

Cabinet



Forest Heath
District Council

Title:	Agenda												
Date:	Tuesday 5 April 2016												
Time:	6.00 pm												
Venue:	Council Chamber District Offices College Heath Road Mildenhall												
Membership:	<p style="text-align: right;">Leader James Waters</p> <p style="text-align: right;">Deputy Leader Robin Millar</p> <table border="0"> <thead> <tr> <th style="text-align: left;"><u>Councillor</u></th> <th style="text-align: left;"><u>Portfolio</u></th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</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	Andy Drummond	Leisure and Culture	Stephen Edwards	Resources and Performance	Robin Millar	Families and Communities	James Waters	Planning and Growth
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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 Democratic Services Officer (Cabinet) Tel: 01638 719237 Email: sharon.turner@westsuffolk.gov.uk												

Public Information



Forest Heath

District Council

Venue:	District Offices College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public speaking:	Members of the public who live or work in the District are invited to put one question or 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 wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
Disabled access:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.	
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Recording of meetings:	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

1 - 16

To approve as a correct record the minutes of the Cabinet meetings held on 10 February 2016 and 1 March 2016 (attached).

Part 1 – Public

3. Open Forum

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

4. Public Participation

Members of the public who live or work in the 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 wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

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

**5. Report of the Overview and Scrutiny Committee:
10 March 2016**

17 - 22

Report No: **CAB/FH/16/013**

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

6. Exemption to Contract Procedure Rules: Home of Horseracing

Portfolio Holder: Andy Drummond Lead Officer: Alex Wilson

Summary and Reason for Recommendation:

Specialist Transport and Installation of Art Collections at Palace House, Newmarket

Section 4.3 of the West Suffolk Contract Procedure Rules state that between £50,001 and the EU Threshold any exemption must be approved by the Officer and Head of Service in consultation with the Head of Resources and Performance. The Officer must produce evidence to support the request for any exemption and the Head of Service shall prepare a report for the next Cabinet to support the action taken, hence this agenda item.

The exemption, which was exercised on 10 March 2016, the reason for it (together with support evidence) has been forwarded to the Head of Resources and Performance for approval.

The National Horseracing Museum has identified a specialist contractor, Gander and White Shipping Limited, who can meet the specialist requirements in respect of transporting and hanging a significant number of value work art works, some on loan from national collections. This supplier also has the capacity to carry out the works in accordance with critical dates in the fit-out programme for the new Museum and has to be booked in advance.

The Museum is confident that the price quoted is competitive and the cost of the works is being funded through multiple partners and donors (as with the rest of the project).

The estimated total value of the exemption is £53,353.33 and was made under the following exemption criteria, as stated in Section 4.5 of the Contract Procedure Rules:

Exemption Category
<i>The specialised nature of the goods, services to be supplied or the works to be executed means that only one suitable supplier has been identified or is available.</i>

Recommendation:

The Cabinet is requested to **NOTE** this exemption to the West Suffolk Contract Procedure Rules, as contained in the Constitution.

	Page No
7. West Suffolk Community Energy Plan - Update	23 - 32
Report No: CAB/FH/16/014 Portfolio Holder: James Waters Lead Officer: Peter Gudde	
8. Decisions Plan: April 2016 to May 2016	33 - 42
Report No: CAB/FH/16/015 Portfolio Holder: James Waters Lead Officer: Ian Gallin	
9. Revenues Collection and Performance Write-Offs	43 - 46
Report No: CAB/FH/16/016 Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann	

10. 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

11. Exempt Appendix: Revenues Collection Performance and Write-Offs (paras 1 and 2)	47 - 54
Exempt Appendices 1, 2, 3 and 4 to Report No: CAB/FH/16/016 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)

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Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Wednesday 10 February 2016 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters (Leader)

Vice Chairman Robin Millar (Deputy Leader)

David Bowman
Stephen Edwards

Andy Drummond

By Invitation:

Louis Busuttil

(Vice Chairman of the Performance and Audit
Scrutiny Committee)

Simon Cole

(Chairman of the Overview and Scrutiny
Committee)

Sara Mildmay-White

SEBC Portfolio Holder for Housing (and also
being the shared lead Councillor for Housing
with FHDC)

151. Former Councillor David Bimson

Prior to the commencement of the meeting, the Leader of the Council asked all those present to observe a one minute silence in memory of former Councillor David Bimson, Ward Member for Brandon West, who had sadly died that morning.

