growth (360 – 400)	Very high growth (1970 – 2170)	Very high growth (1970 – 2170)	High growth (735 – 810)
Beck Row (2014 housing stock 2786)	Medium growth (110 – 120)	Medium growth (110 – 120)	Medium growth (110 – 120)	High growth (320 – 350)
West Row (2014 housing stock 776)	Low growth (65- 70)	Low growth (65- 70)	Low growth (65- 70)	High growth (290 – 320)
Exning (2014 housing stock 967)	Medium growth (135 – 150)	Medium growth (135 – 150)	Medium growth (135 – 150)	Medium growth (135 – 150)
Kentford (2014 housing stock 293)	High growth (130 – 140)	High growth (130 – 140)	High growth (130 – 140)	High growth (130 – 140)

Question 4: Please rank the distribution scenarios in order of your preference. 1 for most preferred and 4 for least preferred.

Question 5: Are there any other distribution options that you think are viable and sustainable alternatives to those we have suggested?

Appendix A: Glossary of Terms

Adoption – the final confirmation of a local plan document as having statutory (legal) status for implementation by a local planning authority (LPA).

Agricultural Land Classification - classifies agricultural land into five categories according to versatility and suitability for growing crops. The top three grades (Grade 1, 2 and 3a) are referred to as 'best and most versatile' land and enjoy significant protection from development. Grade 4 and 5 are described as poor quality agricultural land and very poor quality agricultural land.

Amenity Open Space – an area that is primarily of visual importance but may also be used for recreation either formally or informally.

Annual Monitoring Report (AMR) – report produced every year on the progress of preparing the local plan and the extent to which policies within it are being achieved.

Breckland Special Protection Area and Special Area of Conservation - See SPA

Buffer zones – Policy CS2 of the Core Strategy defines buffer zones outside of the Breckland SPA where development could have an impact on protected species. Where it can not be concluded that development in these buffers would not result in a significant effect on the SPA, development would not be allowed.

Brownfield land – also known as previously developed land, this is land which is or was occupied by a permanent structure (excluding agricultural or forestry buildings).

Cambridge sub region Housing Market Area - The Cambridge housing sub-region is made up of seven district councils; five in Cambridgeshire and two in Suffolk:

- Cambridge
- East Cambridgeshire
- Fenland
- Huntingdonshire
- South Cambridgeshire
- Forest Heath (Suffolk)
- St Edmundsbury (Suffolk).

Conservation Area – areas of special architectural or historic interest that we want to preserve the character, appearance and/or setting of.

Core Strategy – outlines the key principles regarding the development and use of land within a local planning authority's area.

Core Strategy Policy CS1: Spatial Strategy - provides a broad indication of the overall scale of development in the district.

Core Strategy Policy CS2: Natural Environment – provides protection for the wealth of conservation interests in the district.

Core Strategy Policy CS7: Overall housing provision – This policy was quashed as a result of the high court challenge and is being reviewed through the Single Issue Review.

Core Strategy Policy CS9: Affordable housing provision – sets out the policy requirements for affordable housing in the district in relation to new development.

Core Strategy Policy CS13: Infrastructure and Developer contributions – provides guidance on infrastructure requirements in relation to new development.

County Wildlife Site (CWS) – this designation is non-statutory but is recognition of a site's high value for wildlife, with many sites being of county and often regional or national importance. They often support characteristic or threatened species and habitats included in Local and National Biodiversity Action Plans.

Curtilage – the area immediately adjoining and around a residential dwelling. Note: not all garden or land within the same ownership is necessarily the 'curtilage' for planning purposes and discussion with the authority is recommended to establish matters in each circumstance.

Development Management – The term applied to the consideration and determination of planning applications by a local planning authority (LPA).

Development Plan – the statutory development plan comprises the development plan documents contained in an authority's Local Plan.

Development Plan Document (DPD) – development plan documents include adopted Local Plans and Neighbourhood Plans.

Infrastructure and Environmental Capacity Appraisal (IECA) – this study considers the environmental capacity of settlements and the need for and means of providing and maintaining social, physical and environmental infrastructure to support growth in Forest Heath District and St Edmundsbury Borough areas.

Flood Risk Assessment (FRA) - an assessment of the risk of flooding, particularly in relation to residential, commercial and industrial land uses. The Environment Agency requires a Flood Risk Assessment (FRA) to be submitted alongside planning applications in areas that are known to be at risk of flooding (within flood zones 2 or 3) and/or are greater than 1 hectare.

Flood Zones - Flood Zones refer to the probability of a river or the sea flooding, ignoring the presence of defences. The zones are shown on the Environment Agency's Flood Map available to view via their webpages.

Greenfield land – land (or a defined site) which has never been built on before or where the remains of any structure or activity have blended into the landscape over time (opposite of brownfield).

Gypsies and Travellers – defined under the Housing Act (2004) as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependent's educational or health needs or old age, have ceased to travel temporarily or permanently and all other persons with a cultural tradition of nomadism and/or caravan dwelling.

Habitats Directive - a European Union Directive adopted in 1992 as an EU response to the Berne Convention. It is one of the EU's two directives in relation to wildlife and nature conservation, the other being the Birds Directive.

Habitats Regulation Assessment (HRA) – an assessment undertaken to consider and appraise the likely impact of a plan or project upon designated sites of nature conservation importance.

Horse Racing Industry (HRI) – a term applied to the unique assembly of horse racing related interests concentrated in and around Newmarket.

Housing Settlement Boundary/defined settlement – these represent the development limits of residential areas within which development proposals would be acceptable subject to complying with other policies contained in the development plan. They seek to prevent development from gradually extending into the surrounding countryside.

Housing Stock – The total number of houses/flats in an area

Infrastructure Delivery Plan (IDP) – a document setting out the infrastructure issues and requirements for the district to facilitate growth within a given plan period.

Issues and Options – documents produced during the early stages in the preparation of development plan documents and issued for consultation.

Joint Development Management Policies Document (JDMPD) – the document containing policies that are used in day-to-day development management decision making in Forest Heath and St Edmundsbury areas.

Key Service Centre – a higher order settlement, as defined in the Forest Heath 2010 Core Strategy. The services and facilities available in key service centres include some if not all of: a convenience shop, public transport, health care, primary school and access to employment opportunities.

Listed Building – this is a building that has been placed on the Statutory List of Buildings of Special Architectural or Historic Interest.

Local Development Scheme (LDS) – this sets out a programme for the preparation of local plan documents. It is a project management tool that identifies which documents are to be prepared, the various stages required in their production together with a detailed timetable.

Localism Act – The Localism Act introduces a number of changes to planning, including the abolition of Regional Spatial Strategies and the introduction of neighbourhood plans.

Local Plan (LP) – the name for the portfolio of local development documents. It consists of development plan documents, supplementary planning documents, a Statement of Community Involvement, the local development scheme and annual monitoring reports. Together these documents will provide the framework for delivering the spatial planning strategy for the districts.

Local Plan (1995) saved policies – Policies in the 1995 Local Plan that have been 'saved' until the adoption of the new Local Plan. The saved policies can be seen at www.westsuffolk.gov.uk/fhlocalplan

Local Planning Authority (LPA) - the public authority whose duty it is to carry out specific planning functions for a particular area. For West Suffolk this is Forest Heath District Council and St Edmundsbury Borough Council.

Local Wildlife Site (LWS) – these are areas which are important for the conservation of wildlife. They may support threatened habitats, such as chalk grassland or ancient woodland, or may be important for the wild plants or animals which are present.

Market Town - the highest order of settlement as defined in the Forest Heath Core Strategy. These contain a range of service, facilities and amenities and act as transport hubs.

Material consideration - a factor which will be taken into account when reaching a decision on a planning application or appeal. Under Section 38 of the Planning and Compulsory Purchase Act 2004, decisions on planning applications 'must be made in accordance with the (development) plan unless other material considerations indicate otherwise'.

Ministry of Defence (MOD) – that part of the Government responsible for matters of defence.

National Planning Policy Framework (NPPF (2012)) - designed to consolidate all policy statements, circulars and guidance documents into a single, simpler National Planning Policy Framework. The new 2012 framework is intended to be user-friendly and accessible with clear policies for making robust local and neighbourhood plans and development management decisions.

National Planning Practice Guidance (NPPG) – online suite of national planning guidance intended to elucidate on sections of the national planning policy as contained in the National Planning Policy Framework (NPPF).

Nature Reserve - a protected area of importance for wildlife, flora, fauna or features of geological or other special interest, which is reserved and managed for conservation and to provide special opportunities for study or research.

Neighbourhood Plans – a plan prepared by a parish council or neighbourhood forum for a particular neighbourhood area made under the Planning and Compulsory Purchase Act 2004.

Objectively Assessed Needs (OAN) - The housing that households are willing and able to buy or rent, either from their own resources or with assistance from the state (Planning Advisory Service definition, June 2014)

Preferred Options – documents produced as part of the preparation of development plan documents and issued for formal public participation. The document shows the preferred 'direction', but not the final version, of a development plan document.

Primary Village – a lower order settlement that provides basic level services as defined in the Forest Heath 2010 Core Strategy.

Regionally Important Geological Sites (RIGS) - commonly referred to by their acronym RIGS, these are locally designated sites of local, national and regional importance for geodiversity (geology and geomorphology) in the United Kingdom.

Scheduled Ancient Monument (SAM) - a scheduled monument is a 'nationally important' archaeological site or historic building given protection against unauthorised change.

SI No. 2010 / 490 - The Conservation of Habitats and Species Regulations 2010.

Single Issue Review (SIR) – Forest Heath's Core Strategy (as adopted in 2010) was the subject of a High Court Order in 2011 which essentially quashed the distribution and phasing of housing delivery for Forest Heath as this appeared within Core Strategy Policy CS7 of the document. The Council resolved to revisit all aspects of Core Strategy Policy CS7 (to include a reassessment of overall growth for the district) from the initial Issues and Options stage - a process termed as Single Issue Review.

Site Allocations Local Plan (SALP) – Allocates sites for homes, jobs and community facilities.

Site of Special Scientific Interest (SSSI) – this is a conservation designation denoting a protected area in the United Kingdom.

Site Specific Allocation Policies – policies that relate to the allocation of land for development. Policies will identify specific requirements for individual proposals. The sites themselves will be shown on a Policies Map.

Special Areas of Conservation (SAC) – this is a designation under the European Union Directive on the conservation of wild birds. Under the Directive, Member States of the European Union (EU) have a duty to safeguard the habitats of migratory birds and certain particularly threatened birds. Together with special protection areas (SPAs) the SACs form a network of protected sites across the EU called Natura 2000.

Special Protection Area (SPA) and Special Area of Conservation (SAC) – this is a designation under the European Union Directive on the conservation of wild birds. Under the Directive, Member States of the European Union (EU) have a duty to safeguard the habitats of migratory birds and certain particularly threatened birds. Together with special areas of conservation (SACs) the SPAs form a network of protected sites across the EU called Natura 2000.

Special Protection Area (SPA) components – these are the sites of special scientific interest (SSSI) which make up and underpin the special protection area designation

Strategic Environment Assessment (SEA) – the European Strategic Environment Assessment Directive (2001/42/EC) requires an assessment of certain plans and programmes including those related to planning and land-use.

Strategic Housing Market Assessment - a document which provides an objective assessment of the need for all homes, as well as for affordable homes, to inform local plan reviews.

Strategic Housing Land Availability Assessment (SHLAA) - one of the principal documents used in the preparation of the Site Allocations document. This document is produced periodically to help demonstrate that the district has sufficient sites to meet demand and it is a key evidence base for the Site Allocations document insofar as it considers the 'status' of all known sites within the district i.e. their availability, suitability and deliverability.

Supplementary Planning Documents (SPD) – documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites or on particular issues such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the formal development plan (see above).

Sustainable Military Settlements - RAF Lakenheath and RAF Mildenhall, where military air base development will be restricted to operational need including necessary related facilities.

Sustainability Appraisal (SA) – this is a tool for appraising policies to ensure that they reflect sustainable development objectives. An appraisal is required by legislation for all local plans and many SPDs.

Tree Preservation Order (TPO) - a tree preservation order is an order made by a local planning authority in England to protect specific trees, groups/areas of trees or woodlands in the interests of amenity.

USAF – United States Air Force

Windfall sites - sites which have not been specifically identified as available in the local plan process. They normally comprise previously developed sites that have unexpectedly become available.

Appendix B: History of the Single Issue Review

1. The table below identifies the evolution of the Core Strategy and the Single Issue Review documents to date.

The Core Strategy and Single Issue Review time-line

Date	Stage in Core Strategy, (and SIR), Preparation
September - October 2005	Issues and Options Consultation
October - December 2006	Preferred Options Consultation
August - September 2008	Final Policy Option Consultation
March - June 2009	Proposed Submission Document Publication Period
August 2009	Submission of the Core Strategy to the Secretary of State, (SoS).
December 2009 - January 2010	Examination in Public, (EiP), considers the soundness & legal compliance of the Core Strategy LP and its preparation process.
April 2010	Inspectors report on Examination received with Core Strategy LP being found 'Sound'.
May 2010	The Core Strategy LP was adopted by Full Council.
June 2010	'Legal' challenge to the adopted Core Strategy LP lodged with the High Court.
February 2011	High Court Hearing in London
March 2011	High Court 'Order' received - Challenge successful and the majority of Core Strategy Policy CS7 is revoked with consequential amendments being made to Policy CS1 & CS13. Ruling prompts this 'Single Issue Review'.
July-September 2012	First Policy CS7 Single Issue Review Issues and Options consultation
August-October 2015	Second Policy CS7 Single Issue Review Issues and Options consultation

2. The adopted Core Strategy (2010) was challenged in the High Court. The judgment of the High Court was delivered on 25th March 2011. The Judge concluded that although the Council had followed the procedural stages for the Strategic Environmental Assessment, the Council had failed to provide adequate information and explanation of the choices made to demonstrate that it had tested all reasonable alternatives for residential growth in relation to a broad location for such growth at north-east Newmarket.

3. The judgment ordered the quashing (removal) of certain parts of Policy CS7, with consequential amendments being made to Policies CS1 and CS13. Essentially, the High Court Order removed the spatial distribution of housing numbers and phasing of delivery across the district. This left the Council with an overall number of new dwellings that it needed to provide land for and a settlement hierarchy of where growth should be directed to (Policy CS1), but no precise plans for where these dwellings should be located and when they should be built.

**TABLE OF PROPOSED MATERIAL AMENDMENTS TO SINGLE ISSUE
REVIEW OF CORE STRATEGY POLICY CS7****(Material amendments tabled at the Local Plan Working Group on 30
June 2015)**

Page / section	Change
Cover	Amend title of document to; "Single Issue Review (SIR) of Core Strategy Policy CS7 Overall Housing Provision and Distribution" Update publication date as appropriate.
	Executive summary to be inserted into full consultation version
P2	Table of contents, update with new section titles / page numbers
P3 S1	Amend title to 'What is this consultation about?'
P3 S1.3	Insert new paragraph referencing the glossary at Appendix A and where to find additional information
P6 S2	Amend title to 'The Single Issue Review process'
P6 S2.3	Remove 2.3 to 2.6 to Appendix B, 'History of the Single Issue Review' and amend last sentence in 2.2 to direct to this information.
P9 S3	Amend title to 'Evidence of local housing needs'
P10 S3.7	Rewrite paragraph to give clarity to the difference between the SHMA 'all homes' and affordable homes need
P11 S3.12	Change title under para 3.12 to 'Housing provision already planned for or built'
P12 S3.17	Rewrite paragraph to give clarity on why the full affordable need is difficult to achieve. Refer to housing strategy and add link. Detailed figures on likely supply of affordable homes will be set out in the SIR technical paper
P12 S3.17	Delete second bullet under heading pros.
P13 S3.18	Amend reference to affordable could be 210 units based on achieving 30% affordable provision (CS9)
P13 S3.19	Rewrite paragraph to indicate this option not likely to meet the full affordable need. Detailed figures on likely supply of affordable homes will be set out in the SIR technical paper
P 20,28,29	Remove colour coding on growth ranges key and table
P25	Delete text 7 rows down, 'as no planning permissions have been approved since 2011'
Maps inserted	P22 Option1 / p23 Option2 / p25 Option3 / p26 Option 4
P28	Insert double line between Newmarket and Lakenheath and Red Lodge and Beck Row to denote different categories of settlement

(N.B pages numbers relate to Local Plan Working Group version)

(Further material amendments as proposed by the Local Plan Working Group on 30 June 2015)

Page / section	Change
SIR technical report	In the Single Issue Review technical report, include details of why not all settlements have been shown each of the growth options low/medium/high/very high.
P3 S1.5	Delete paragraphs 1.5 and 1.6 and include the information in a table, also showing other key evidence documents that have informed this document, with simple explanation of their purpose and links to their locations on the web.
P12	Under Option 2, add the relevant 'pros' already listed under option 1.

(N.B page numbers relate to the updated Cabinet version, attached as Working Paper 1 to this report)

**TABLE OF PROPOSED MATERIAL AMENDMENTS TO SITE ALLOCATIONS
LOCAL PLAN (SALP)****(Amendments tabled at the Local Plan Working Group on 30 June 2015)**

Page / section	Change
Cover	Update publication date as appropriate.
	Executive summary to be inserted into full consultation version
P2	Table of contents, update with new section titles / page numbers
P5	At bottom of page amend consultation date to 'August/October 2015'
P12 S3.3	Delete last sentence which reads 'It is necessary to provide the public and stakeholders with the opportunity to comment on all sites to assist the Council in moving forward to the next stage of identifying preferred sites.'
P12 - table	Amend end of sentence in 3 rd row of table to read: '...if adjacent to towns, key service centres and primary villages they will be considered by the settlement boundary review.'
P17, 66, 139, 173, 220, 264, 314, 327, 358.	Amend first Question to read: 'Do you consider additional growth should take place with the necessary infrastructure improvements? Please give reasons for your answer.'
P17 S4.1.7	Amend text and insert table to include a recently validated application for up to 1,650 dwellings, (1270 within Forest Heath) a relief road and associated development (ref. DC/15/1072/OUT) on site B/17 Land to the West of Brandon. (See also P46-48)
P19	Add site B/27 to amended Brandon Potential Site Options map as a pink potential site option. Show application area DC/15/1072/OUT as purple on B/17.
P29	Replace aerial photo of site B/07 with aerial photo of B/06
P46-48	Amend text and aerial photo to reflect recently validated application for up to 1,650 dwellings, (1270 within Forest Heath) a relief road and associated development (ref. DC/15/1072/OUT) on site B/17 Land to the West of Brandon.
P59	Insert new site pro-forma and aerial photo for site B/27 Land off London Road.
P172 S5.1.7	Amend second and third sentences to read: '...three of which have a resolution by the council to grant permission (sites L/13, L/26, L/35). Four are pending consideration and have not been considered at planning committee (L/15, L/22, L/36 and combined L19/25/27).'
P263 - table	Amend number of dwellings proposed for site BR/03 Land adjacent to Smoke House Inn, Skeltons Drove to 150.
P327	Add note to site K11 Land at Animal Health Trust, Landwades below table to state: 'As development has commenced site K11 will not be put forward

Page / section	Change
	as an allocation’.
P328	On ‘All sites allocations map’ colour site K/02 (Meddler Stud) blue and add in key ‘Potential site option subject to current planning appeal.’
P406	Add definitions of the following terms to the Glossary of Terms: Settlement Boundary Review, Red Lodge Master Plan, Gypsy and Traveller Accommodation Needs Assessment.

(Further material amendments to Site Allocations Local Plan, as proposed by the Local Plan Working Group on 30 June 2015)

Page / section	Change
P5	Include a sentence in the ‘call for sites’ paragraph about how the council is particularly interested in receiving information about available brownfield sites in the district
P65	Include a paragraph on the potential closure of RAF Mildenhall and possible implications

Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Operational Hub	
Report No:	CAB/FH/15/030	
Report to and date:	Cabinet	14 July 2015
	Council	15 July 2015
Portfolio holder:	David Bowman Portfolio Holder for Operations Tel: 07711 593737 Email: david.bowman@forest-heath.gov.uk	
Lead officer:	Mark Walsh Head of Operations Tel: 01284 757300 Email: mark.walsh@westsuffolk.gov.uk	
Purpose of report:	<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>	
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <ol style="list-style-type: none"> (1) the contents of this report and the summarised feedback from pre-application consultation be noted; (2) further pre-application consultation to include the site selection be approved; and (3) subject to the approval of full Council, funding of £180,000, as detailed in Section 4 of Report No: CAB/FH/15/030, be 	

	approved (£98,000 FHDC and £82,000 SEBC).		
Key Decision:	<p><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"/></p> <p><i>As approval for funding is required by full Council, this is not constituted a Key Decision as it is not a Cabinet decision.</i></p>		
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:	<ul style="list-style-type: none"> Through pre-application consultation and any subsequent planning application. 		
Alternative option(s):	<ul style="list-style-type: none"> Covered in previous reports. 		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> Outlined in section 4.
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> Land transactions, procurement and planning process.
Are there any equality implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (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
Ward(s) affected:		All Wards	
Background papers: <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 - Hyperlink to report Forest Heath District Council report CAB/FH/15/001 dated 17 February 2015 - Hyperlink to reports pack St Edmundsbury Borough Council report CAB/SE/15/015 dated 10 February 2015 - Hyperlink to reports pack Suffolk County Council report to Cabinet dated 24 February 2015 agenda item 8 - Hyperlink to report	
Documents attached:		Appendix A – 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.