152. Apologies for Absence

There were no apologies for absence.

153. Minutes

The minutes of the meeting held on 22 December 2015 were unanimously approved as a correct record and signed by the Chairman.

154. Open Forum

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

155. Public Participation

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

156. **Report from the Overview and Scrutiny Committee: 14 January 2016 (Report No CAB/FH/16/001)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following items discussed by the Committee on 14 January 2016:

- (1) Presentation by the Cabinet Member for Leisure and Cultural Services.
- (2) Presentation on the Mildenhall Hub Project.
- (3) Directed Surveillance Authorised Applications (Quarter 3)
- (4) Work Programme Update and Suggestion for Scrutiny

Councillor Cole also drew relevant issues to the attention of the Cabinet and particularly referred to paragraph 1.1.3 of the report which referred to the discussions held as part of the presentation by the Cabinet Member for Leisure and Cultural Services (Item (1) above).

Councillor Cole also reminded the Cabinet that the Suffolk Police and Crime Commissioner would be attending the Overview and Scrutiny Committee meeting on 10 March 2016 to give a presentation on the Suffolk Local Policing Review, with a particular focus on its implications for the west of Suffolk. All Members of the Council were invited to attend this presentation.

Councillor Cole referred to the Cabinet's Decision Plan and the item which related to the '*Re-development of the Guineas Centre, Newmarket*', which had been due for consideration by the Cabinet at this meeting (10 February 2016). As this item had been deferred, he asked when this was likely to be considered by the Cabinet. The Leader responded and confirmed that work was still being undertaken and there was no defined timescale, at this stage.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

157. **Report from the Anglia Revenues and Benefits Partnership Joint Committee: 7 December 2015 and 12 January 2016 (Report No CAB/FH/16/002)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which informed the Cabinet of the following substantive items discussed by the Joint Committee on 7 December 2015 and 12 January 2016 respectively:-

- (a) 7 December 2015
 - (1) Performance Report.
 - (2) ARP Joint Committee Partnership Budget.
 - (3) Service Delivery Plan.
 - (4) Welfare Reform Update.
 - (5) Enforcement Agency Update.
 - (6) Anglia Revenues Partnership Trading Company Progress Update.
 - (7) Forthcoming Issues.

- (b) 12 January 2016
(1) ARP Joint Committee Partnership Budget

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

**158. Report from the Performance and Audit Scrutiny Committee:
28 January 2016 (Report No CAB/FH/16/003)**

Councillor Louis Busuttill, Vice Chairman of the Performance and Audit Scrutiny Committee, presented this report, on behalf of Councillor Colin Noble (Chairman), which informed the Cabinet of the following items discussed by the Committee on 28 January 2016:

- (1) Balanced Scorecards and Quarter Three Performance Report 2015/2016.
- (2) West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2015.
- (3) Delivering a Sustainable Budget 2016-2017 – Procedural Update.
- (4) Development and Implementation of the Garden Waste Collection Service.
- (5) Work Programme Update.
- (6) Financial Performance Report (Revenue and Capital) Quarter 3 – 2015/2016
- (7) Treasury Management Report 2015/2016 – Investment Activity 1 April – 31 December 2015.
- (8) Annual Treasury Management and Investment Strategy Statements 2016/2017 and Treasury Management Code of Practice.