Nature of response	Number of	Percentage
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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Forest Heath
District Council

Title of Report:	Mildenhall Hub Project	
Report No:	CAB/FH/15/031	
Report to and date:	Cabinet	14 July 2015
Portfolio holder:	James Waters Leader of the Council and Portfolio Holder for Planning and Growth Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Alex Wilson Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	
Purpose of report:	To update Cabinet on progress with the Mildenhall Hub Project and identify next steps.	
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <ol style="list-style-type: none"> (1) the initial conclusions from due diligence of the Business Case and next steps for the project, as outlined in this report, be approved; (2) a single-site scheme be the Council's preferred option for consulting on the Mildenhall Hub project; (3) a budget of £50,000, to be funded from the Delivering the Strategic Priorities and MTFS Reserve, be approved to meet Forest Heath's share of initial project management and development costs; and (4) the Director be authorised to approve spending from this budget in consultation with the Leader. 	

<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not 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 checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p><i>An executive decision which, pending any further guidance from the Secretary of State, is likely to be significant in terms of its effects on communities living or working in an area in the Borough/District.</i></p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<ul style="list-style-type: none"> • The business case for the Mildenhall Hub was based on extensive stakeholder engagement and public and stakeholder consultation will be part of future stages of the project, as outlined in "next steps".
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • The business case for the Mildenhall Hub has looked at currently available options including the maintaining the existing service locations. Consultation on the Local Plan will also examine site options. • Doing nothing is not an option since some of the buildings are in need of replacement and improvement.
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • An initial project development budget of £50,000 is sought to match-fund contributions of partners. • Other development costs will be met from a grant from DCLG.
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> •
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Compliance with planning policy requirements • Delivery of Strategic Plan and Medium-Term Financial Strategy
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Safeguarding is not maintained for children and vulnerable adults	Low	Ensure that safeguarding remains the first design principle of any scheme and reflect feedback on concept designs	Low
Traffic issues are not mitigated	High	Reflect the findings of the traffic study and make suitable provision for any mitigation	Low
Planning requirements cannot be met	Medium	Carry out full pre-application assessments and consultation in accordance with defined planning processes and guidance. Include Hub in Local Plan consultation. Prepare and consult on Development Brief.	Low
The community does not feel engaged in the project/the final proposal does not reflect community input	Low	Continue to engage stakeholders in the project and consult as part of planning process.	Low
FHDC Councillors do not feel engaged in this Cabinet project	Low	Provide regular reports and briefings. Submit final proposal to Overview and Scrutiny Committee.	
The project is unaffordable or undeliverable	High	Carry out due diligence of business case and prepare a full funding assessment and proposal before commencing any formal planning process (February 2016).	Low
The partnership is not strong/the Project is not well managed	Medium	Put in place strong governance and project management.	Low
The public estate in Mildenhall is not flexible enough to cope with the future needs of the area	High	Ensure through the Hub project and Local Plan consultation that suitable provision is made.	Low
The public estate is not managed efficiently for the taxpayer	High	Seek to deliver any investment in a coordinated manner, on as few sites as possible	Low
The operational and community benefits of an integrated public estate are lost	High	Ensure that any decisions are taken in partnership, under the Hub Project, and using the criteria of the One Public Estate (OPE) Programme	Low
The site(s) cannot be assembled	Medium	Hub to be provided on land in ownership of partners. Consult with DFE regarding educational land issues under OPE programme if required.	Low
Mildenhall swimming pool has to close as it is beyond economic repair	High	Ensure that a decision about the replacement of the pool is made in 2015 and can be delivered at an early stage of any Hub Project	Medium

Ward(s) affected:	All Wards, particularly those in and surrounding Mildenhall
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	<ul style="list-style-type: none"> • Mildenhall Hub Business Case, August 2014 • CAB13/067, 5 February 2013 • CAB13/092, 25 June 2013 • CAB14/127, 7 January 2014 • CAB14/156, 15 July 2014 • CAB14/FH/012, 9 December 2014
Documents attached:	None

1. Key issues and reasons for recommendation(s)

1.1 Background and Purpose of report

- 1.1.1 While it will have a bearing on the other partners, this report is written for Forest Heath District Council (FHDC) and from the perspective of that organisation (and the community it serves). Other partners will still need to carry out their own due diligence.
- 1.1.2 The Mildenhall Hub is an innovative project to co-locate a range of public sector partners in Mildenhall, realising large savings, offering better services and community engagement and releasing surplus sites for regeneration. Ideally this would be achieved on one site with the fall-back of a split-site scheme. The scheme has received project funding from the Department for Communities and Local Government (DCLG) and is an adopted project in Phase II of the Cabinet Office/Local Government Association's One Public Estate (OPE) Programme. Background information on the project can be found at www.mildenhallhub.info and is not repeated in this report.
- 1.1.3 The 2014 Hub business case prepared by Concertus showed that it is technically feasible to consult on a single-site Mildenhall Hub on the land already available to the public sector at Sheldrick Way. It also concluded that, regardless of the Hub project, Sheldrick Way is currently the best available location for a new leisure facility in the town to replace the Dome and Swimming Pool, as well as a logical site to look to meet all of the town's future educational requirements (11-18 and any new primary school). This could be achieved by an extension of the existing school site (Mildenhall College Academy's sixth form centre), with vehicular access from Sheldrick Way only (but pedestrian access to the town centre via Church Walk).
- 1.1.4 There are, however, two reasons why the partners are not yet in a position to definitely proceed with a design and planning application for a single-site Hub:
- (1) There is a commitment to carry out public consultation on this and other Hub options as well as a requirement to ensure compliance with planning policy;
 - (2) A dependency of a single-site Hub is the ability to attract funding for replacing Mildenhall College Academy's existing buildings. A decision on the amount of funding (if any) which will be available from the Department for Education (DFE) is not expected until Autumn 2015.
- 1.1.5 While partners might not be able to reach this decision until early 2016, there is a need to keep up the momentum of the project, since it is implicit that, single or split-site Hub, the status quo for the public estate in Mildenhall is not sustainable, and change will be needed (some of which is operationally urgent e.g. the swimming pool, replacement of the Dome and improving school facilities). There are also inflationary pressures and time-limited opportunities to attract external funding. So, flexible preparatory work for the change must continue to minimise the risk of

delays later.

1.1.6 The purpose of this report is therefore to:

- explain the assumptions made in assessing the business case;
- establish the likely cost of the elements of the Hub that FHDC will need to build itself;
- outline how this cost might be met by FHDC;
- explain how FHDC will need to work with other partners to deliver the Hub;
- outline the help that will be needed from central government; and
- agree next steps and a provisional timetable for the project.

1.2 **Assumptions made for initial due diligence**

1.2.1 The Council cannot presume where future housing growth in and around Mildenhall will occur as this is a matter still to be examined under the Local Plan. However, it can make reasonable assumptions about future growth in Mildenhall contributing to the demand for and cost of the Mildenhall Hub. With the closure of RAF Mildenhall as a USAFE base in the early 2020s, this demand could increase further.

1.2.2 The Hub scenarios which have been examined to date are notional, based on work in the business case, and looked at from the FHDC perspective. Different and/or cheaper options may be available, and the phasing of development could have a large bearing on cost and deliverability.

1.2.3 Similarly, the next steps of the project would not preclude community ownership or different funding models for the Hub or multiple partner delivery, which can be considered later. What is being examined now is the worst-case financial scenario for FHDC.

1.2.4 It was assumed by Concertus that VAT will not be payable (as a council project), although this will need to be tested later in the project with specialist advice.

1.2.5 Concertus have also used standard national and regional benchmarks for calculating costs, based on the partners' space requirements, and made assumptions regarding inflation until the end of 2015. These assumptions are retained in this report (unless stated otherwise). There is also scope for FHDC and Suffolk County Council (SCC) to look at ways in which they can reduce some of the standard professional costs associated with the project.

1.2.6 One major caveat to put on the work at this stage is that, although the business case recognised the aspiration to achieve high environmental standards, the costs in it are not necessarily those associated with a high BREEAM (Building Research Establishment Environmental Assessment Methodology) rating. Aiming for such a grade could have a significant upward effect on the build costs.

1.3 **Likely cost of FHDC's own elements of the Hub**

1.3.1 The 2014 business case was intended to test the feasibility of co-locating the various public services, and to be aspirational and ambitious in order

to demonstrate the core concept of integrated services and vibrant and resilient communities. Cost estimates were based on the partners' maximum envisaged space and, since no detailed design work was done, no 'value engineering' was carried out on these costs.

- 1.3.2 The business case outlined total potential costs of over £50m for all elements of the Hub (at its maximum extent) but the majority of these costs related to MCA and other partners' requirements. The task for FHDC therefore has been to identify what the cost of its own elements of the Hub might be.
- 1.3.3 In assessing the business case, FHDC has made the following adjustments and assumptions to ensure that a prudent (or 'worst-case') financial scenario is modelled. These were:
- (a) FHDC will provide all of the community or shared leisure facilities including those needed by MCA (as part of making a case to DFE that there is local investment in the educational elements of the Hub);
 - (b) FHDC will also take on responsibility for building all of the other shared facilities in the Hub. Exclusive facilities for the other partners are not included in this modelling (see section 1.5 below);
 - (c) The 'central heart' space of the Hub which houses all of these shared facilities would be almost halved in size from the aspirational business case concept design to ensure deliverability (but would still be over 1000m²);
 - (d) As well as its own, FHDC will re-provide all of the office accommodation occupied by the following of its existing tenants as at July 2015: the CAB; DWP; and Suffolk County Council;
 - (e) The 1000m² enterprise space would require a separate business case and is therefore not included in the estimates;
 - (f) Based on the transport assessment carried out for the LDF in 2014, an allowance of £500,000 has been added to the business case estimates for highways improvements to town centre junctions;
 - (g) Land acquisition costs are excluded as the land is already in public ownership and this would be covered through separate negotiation with Suffolk County Council and Academy Transformation Trust.
- 1.3.4 With these adjustments, the target construction budget for FHDC's elements (at 2015 prices) of a single-site Hub would be as follows:

Leisure facilities	<ul style="list-style-type: none"> • 4 court sports hall • 25m six lane pool • Learner pool • 50 station fitness suite • 2 group exercise studios • 2 therapy rooms • Associated wet & dry changing • 1 full size artificial pitch 	£11m
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Office facilities and 'Central Heart'	<ul style="list-style-type: none"> • Multi-purpose Council/Conference Chamber • Five other meeting/training rooms • Large shared reception (including desks for customer team, DWP and CAB) • Café and Kitchens • Space for a public library (<i>If required. Target budget will be reduced if not</i>) • Desks for short-term users • Public toilets • Multi-purpose room • Facilities Management & ICT facilities • Office space (see 1.3.3(d) above) 	Up to £5m
Total		£16m

1.3.5 With a split-site Hub, the cost of building a stand-alone leisure centre at Sheldrick Way may increase as there will not be the opportunity to share infrastructure (plant, reception, parking, etc). However the cost of remodelling College Heath Road to accommodate the other public services would be cheaper (under a refurbishment model). The net cost to FHDC would not be significantly different, as there would be no off-setting capital receipt for the College Heath Road site (as well as a loss of the wider financial benefits of co-locating at Sheldrick Way identified in the business case).

1.4 **Funding of FHDC's elements of the Hub**

1.4.1 Funding for the target budget will need to come from a variety of sources. In several instances, this will be an investment of money that will be spent in any event, but potentially far less efficiently if not through the Hub. When full Council is asked to sign off the project in late 2015 or early 2016 it will need these to be identified in some detail. At this stage, however, funding sources are simply summarised in outline to give Cabinet the confidence that the Council is justified to take the project to its next stages.

1.4.2 Already identified capital funding or receipts

Capital Programme for Swimming Pool	FHDC has already made provision to replace the existing swimming pool which can be used for the Hub	£3,000,000
Asset Management Plan (AMP) provision for College Heath Road offices in next 5 years	This is the cost of doing nothing insofar as this is what the Council has allowed to maintain its existing offices. This sum can be better invested in the Hub's newer facilities (smaller and cheaper to run)	£1,300,000
80% of AMP provision for swimming pool in next 5 years	Similarly, the Council had anticipated major maintenance costs for the swimming pool most of which will, hopefully, not now be needed	£200,000

Disposal of pool site	Concertus have estimated a capital receipt for the disposal of the swimming pool site	£100,000
Disposal of College Heath Road site	This sum is only available under the single-site Hub option. <i>However, if a split-site Hub is pursued, other costs of the project could be reduced correspondingly.</i>	£1,225,000
	Total	£5,825,000

1.4.3 Potential additional sources of capital funding

Developer contributions	Subject to the outcome of the LDF process, there is the potential to secure significant developer contributions from the future homes which will, themselves, necessitate the additional facilities the Hub will provide. In relation to council facilities this will apply to the leisure, library and community centre facilities, as well as health and education.
Capital receipt from library site	<i>If the library wishes to relocate to the Hub, there is the potential to work with the County Council to invest the capital receipt from its vacated site.</i>
Grants	There is the potential to apply for external grants for the Hub, in relation to not only associated infrastructure costs and renewable energy, but also for the leisure facilities. Sport England have been briefed on the scheme and Local Enterprise Partnerships will also be engaged.

1.4.4 Borrowing and supporting revenue savings

In accordance with the Council's Medium Term Financial Strategy any funding gap (likely to be several million pounds) for the target budget will need to be considered on the basis of prudential borrowing. To repay capital and interest, the Council would aim for a return on investment of approximately 10%. Sources of that return on investment will include:

Revenue budgets for leisure facilities	The current cost to the taxpayer of leisure facilities in Mildenhall is approximately £230,000 a year, reflecting the split sites, condition of the buildings and the customer offer. Independent analysis carried out for Abbeycroft suggests that, with the improved facilities mix proposed, the Hub should be capable, by conservative estimates, of reducing this subsidy by over 50% (including the full cost of FHDC's maintenance contributions). At the same time, users of the facilities should double.
Revenue budgets for office buildings	The Hub business case identified that, on property running costs alone, the project could save partners 50%. This analysis is borne out by using a benchmark of West Suffolk House (a modern office building

	completed in 2009 to the same space standards proposed for the Hub's office spaces). If the current West Suffolk House costs could be achieved for their staff based in the Hub, then the West Suffolk councils could expect to save over £150,000 a year.
Renewable energy	Investment in renewable energy (and energy and water reduction measures) will not only reduce the direct cost of running the Hub itself, but also has scope to generate income for the Hub project. The project has attracted government match-funding for a feasibility study.
Housing within the Hub	There is the potential to incorporate within the Hub site itself a small amount (perhaps 10-20 units) of complementary/ancillary housing, potentially specialist accommodation. This could be designed to generate a revenue stream to fund the Hub's shared facilities as well as offering the potential to improve service outcomes.
Rents and income	While not a commercial scheme in itself, there is still the potential for the Hub to generate income from hiring facilities or complementary tenants in its office or operational spaces (e.g. health providers). <i>NB The café proposed for the Hub is intended as a training facility for MCA students, aimed mainly at Hub users, staff and councillors.</i>
Sharing of overheads and further integration of services	Co-locating at the Hub will allow partners to share staff overheads for support services and facilities management e.g. a shared reception team.

1.5 **Working with other partners to deliver the Hub**

1.5.1 FHDC is not in a position to subsidise the facilities of other public bodies and therefore they will need to consider their own financial arrangements for the Hub project. Nonetheless, there is a strong inter-dependency between FHDC's own facilities and those of the other partners. Other partners' facilities are equally important to FHDC's in terms of making the Hub concept work, and their sharing of infrastructure on the site helps to deliver the anticipated savings in space, capital and revenue. In some cases, they will even be in the same buildings as FHDC's own facilities and the most practical model may be one in which FHDC provides them for rent. For this reason, it is important at an early stage to identify in principle how matters such as tenure and funding will be handled. This will need to be formalised in partnership agreements at the next stage of the project.

1.5.2 This issue is particularly pertinent to the due diligence of the following partners:

- Suffolk County Council
- the National Health Service
- Suffolk Constabulary
- Suffolk Fire Service

- DWP
- CAB
- any pre-school or nursery provider.

NB: Special arrangements will be needed for the educational buildings, which are therefore not discussed in this report. Furthermore, for these purposes, the leisure facilities operated by Abbeycroft would be treated as if they were FHDC's (since FHDC will own them).

- 1.5.3 Any of the partners listed in 1.5.2 above could seek to build and own (or part-own) their accommodation in the Hub. However, the Project Board has identified the following potential model for scenarios where a partner wishes to rent accommodation instead:
- A landlord (FHDC or a special vehicle), to whom rents would be payable, would construct and own the facilities. It would also be responsible for insuring and maintaining the fabric of the buildings. Where it constructed specialist or large facilities for third parties which would be hard to re-let, it would need some certainty over the tenure arrangements.
 - Running costs (utilities, cleaning, furniture, facilities management and grounds maintenance, parking, etc) would be shared by all occupiers (including the landlord) through a defined mechanism which was 'open-book' to ensure fairness and transparency.
 - On top of this 'occupation charge', any tenants would also pay a rent to be determined by the landlord.
 - Partners could however invest capital at the outset to meet the full or partial cost of their own facilities (exclusive or shared), in return for a discounting or waiving of their rent for a defined long-term period (pro-rata to their investment).
 - Partners could alternatively allow the landlord to build their accommodation in return for a rental charge which also included the full cost of borrowing.
 - The landlord could waive or subsidise a rent to a voluntary or community organisation to achieve a defined policy objective. This would allow affordable community use of the Hub.

1.6 **Working with central government**

1.6.1 A key next step for the project is to make the case to the Department for Education that it is a good investment for the taxpayer to move MCA from its Bury Road site to Sheldrick Way. An initial meeting, chaired by the Member of Parliament, was held between the relevant Hub partners, the DFE, Cabinet Office and Local Government Association (who manage the OPE Programme) before the recent elections, which highlighted the potential for the Hub to:

- improve the educational experience and outcomes;

- (b) deliver outstanding financial benefits for the taxpayer (compared to the status quo);
- (c) capitalise on a time-limited opportunity to make the change; and
- (d) pilot an innovative model of co-location and share the learning from it nationally.

1.6.2 Part of the case made to government then was the fact that FHDC's own investment in a single site Hub reduces the need for around £2m of capital spending on school facilities. This is due to the high number of shared facilities FHDC would provide (kitchens, sports hall, library, swimming pool, plant, etc).

1.6.3 MCA have been advised that they are eligible for Priority Schools Building Programme 2 (PSBP2) funding in relation to the worst condition buildings at Bury Road. The precise allocation of funding will be determined by DFE in the autumn, including whether this money can be used for a relocation rather than refurbishment project. When the availability (or not) of PSBP2 monies is known, the issue of educational funding will need to be considered again by the Hub partners since this will be a major determinant of how the Hub scheme is delivered.

1.6.4 To meet the OPE objectives, the re-use of existing public sector land is also an essential element of the Hub project. SCC and MCA would therefore need to seek the approval of the Secretary of State to release the Bury Road site from educational use once it could be vacated by the school.

1.6.5 The assistance of central government will also be sought in relation to advice on assembling funding and land, and engaging with the sponsor Whitehall departments for the various local partners.

1.7 **Next Steps**

1.7.1 Completion dates for the next steps for the project are provisionally as follows:

- (a) **This meeting** – Confirm FHDC's preferred option for consulting on the Hub.
- (b) **This meeting** – Approve an initial project budget of £50,000 for FHDC (to be funded from the Delivering the Strategic Priorities and Medium Term Financial Strategy Reserve) so that the Council can contribute to the joint funding of various pieces of work and support.
- (c) **By August/September 2015**– Appoint an independent project manager, jointly funded by the partners, to plan and manage the next stages of the project
- (d) **By August/September 2015** – Update the MP and Cabinet Office/Local Government Association on the project under the auspices of the OPE Programme and seek further government assistance as required.
- (e) **By January 2016** - carry out public consultation for the Hub proposal, linked to the Local Development Framework (see (g) below).
- (f) **By February 2016** – prepare, consult upon and adopt a

Development Brief for the preferred option based on public consultation on the LDF and specifically in relation to the Brief itself. The costs of the Brief will be funded from the existing DCLG grant funding available to the partners.

- (g) **By February 2016** – Adopt a detailed proposal (funding, partnership agreement, land issues, timetable, etc) to allow detailed design work and planning processes to commence.
- (h) **By February 2016** - Prepare specification for appointment of a design team (subject to (e)-(g) above)

1.7.2 As well as public consultation, there is a need to map out the internal approval processes required to deliver these next steps. In addition to any internal and external briefings which may be provided, a provisional timetable (subject to consultation outcomes) is as follows:

First round of LDF consultation closes	6 October 2015
Mildenhall Hub Project Board	w/c 12 October 2015
West Suffolk Joint Growth Steering Group considers draft Development Brief	October (TBC)
Cabinet Considers approves draft Development Brief for consultation	27 October 2015
Consultation on draft Development Brief	9 November 2015 to 8 January 2016
Mildenhall Hub Project Board	December 2015 (TBC)
Overview & Scrutiny Committee considers detailed project proposal (see 1.7.1(h) above)	14 January 2016
Mildenhall Hub Project Board	w/c 18 January 2016
West Suffolk Joint Growth Steering Group considers final Development Brief	January 2016 (TBC)
Cabinet considers detailed project proposal (see 1.7.1(h) above)	10 February 2016
Cabinet considers final Development Brief	10 February 2016
Full Council considers final Development Brief	24 February 2016
Full Council considers detailed project proposal	24 February 2016

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Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Facilities Management	
Report No:	CAB/FH/15/032	
Report to and date:	Cabinet	14 July 2015
	Council	15 July 2015
Portfolio holder:	David Bowman Portfolio Holder for Operations Tel: 07711 593737 Email: david.bowman@westsuffolk.gov.uk	
Lead officer:	Mark Walsh Head of Operations Tel: 01284 757300 Email: mark.walsh@westsuffolk.gov.uk	
Purpose of report:	<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>	
Recommendations:	<p>It is <u>RECOMMENDED</u> that, subject to the approval of full Council:</p> <p>(1) the contents of Report No: CAB/FH/15/032 be noted;</p> <p>(2) 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</p>	

	(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/FH/15/032, before signing contracts to establish the new Joint Venture company with EFMS.		
Key Decision: (Check the appropriate box and delete all those that do not 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><i>As it is a decision of full Council and not Cabinet.</i></p>		
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:	<ul style="list-style-type: none"> • Staff will be consulted ahead of any TUPE 		
Alternative option(s):	<ul style="list-style-type: none"> • Outlined in 2.3 and Appendix B 		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Some initial set-up costs. Reduced FM costs and the opportunity to increase income from other sources over time. 		
Are there any staffing implications? <i>If yes, please give details</i>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • FHDC FM staff will TUPE transfer to the Joint Venture (JV) company. 		
Are there any ICT implications? <i>If yes, please give details</i>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • 		
Are there any legal and/or policy implications? <i>If yes, please give details</i>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Considering other future potential JV companies, chose the appropriate JV and Governance model • Ensure the arrangement is legally compliant and that contracts are correct. 		
Are there any equality implications? <i>If yes, please give details</i>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • 		
Risk/opportunity assessment:			
<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (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
Ward(s) affected:		All Ward/s	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>			
Documents attached:		Appendix A – West Suffolk sites where FM services are delivered Appendix B – Advantages and disadvantages of options considered Appendix C – EFMS Capability Statement Exempt Appendix D – Costs and savings Exempt Appendix E – 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

Site	FHDC or SEBC
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 13th 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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Cabinet



Forest Heath
District Council

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/FH/15/033	
Report to and date/s:	Cabinet	14 July 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 07711 457657 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Rachael Mann Head of Resources and Performance Tel: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	To consider the current revenue collection performance and to consider writing off outstanding debts, as detailed in the exempt appendices.	
Recommendation:	The write-off of the amounts detailed in the exempt appendices to this report be approved, as follows: 1. Exempt Appendix 1: Business Rates totalling £36,545.23 2. Exempt – Appendix 2: Sundry Debts totalling £4,129.57	
Key Decision: <i>(Check the appropriate box and delete all those that do not 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"/>	
<i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until five clear working days have elapsed. This item is included on the Decisions Plan.</i>		
Consultation:	Leadership Team and the Portfolio Holder for Resources and Performance have been consulted with on the proposed write-offs.	
Alternative option(s):	See paragraphs 2.1 and 2.2	
Implications:		
Are there any financial implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See paragraphs 3.1 to 3.3	

Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The recovery procedures followed have been previously agreed; writing off uncollectable debt allows staff to focus recovery action on debt which is recoverable.	
Are there any equality implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • The application of predetermined recovery procedures ensures that everybody is treated consistently. • Failure to collect any debt impacts on either the levels of service provision or the levels of charges. • All available remedies are used to recover the debt before write off is considered. • The provision of services by the Council applies to everyone in the area. 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
Debts are written off which could have been collected.	Medium	Extensive recovery procedures are in place to ensure that all possible mechanisms are exhausted before a debt is written off.	Low
Ward(s) affected:		All wards will be affected	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		<ol style="list-style-type: none"> 1. Exempt – Appendix 1 – Business Rates write-offs 2. Exempt – Appendix 2 – Sundry Debts 	

1. Key issues and reasons for recommendation(s)

- 1.1 The Revenues Section collects outstanding debts in accordance with either statutory guidelines or Council agreed procedures.
- 1.2 When all these procedures have been exhausted the outstanding debt is written off using the delegated authority of the Head of Resources and Performance for debts up to £2,499.99 or by Cabinet for debts over £2,500.00.
- 1.3 It is best practice to monitor the recovery procedures for outstanding debts regularly and, when appropriate, write off irrecoverable debts.
- 1.4 Provision for irrecoverable debts is included both in the Collection Fund and the General Fund and writing off debts that are known to be irrecoverable ensures that staff are focussed on achieving good collection levels in respect of the recoverable debt.

2. Alternative options

- 2.1 The Council has appointed a firm of bailiffs to assist in the collection of business rates and Council Tax and also has on line tracing facilities. It is not considered appropriate to pass the debts on to another agency.
- 2.2 It should be noted that in the event that a written-off debt become recoverable, the amount is written back on, and enforcement procedures are re-established. This might happen, for example, if someone has gone away with no trace, and then they are unexpectedly 'found' again, through whatever route.

3. Financial implications and collection performance

- 3.1 Provision is made in the accounts for non recovery but the total amounts to be written off are as follows with full details shown in Exempt Appendices 1 and 2.
- 3.2 As at 31 March 2015, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (as the billing Authority) is £22.59m per annum. The collection rate as at 30 June 2015 was 28.06% against a profiled target of 28.72%
- 3.3 As at 31 March 2015, the total Council Tax billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (includes the County, Police and Parish precept elements) is just over £25m per annum. The collection rate as at 30 June 2015 was 29.71% against a profiled target of 29.62%.

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Cabinet



Forest Heath
District Council

Title of Report:	Joint ARP Debt Management and Recovery Policy	
Report No:	CAB/FH/15/034	
Report to and date:	Cabinet	14 July 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Jo Andrews Strategic Revenues Manager, ARP Tel: 01842 756490 Email: jo.andrews@angliarevenues.gov.uk	
Purpose of report:	To create a Joint ARP Debt Management and Recovery policy reflecting practices that have been adopted in this area as a result of Shared Services across the Anglia Revenues Partnership and the addition of three new partners.	
Recommendation:	It is <u>RECOMMENDED</u> that Members approve the policy as set out at Appendix A to Report No CAB/FH/15/034.	
Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.)	<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"/>	
<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>		
Consultation:	N/A	
Alternative option(s):	Continuing with separate policies would not be efficient given the shared provision of Revenues collection across the partnership. A policy is needed in this area in order to make clear to customers what the recovery process entails	

Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Maximise income to the collection fund, Reduce write-offs Improve cash flow 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Training and awareness and detailed guidance support this policy 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> This is a revised policy and its adoption will ensure consistency across the West Suffolk authorities. 	
Are there any equality implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> A screening EqIA has been carried out (see Appendix B) 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
Risk of new policy not being implemented by staff	Low	Training and guidance given to staff	Low
Risk of not collecting debt	Medium	Monthly monitoring of collection targets distributed to ARP Joint Committee members	Low
Risk of need of additional resource to support the debt recovery process	Low	Capita Revenues System ensures debts are moved through the debt recovery process in a timely manner. Regular review of the Councils outstanding debt and recovery timetable.	Low
Risk of low-income customers being adversely affected by debt recovery processes	Medium	Policy covers ways of handling vulnerable customers and considering individuals' circumstances e.g. signposting to debt advice. (See EqIA)	Low
Ward(s) affected:		All	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	

Documents attached:

Appendix A - Draft Debt
Management, Recovery and Write-Off
Policy
Appendix B - EqIA

1. Key issues and reasons for recommendation(s)

Background

- 1.1 Anglia Revenues Partnership (covering the seven partners) is looking at the development of an ARP wide debt management policy. ARP has recently shared a draft policy with West Suffolk, along with all other ARP partners for our comments and scrutiny as we each see fit. This draft policy is attached at Appendix A.

Purpose of document

- 1.2 The purpose of the document attached at Appendix A is to set out the policy in relation to the billing, collection and recovery of Council Tax, Non-Domestic Rates and Housing Benefit Overpayments across West Suffolk and the wider Anglia Revenues Partnership.
- 1.3 The policy document replaces previous policies of the Anglia Revenues Partnership and updates the content to reflect the changes introduced by the recent changes to enforcement legislation. This policy excludes the activities relating to sundry debt of the Council – this is the subject of a separate policy.
- 1.4 The new draft sets out the procedures and other matters which will be considered in the recovery of Council Tax, Non-Domestic rates and Housing Benefit overpayments.
- 1.5 The councils are part of the Anglia Revenues Partnership and it is therefore essential to operate clear and common practices across all council partners.
- 1.6 Monthly reports are produced which monitor collection against collection fund targets. Additional reports are produced which monitor collection from further recovery actions (Bankruptcy and Charging Orders)
- 1.7 The Council Tax raised for the 2014/15 financial year was £24.79m with an in-year collection of 96.97%. Non-Domestic Rates raised for the same period were £21.69m with an in-year collection rate of 97.65%.

2. Policy aims

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 debts outstanding at the end of the financial year, and therefore the need for bad debt provisions, and actual debt write offs.

Draft
**Debt Management, Recovery and
Write-Off Policy**

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1. Introduction

- 1.1 Effective debt management is crucial to the success of any organisation. In the current economic climate it is essential that the West Suffolk Councils have clear policies and procedures to manage the recovery of debt. If the Councils are to achieve our aim of effective income management, then we must seek to recover all debts due, and sustain collection rates. On occasions, however, it becomes necessary to write off debt that cannot be effectively recovered. This policy sets the framework for officers employed by Forest Heath District Council, St Edmundsbury Borough Council, or other officers working on behalf of the Councils through Anglia Revenues Partnership to manage debt in an efficient and effective manner and administer the write-off of debts.
- 1.2 The policy also applies to Enforcement Agents who are sometimes employed by the Councils to carry out recovery of assets on our behalf.
- 1.3 This policy has therefore been designed to address these concerns and set a framework for officers to administer the write off of debts. This is a technical document, designed for officers involved with the administration of revenues and benefits for the Councils. More general information on revenues and benefits is available at www.angliarevenues.gov.uk
- 1.4 The key 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 debts outstanding at the end of the financial year, and therefore the need for bad debt provisions, and actual debt write offs.
 - Include information on the availability of independent debt advice.
- 1.5 In order to achieve these aims, we will:
- work with clients to clear debts as soon as possible including working with approved advice agencies
 - consider fully debtors' circumstances in light of their ability to pay, so as to distinguish from the outset between the debtor who won't pay and the debtor who genuinely can't pay
 - promote a co-ordinated approach across Councils departments, for example through sharing information and managing multiple debts
 - focus resources on collectable debt
 - take all reasonable steps to recover debt, but clear debt where no further recovery action is possible
 - treat individuals consistently and fairly regardless of age, gender, ethnicity, disability and sexual orientation and to ensure that individuals' rights under Data Protection and Human Rights legislation are protected.

1.6 Legal Framework for Recovery is set out in council tax, housing and business rate legislation. Where new legislation is introduced, this policy will be reviewed to ensure compliance.

2. **Billing and Invoicing Arrangements**

2.1 The Councils are committed to achieving the most efficient and effective payment methods, both for payments received, and payments made.

2.2 We will encourage and promote the use of Direct Debit, BACS transfer and other electronic systems, as the most efficient and secure options, and also to protect those involved in the handling of cash against the risk of crime.

2.3 Although electronic media forms the basis of the Councils' preferred payment methods, the widest possible range of alternatives will be offered, subject to the existence of sufficient demand and an appropriate balance of resource required to support any particular payment method.

2.4 Delay in sending bills, accounts or invoices can inadvertently create debt problems from the outset. Debt will accumulate and if the debtor is unable to pay, that will create pressure for the household or business concerned. Service standards are used to ensure that information received is assessed and processed as quickly and efficiently as possible.

2.5 Bills, accounts, invoices and all similar documents will be issued promptly in accordance with the Council's service standards. Upon issue these documents will:

- Be accurate.
- State clearly what payments are required.
- State clearly when payment should be made.
- List the options for payment
- List the locations where payments can be made
- Include, where appropriate, a statement advising those having difficulty making payment to contact the Councils.
- Include, where appropriate, the consequences of payment being late or not made.
- Include a contact point where advice can be obtained or a query resolved.

3 **Payment of Bills and Invoices**

3.1 Delays in payment or inability to pay are not always a reflection on the individual or business concerned. On occasions the problem may arise where monies due to that individual or business have not been received or paid on time which, in turn, has led to outgoing payments being late or falling behind.

3.2 The Councils recognise that they have a role to play in this process. Bills, invoices and charges for which the Councils are responsible will be paid promptly. Monies due for return to individuals or businesses will be processed promptly and refunded without any unnecessary delay.

3.3 Payments made to a third party such as Housing Benefit payments made directly to a landlord at a tenant's request will be made regularly and on time.

4. Enforcement

4.1 It is inevitable that for a variety of reasons some money due to the Councils will not be paid as requested.

4.2 In all cases the Councils will follow the relevant statutory or civil process to enforce payment. Those processes will constitute the basic standard of service, the individual or organisation can expect to receive. Extenuating circumstances, as defined below may warrant deviations from that principle.

4.3 In general terms enforcement of an unpaid debt will commence with a reminder. Reminders and Final Notices will not be issued for amounts below these limits:

	Reminder	Final Notice
Council Tax	£5	£15
Business rates (non-domestic rates)	£10	£10

4.4 Reminders will:

- Be accurate
- Be issued promptly
- Comply with any legislative requirements.
- State clearly the amount outstanding.
- State clearly the when payment should be made
- List the options for payment.
- List the locations where payment can be made.
- Include a contact point for any query or issue arising from the reminder
- Request that the recipient make contact immediately if payment cannot be made or will be delayed.
- Include, where appropriate, the consequences of payment being further delayed or not made.
- Include information on the availability of independent debt advice.

4.5 If reminders do not prompt payment a summons will be issued. Summonses will not be issued for less than the costs which would be incurred.

4.6 As the enforcement process progresses, cases of payment difficulty will be revealed. Where appropriate, debt advice or counselling will be signposted – as set out in section 7 of this policy. Those cases will be approached positively and constructively, to achieve a manageable and effective solution. In reaching a decision the Councils will work to the following principles.

- The enforcement process comprises a number of stages, which increase in severity in order to focus the debtor on making payment. When contact is made with the Councils to resolve a payment difficulty, the enforcement process will be held at that point subject to a satisfactory agreement for payment. This will reward early contact.
- Voluntary solutions will always be considered in preference to statutory or civil remedies.
- Past history of payment will be a factor in any decision.

- Extenuating or household circumstances will be taken into account in any decision.
 - Where payment solutions are agreed, confirmation of the agreement will be made in writing and include the action that may be taken in the event of non-payment.
 - Where a payment solution cannot be agreed, the debtor will be advised of the reason for that outcome.
- 4.7 Progression of the enforcement process is a factor in assessing the potential success of a payment solution. As early contact is effectively rewarded by a more relaxed approach, solutions achieved later in the process will attract a significantly higher level of security and payment monitoring arrangements in order to protect the Councils' interests.
- 4.8 Recovery of debt will as far as possible be co-ordinated to avoid unreasonable or excessive pressure being placed upon an individual and to maximise the income from that individual. A more positive outcome can be achieved, by combining all debts, and agreeing a realistic payment schedule as opposed to leaving the individual to face and manage a number of competing pressures from the same organisation.
- 4.9 However, it should be recognised that this solution will only work with the positive engagement and commitment of the individual or household concerned. Every effort will be made to ensure that they have adequate advice and support in that process. In the event that an arrangement fails or the level of debt is not as a minimum being contained, the Councils will have no alternative but to follow through with whatever action is necessary to recover the debt.

5. **Extenuating Circumstances**

- 5.1 There will be occasions where the Councils must look beyond the debt itself and take account of the potential impact upon the individual, family, household or business concerned, either to protect vulnerable people, to avoid the transfer of a problem elsewhere or where there may be some impact upon the local community.
- 5.2 Examples of this are: -
- Vulnerable person in household (see below)
 - Potential homelessness.
 - The ability of the individual, household or business to make payment.
- 5.3 Additional factors may apply for business debts. Examples of this are: -
- Potential loss of employment for employees of the business
 - Loss of key facilities for the local community
 - A payment option is the only choice because the business has no assets
 - Negative impact on the local community if the business was forced to close

The list is not exhaustive. It is simply intended to reflect the type of issue that the Councils may react to when recovering or enforcing debts.

Vulnerable people

5.4 Some groups of people are particularly vulnerable and may have difficulties making payment. A person may be considered vulnerable in the following circumstances. The list is not exhaustive and each case will be determined on its own merits:-

- The person is elderly or frail
- Women in the latter stages of pregnancy
- The person is seriously ill or mentally or physically disabled
- The person has communication or learning difficulties
- The person has young children and there is severe deprivation
- The person has recently been bereaved or made unemployed
- The person has difficulty in understanding written or spoken English

5.5 Falling into one of these categories does not automatically mean that recovery action is not appropriate. The Councils will make individual decisions based upon the individual circumstances of the debtor to identify if recovery action is appropriate and, if so, what action to take.

5.6 A case of vulnerability may not be identified until it has been passed to our Enforcement Agents. As part of their certification process they will be specifically trained on cases of vulnerability and will work to strict guidance to decide the best way forward.

5.7 Officers making decisions on the recovery of debt will ensure that consideration has been given to issues of this nature and that any action taken is proportionate to the situation. We will consider extended payment arrangements and ensure that cases are not passed for further action where this is not appropriate.

5.8 Where decisions are made, the reasons will be documented and the individual or business concerned will be made aware of those reasons.

6. **Potential Enforcement Action**

6.1 The Councils will use all means at our disposal to ensure that all monies due to the authorities are recovered. In doing so we will consider any option to achieve that goal.

6.2 However, within that process there will be a core of regular, routine actions or remedies, which are used to secure payment.

6.3 **Attachment of Earnings or Allowances:** Will be used where a voluntary arrangement has failed, or previous payment history indicates a voluntary arrangement will create unnecessary administrative overheads or is unlikely to be successful.

6.4 The law allows different attachments to run concurrently. Officers will use their discretion if that situation occurs to ensure that hardship is not inadvertently created.

6.5 **Attachment/Deductions from Benefit:** Will be used routinely to secure payment. Regulations control the way in which this remedy is applied. Consequently, the Councils have little or no discretion.

- 6.6 **Taking Control of Goods:** Will be used to secure payment where other more routine options are not available. Cases will be passed to the Enforcement Agency Team who will issue up to three letters and attempt to contact the debtor by telephone to agree a payment arrangement (compliance stage). At this stage statutory fees will be added to the debt.
- 6.7 If the compliance stage fails an Enforcement Agent, certified by the Court and who will adhere to a code of conduct, will attend the debtors' premises with a view to obtaining payment or removing goods (taking control of goods) to satisfy the debt. Actual taking control of goods will, however, only be undertaken where sufficient goods, stock or possessions are available to recover the cost of the process and either a full or significant partial settlement of the debt involved. Further statutory fees will be added to the debt at this stage.
- 6.8 **Bankruptcy proceedings:** Will be used as a last resort and only where sufficient equity is believed to exist to support a full or partial settlement of monies outstanding. In doing so however the Councils recognise that there may well be situations where it is in the interest of the individual to take that option as a solution to their overall situation.
- 6.9 **Charging Orders:** Will be used where the individual or business concerned cannot make payment and an equitable solution is to allow or enable payment of the debt from the equity within a property at a later date.
- 6.10 Whenever a charging order is in place the debtor will be encouraged keep up to date on future bills.
- 6.11 There will be occasions where it would be appropriate to apply for a Charging Order with forced sale to realise payment of the debt immediately. It will be unlikely that a sale order will be granted if the house is occupied by a family and therefore this action will be targeted on empty homes or those occupied by a single adult. We may also try those that are currently rented, though this will have a degree of risk.
- 6.12 **Committal Proceedings:** Will be used to recover Council Tax and Business Rates where there is no evidence of hardship or extenuating circumstances and other actions are not appropriate.
- 6.13 The role of the Magistrates Court in committal proceedings is to close the enforcement process. In this context they have considerable discretion, ranging from the imposition of a prison sentence through to the ability to remit all or part of the debt in question. These proceedings will only be used where there is a good prospect of recovering the debt.
- 6.14 **County Court Order:** Will be sought as necessary to support the recovery process, including use of the County Court bailiff
- 6.15 **Liquidation:** Applies to companies and normally will only be used where sufficient funds to clear any debt either partially or in full, will be created from the outcome. However there may be occasions where a company is using the law to avoid payment. In that case the Councils will take action to force a liquidation of the company.

6.16 **Third Party Debt Order:** Used to secure payment of a debt by freezing and seizing (attaching) money owed or payable by a third party to the debtor. Available through the County Court.

7. Debt Advice

7.1 In the process of achieving payment solutions, debtors may look to the Councils to provide or signpost debt advice or even full debt counselling.

7.2 In this context staff involved in negotiations with debtors will ensure that: -

- Any benefits or entitlements, over which the Councils have direct control, are made available or taken up.
- Information required to assess the financial position is captured in a standard format suitable for use by complementary organisations. A copy of that information will be given to the debtor should additional or independent advice and assistance need to be sought elsewhere.
- Debtors are directed to other agencies or organisations that offer support or assistance suitable to their needs.
- Debtors are alerted to the availability of other benefits generally which may alleviate their situation.
- Debtors are aware of both their rights and responsibilities and the consequences of not meeting the required level of payment.

7.3 It is important to recognise however that in this situation the Councils may face possible conflict of interests. While advice given will be as impartial as possible, the Councils cannot offer advice which may prejudice recovery of its own debts. If that situation arises the debtor will be advised to take independent advice such as from Citizens Advice or a registered debt practitioner.

7.4 The Councils will take account of that independent involvement in its decisions on recovering amounts due. In most cases this will result in protection from further action while any recovery plan agreed is progressed.

8. Priority of Debts

8.1 In order to manage debt effectively, it may be necessary to prioritise debts. The Councils attach the following level of importance and priority when reaching agreements to pay outstanding debts.

- Payments necessary to retain occupation of a person's home.
- Statutory payments.
- Payments in respect of a non-statutory current debt.
- Payments in respect of a previous, non-recurring debt.

It should be noted that although this priority is intended to guide action on Councils related debts, it will also give guidance, when extenuating circumstances are being considered.

8.2 It is also necessary to consider the order in which payments will be allocated.

8.3 Payment arrangements must meet ongoing liability, plus an additional amount towards any arrears. However there may be exceptional circumstances where

ongoing liability only may be appropriate. Any arrears or retrospective debt being classified as bad debt until there is an improvement in the overall situation.

8.4 Payments in respect of arrears will be allocated on an oldest debt first basis, unless specified otherwise by the individual or business concerned.

9. **Bad Debts**

9.1 The Councils, like any organisation whose business involves the recovery of monies due, will inevitably encounter "bad debts". The policy of the Councils is to minimise the incidence and impact of bad debt and we will use all means at our disposal to achieve this objective. *In all cases, bad debt decisions are based upon the total outstanding, not any part, unless part of the debt can legitimately be isolated for specific action.*

9.2 For the purposes of this policy a "bad debt" is classified as:-

Money due when there is little or no likelihood of recovery.

Examples of this are: -

- The debtor has absconded and current address is unknown
- The debtor resides outside the UK and is unlikely to return.
- The debtor has been declared bankrupt or obtained a debt relief order and the debt in question forms part of those proceedings
- A company has ceased trading, or is being liquidated and has no assets.
- The debtor has died and there is insufficient equity in the estate to cover the debt.

Money due where it is uneconomic or inefficient to recover the sum involved.

Examples of this are: -

- A small balance outstanding. The Councils do not issue reminders and final notices for small balances (as detailed above). Summonses are not issued for less than the costs which would be incurred.
- A balance outstanding where the expenses of recovery in terms of fees, staff time and other charges, balanced against the likelihood of recovery (including all additional expenses and charges) outweigh the prospect of full or partial payment.
- Where enforcement of the debt involves an arguable point of law and for that reason enforcement action could fail, with the imposition of costs or charges upon the Councils.

Money due where the Councils do not wish to pursue recovery because the circumstances of a case would attract well-founded adverse publicity or public reaction, or the concept of natural justice would be compromised.

Examples of this are: -

- A long period of time before the debt was brought to the notice of the individual concerned.
- Incorrect information or advice being given by a person within the organisation
- The individual being entitled to help or assistance with the debt, which are no longer available, but which would have cancelled or reduced the debt had they been granted or applied for at the time the debt occurred or was created.

It should, however, be noted that the examples listed are not exhaustive, and are not absolute or definitive classifications.

All decisions on individual debts are decided on the circumstances that exist, at the time.

There will be occasions when what would otherwise be a “bad debt” will be subject to recovery action.

For example:-

- Although a small balance is outstanding it has arisen because of a personal protest, or to initiate or support a protest campaign.
- The individual concerned has made a complaint, which has been held to be unfounded.
- An issue of principle is involved. If all debtors in this situation took similar action, the cumulative effect would be a large sum of money.

9.3 The Councils will make suitable and adequate provision for the incidence of bad debts in its accounts to accord with Chartered Institute of Public Finance and Accountancy (CIPFA) recognised best practice.

9.4 Bad debts will be identified in the Councils' accounts. This is to ensure that accurate records are maintained which reflect recoverable revenue and both accounting and statistical information which may be used for reporting and management purposes is not distorted or overstated.

9.5 Immediately a bad debt is identified it will be written off promptly, to preserve and maintain the principle of accurate and up to date information.

9.6 All write offs must be processed according to the Councils' financial regulations.

- The appropriate authorisation must be obtained for the transaction.
- Evidence to support the request must accompany all submissions for authorisation. The detail and degree of evidence supplied will however, be proportional to the size and nature of the debt involved to achieve the best use of resources.
- Authorisation for a write off includes the responsibility to ensure that all appropriate methods of recovery have been considered or used; suitable research has been undertaken; the logic used to reach any conclusion is

sound; and the circumstances and evidence are appropriately documented and sufficient.

- There should not be any delay in completing the write-off once authorisation has been obtained.

9.7 The cumulative total of debts written off will be monitored to ensure that the incidence of bad debt remains consistent with the Councils' estimates and projections. Periodic checks will be made to ensure that authorised write offs equal the cumulative total within the Councils' systems, that the correct procedures are being followed and work is to the appropriate standard.

9.8 The Councils has a strong commitment to eliminate fraud and other activities, which impact upon the public purse. Debts written off do not close the Councils' intention to recover or to resurrect the debt, if further information comes to light.

Debtors who have deliberately or unwittingly created a bad debt by omitting to make satisfactory forwarding arrangements on a change of address should not gain from that situation. If they are traced, the debt concerned, subject to any legal constraints, will be resurrected and recovery recommenced.

Where bad debts are attributed to an individual or company, that information may be retained by the Councils and may influence future decisions in relation to the individual or company concerned.

10. **Complaints and Errors**

10.1 Errors or mistakes made in the process of collecting monies and revenue due to the Councils will normally be resolved using the Councils' complaints process.

10.2 However, in the process of enforcing payment of outstanding debts it is possible that facts, unknown at an earlier stage but which nullify or influence the situation, only emerge after proceedings have been taken or have been completed.

In the event of that situation occurring the Councils will take appropriate action to remedy the situation as far as possible.

- Proceedings will be stopped immediately.
- The debtor's account will be noted to reflect the revised situation.
- Where appropriate the Court involved will be advised.

10.3 Although the Councils will make every effort to resolve a misrepresentation of the true situation, once some legal documents have been issued they can only be rescinded or "quashed" at the instigation of the Councils.

10.4 Where a Liability Order for Council Tax or Business Rates (Non-Domestic Rates) has been obtained by the Councils in good faith, but information received after the court hearing reveals a situation which had it been known at the outset would have stopped the matter going before the court; the Liability Order can be quashed by a Magistrates Court. In these rare cases application will be made to the Court.

10.5 In other situations a judicial review may be required, because of the cost involved in taking an issue to judicial review it is not in the public interest to take that action other than in exceptional circumstances.

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Equality Screening Form

Question	Response
Q1) Name of the strategy, policy, programme or project being assessed.	West Suffolk 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 updates the arrangements for the effective and appropriate collection of debts arising from non-payment of council tax, non-domestic rates or over-payment of benefits. 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"> - West Suffolk customers (organisations and individuals) will benefit from the greater clarity in the policy about their rights and responsibilities - West Suffolk staff will benefit through a reduced need for chasing outstanding debts - 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. - Partner organisations – e.g. Citizens Advice Bureaux – will benefit from a clearer description of the Councils' processes
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"> • Levels of participation • Uptake by different groups • Needs or experiences of different groups • Priorities • Other areas? 	There may be a difference in the needs or experience of different groups due to differing financial circumstances. These are explained in the table relating to Q5) below.

Question	Response
<p>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> <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>	No
<p>Q7) Considering our duty to proactively tackle disadvantage and promote equality of opportunity, list the actions required.</p>	See action plan below

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
All groups or society generally	No	No		
Age - Older or younger people	No	No		
Disability - People with a disability	No	No		
Sex - Women or men	No	No		
Pregnancy or maternity - including expectant or new parents i.e. pregnancy and maternity	No	No		
Marriage and civil partnership – including same sex couples	No	No		
Race - People who are black or from a minority ethnic background (BME)	No	No		
Religion - People with a religion or belief (or who choose not to have a religion or belief)	No	No		
Sexual Orientation - People who are lesbian, gay or bisexual (LGB) or in a Civil Partnership	No	No		
Gender Reassignment - 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>	Yes	No		Customers on a low income could find it hard to pay outstanding debts, especially if they temporarily experience extreme hardship

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

Action Plan				
Equality group/ characteristic	Action/milestone	Responsibility (Project manager or partner organisation)	Achievement date	Monitoring arrangements
Individuals on low income	Implement the arrangements for vulnerable customers described in the draft policy.	Paul Corney – Head of Anglia Revenues Partnership Advice / advocacy organisations	Already in place, following implementation of previous policies.	n/a

Sign off section

This Screening Level EqIA was completed by:

Name Jo Andrews

Job Title Strategic Manager

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

Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Sundry Debt Management and Recovery Policy	
Report No:	CAB/FH/15/035	
Report to and date:	Cabinet	14 July 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Jo Howlett Service Manager (Finance and Performance) Tel: 01284 757264 Email: joanne.howlett@westsuffolk.gov.uk	
Purpose of report:	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.	
Recommendation:	It is <u>RECOMMENDED</u> that, the Cabinet approves the policy as set out at Appendix A to Report No CAB/FH/15/035.	
Key Decision: <i>(Check the appropriate box and delete all those that do not 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"/>	
<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>		
Consultation:	N/A	
Alternative option(s):	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	

Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Maximise income from non-statutory services, Reduce write-offs Improve cash flow 	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Training and awareness and detailed guidance support this policy 	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> This is a revised policy and its adoption will ensure consistency across the West Suffolk authorities. 	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> A screening EqIA has been carried out (see Appendix C) 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
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
Ward(s) affected:		All	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A - Policy Appendix B - Flowchart of procedures Appendix C - EqIA	

1. Key issues and reasons for recommendation(s)

1.1 Purpose of document

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 West Suffolk. The policy is supported by an updated flowchart of the sundry debt process (Appendix B).

- 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 to a separate policy.
- 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.
- 1.4 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.
- 1.5 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.
- 1.6 Reports run from the Agresso Financial Management system show that a total of £5.9m was invoiced in 2014/15. Sundry debt at the end of March 2015 totalled £0.7m.

2. Policy aims

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, 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

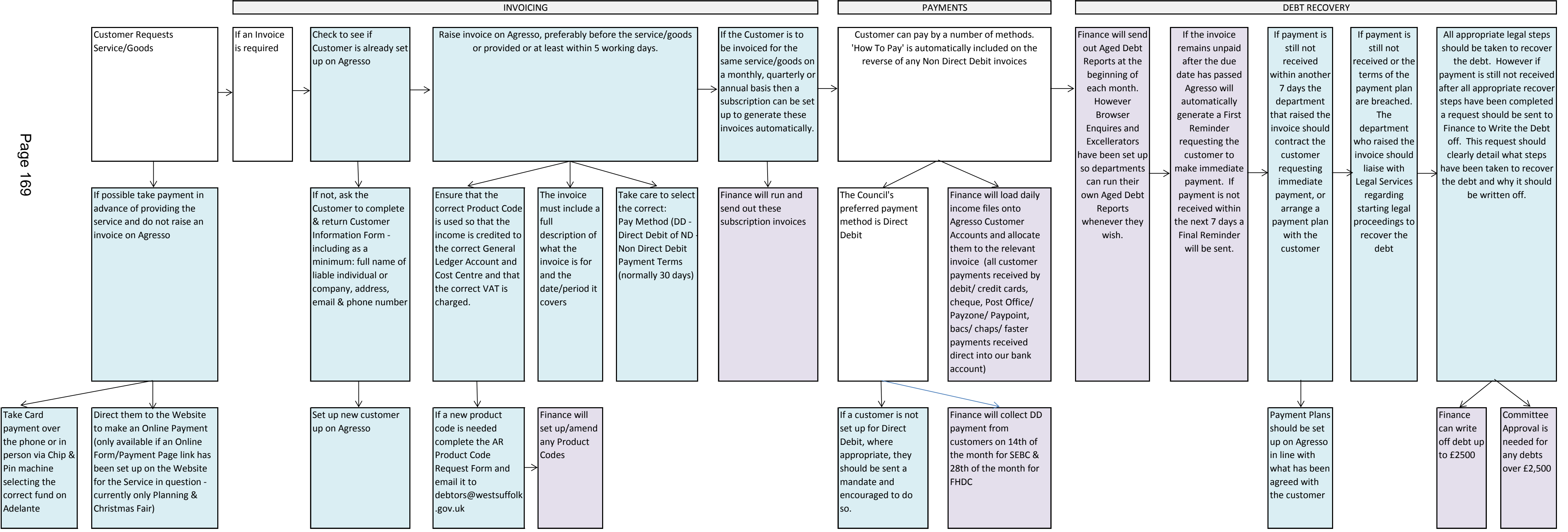
- 20.1 The councils will endeavour to resolve any disputes in relation to sundry debt arrangements at the earliest possible opportunity. If any member of the public believes that the councils have acted in a way that is not in line with this policy, the West Suffolk Comments, Compliments and Complaints 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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Take Card payment over the phone or in person via Chip & Pin machine selecting the correct fund on Adelante

Direct them to the Website to make an Online Payment (only available if an Online Form/Payment Page link has been set up on the Website for the Service in question - currently only Planning & Christmas Fair)

Set up new customer up on Agresso

If a new product code is needed complete the AR Product Code Request Form and email it to debtors@westsuffolk.gov.uk

Finance will set up/amend any Product Codes

If a customer is not set up for Direct Debit, where appropriate, they should be sent a mandate and encouraged to do so.

Finance will collect DD payment from customers on 14th of the month for SEBC & 28th of the month for FHDC

Payment Plans should be set up on Agresso in line with what has been agreed with the customer

Finance can write off debt up to £2500

Committee Approval is needed for any debts over £2,500

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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"> - West Suffolk customers (organisations and individuals) will benefit from the greater clarity in the policy about their rights and responsibilities - West Suffolk staff will benefit through a reduced need for chasing outstanding debts - 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.
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"> • Levels of participation • Uptake by different groups • Needs or experiences of different groups • Priorities • Other areas? 	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:	

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

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
All groups or society generally	No	No		
Age - Older or younger people	No	No		
Disability - People with a disability	No	No		
Sex - Women or men	No	No		
Pregnancy or maternity - including expectant or new parents i.e. pregnancy and maternity	No	No		
Marriage and civil partnership – including same sex couples	No	No		
Race - People who are black or from a minority ethnic background (BME)	No	No		
Religion - People with a religion or belief (or who choose not to have a religion or belief)	No	No		
Sexual Orientation - People who are lesbian, gay or bisexual (LGB) or in a Civil Partnership	No	No		
Gender Reassignment - 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>	Yes	No		Customers on a low income could find it hard to pay outstanding debts, especially if they temporarily experience extreme hardship

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

Action Plan				
Equality group/ characteristic	Action/milestone	Responsibility (Project manager or partner organisation)	Achievement date	Monitoring arrangements
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



Forest Heath District Council

CAB/FH/15/036

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 July 2015 to 31 May 2016

Publication Date: 15 June 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 or via Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

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
14/07/15	<p>Single Issue Review (SIR) and Site Specific Allocations (SSA) Local Plan - Reasonable Alternatives Consultation</p> <p>The Cabinet will be asked to approve the documentation in relation to the consultation on the District's ability to deliver more housing, resulting in an uplift in the affordable housing provision.</p>	Not applicable	(D)	Cabinet	James Waters Leader of the Council/ Cabinet Member for Planning and Growth 07771 621038	Steven Wood Head of Planning and Growth 01284 757306	All Wards	Report to Cabinet
14/07/15	<p>Revenues Collection and Performance Write-Offs</p> <p>The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices</p>	Paragraphs 1, 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
14/07/15	<p>Debt Management: Shared Recovery Policy</p> <p>The Cabinet will be asked to consider the recommendations of the</p>	Not applicable	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Recommendations from the St Edmundsbury Borough Council's

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	St Edmundsbury Borough Council's Overview and Scrutiny Committee and the Anglia Revenues and Benefits Partnership (ARP) Joint Committee in respect of seeking approval for a shared recovery policy applicable for all seven ARP Partners.							Overview and Scrutiny Committee and ARP Joint Committee to Cabinet
14/07/15	<p>West Suffolk Sundry Debt Management and Recovery Policy</p> <p>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 Forest Heath District Council and St Edmundsbury Borough Council and the implementation of the shared financial system.</p>	Not applicable	(D)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet

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14/07/15	<p>West Suffolk Operational Hub: Business Case</p> <p>The Cabinet will receive an update on progress to deliver a combined depot, waste transfer station and Household Waste Recycling Centre for West Suffolk at Hollow Road Farm, Bury St Edmunds (including further consultation concerning site selection before a planning application is made).</p> <p>The Cabinet will also be asked to consider the allocation of funding to allow the project to progress.</p>	Paragraph 3	(R) - Council 15/07/15	Cabinet/ Council	James Waters Leader of the Council/ Cabinet Member for Planning and Growth 07771 621038	Mark Walsh Head of Operations 01284 757300	All Wards	Report to Cabinet, with recommendations to Council
14/07/15	<p>Suffolk Waste Partnership - Organic Waste Options</p> <p>Item withdrawn as no decisions required at the present time.</p>				David Bowman Cabinet Member for Operations 07711 593737	Mark Walsh Head of Operations 01284 757300		

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14/07/15	West Suffolk Facilities Management The Cabinet will be asked to recommend to Council proposals for a Facilities Management Joint Venture Company, which is also being considered by St Edmundsbury Borough Council.	Paragraph 3	(R) - Council 15/07/15	Cabinet/ Council	David Bowman Cabinet Member for Operations 07711 593737	Mark Walsh Head of Operations 01284 757300	All Wards	Report to Cabinet, with recommend- ations to Council
14/07/15	Housing Investment Options: Housing Company Update no longer required, as full business case is expected to come forward in September 2015.				Not applicable	Simon Phelan Head of Housing 01638 719440		
14/07/15 (Deferred from 02/06/15)	Mildenhall Hub Project The Cabinet will consider the results of the initial due diligence of the Mildenhall Hub Business Case and, if applicable, identify preferred options for the next stages of the project.	Not applicable	(KD)	Cabinet	James Waters Leader of the Council/ Cabinet Member for Planning and Growth 07771 621038	Alex Wilson Director 01284 757695	All Wards	Report to Cabinet

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15/09/15	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
15/09/15 (Deferred since 28/10/14)	Housing Investment Options: Housing Company The Cabinet will be asked to recommend to Council the business case for a wholly Council owned Housing Company	Paragraph 3	(R) - Council 14/10/15	Cabinet/ Council	Not applicable	Simon Phelan Head of Housing 01638 719440	All Wards	Report to Cabinet, with recommendations to Council
27/10/15	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices

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22/12/15	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
10/02/16	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
10/02/16	Annual Treasury Management and Investment Strategy 2015/2016 and Treasury Management Code of Practice The Cabinet will be asked to recommend to full Council the approval of the Treasury Management and Investment Strategy 2015/2016, which must be	Not applicable	(R) - Council 24/02/15	Cabinet/ Council	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommendations to Council

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	undertaken before the start of each financial year.							
10/02/16	Budget and Council Tax: 2016/2017 The Cabinet will be asked to consider the proposals for the 2015/2016 budget and Medium Term Financial Strategy, prior to its approval by full Council. This report includes the Minimum Revenues Provision (MRP) Policy and Prudential Indicators.	Not applicable	(R) - Council 24/02/15	Cabinet/ Council	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommend- ations to Council
05/04/16	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices

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
17/05/16	<p>Revenues Collection and Performance Write-Offs</p> <p>The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices</p>	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Cabinet Member for Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 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

- Page 484
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 DEFINITIONS

Key decisions are:

- (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.
- f) 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:

<u>Cabinet Member</u>	<u>Portfolio</u>
James Waters	Leader of the Council; Planning and Growth
Robin Millar	Deputy Leader of the Council; Families and Communities
David Bowman	Operations
Andy Drummond	Leisure and Culture
Stephen Edwards	Resources and Performance

(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)

Full Breckland Cabinet Member	Full East Cambridgeshire District Council Cabinet Member	Full Fenland District Council Cabinet Member	Full Forest Heath District Council Cabinet Member	Full Suffolk Coastal District Council Cabinet Member	Full St Edmundsbury Borough Council Cabinet Member	Full Waveney District Council Cabinet Member
Cllr Michael Wassell Cllr Ellen Jolly	Cllr David Ambrose-Smith Cllr Lis Every	Cllr John Clark Cllr Chris Seaton	Cllr Stephen Edwards Cllr James Waters	Cllr Geoff Holdcroft Cllr Richard Kerry	Cllr Ian Houlder Cllr Sara Mildmay-White	Cllr Sue Allen Cllr Mike Barnard
Substitute Breckland Cabinet Member	Substitute East Cambridgeshire District Council Cabinet Member	Substitute Fenland District Council Cabinet Member	Substitute Forest Heath District Council Cabinet Member	Substitute Suffolk Coastal District Council Cabinet Member	Substitute St Edmundsbury Borough Council Cabinet Member	Substitute Waveney District Council Cabinet Member
Cllr Charles Carter	To be confirmed	To be confirmed	Vacancy	To be confirmed	Vacancy	To be confirmed

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Fiona Osman
Service Manager (Democratic and Elections)
Date: 15 June 2015

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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