Councillor Busuttill also drew relevant issues to the attention of the Cabinet, in relation to the above items.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

**159. Recommendations of the Performance and Audit Scrutiny Committee:
28 January 2016 - Annual Treasury Management and Investment
Strategy Statements 2016/2017 and Treasury Management Code of
Practice (Report No CAB/FH/16/004)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance presented this report which sought approval for the Annual Treasury Management and Investment Strategy Statements for 2016/2017.

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management required that, prior to the start of the financial year, the Council formally approved an Annual Treasury Management

and Investment Strategy, setting out the Council's Treasury Management Policy and Strategy Statements for the forthcoming year.

Councillor Edwards drew relevant issues to the attention of the Cabinet, including that with the recent changes to the Business Rates Retention Scheme and other funding/grant arrangements, the Council was experiencing short-term cash surpluses due to the timing differences between receiving the monies and paying them over to County and Central Government. Therefore, it was suggested that the Council agreed to an increase in the investment limit with suitable counterparties, as defined by the Annual Treasury Management and Investment Strategy Statements, by £500,000 per counterparty. These revised limits were detailed in paragraph 1.2.3 of Report No PAS/FH/16/007.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. The Annual Treasury Management and Investment Strategy Statements 2016/2017, as set out in Appendix 1 and 2 to Report No PAS/FH/16/007, be adopted.
2. The Treasury Management Code of Practice 2016/2017, as contained in Appendix 3 and 4 to Report No PAS/FH/16/007, be approved.

160. Budget and Council Tax Setting: 2016/2017 and Medium Term Financial Strategy (Report No CAB/FH/16/005)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which set out details of the Council's proposed revenue and capital budgets for 2016/2017 and the Cabinet was required to consider the 2016/2017 budget for the authority and recommend to Council, the level of Council Tax required to help fund this budget.

In the provisional Local Government Finance Settlement for 2016/2017, it was proposed to offer a guaranteed four year budget settlement to cover the period up to 2019/2020, to those councils who could demonstrate ongoing efficiency savings for 2016 to 2020. The Council had seen a 62% cumulative cut in Revenue Support Grant (RSG) over the three years from 2013/2014 to 2016/2017. Further cuts to the RSG element (including Council Tax Freeze Grant) in subsequent years had been outlined in the December settlement as part of the provisional four year settlement and it was expected that there would be minimal RSG support available to the District by 2019/2020.

In previous years, the Government had awarded a Council Tax Freeze Grant to those councils that agreed to freeze their council tax levels, however, this incentive had not been included in the settlement for 2016/2017 onwards and there was an assumption in the Local Government Finance Settlement, that councils would raise their council tax levels in line with the referendum limits (2% or £5 for councils in the lower council tax quartile).

The Council continued to face considerable financial challenges as a result of uncertainty in the wider economic and constraints on public sector spending. In this context and like many other councils, difficult decisions had to be made. However, the Council had an excellent track record of achieving substantial year-on-year budget savings and generating new income.

The Cabinet acknowledged the budget gap faced at the beginning of the year of £1.06 million for 2016/2017, which was in addition to the savings delivered locally by the District over the years and in excess of the £4 million annual shared service savings already delivered across West Suffolk with St Edmundsbury Borough Council.

Councillor Edwards thanked all Members, Officers and specifically the Performance and Audit Scrutiny Committee, for their work in scrutinising the budget process and being in a position to be able to deliver a balanced budget for 2016/2017. The figures contained within the report assumed a 0% increase in Council Tax for 2016/2017. The Council Tax precept for Forest Heath District Council in 2016/2017 would, therefore, be £137.43 for an average Band D property. Should the Cabinet and Council decide to set a 0% increase on Council Tax, the Council would have frozen Council Tax for the last six years.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. The revenue and capital budget for 2016/2017 attached at Attachment A and as detailed in Attachment D, Appendix 1 to 5 of Report No CAB/FH/16/005, be approved.
2. Having taken into account the conclusions of the Head of Resources and Performance's report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D and Appendix 5) and all other information contained in this report, Cabinet recommends a 0% increase in Council Tax for 2016/2017 (the level of Band D Council Tax for 2016/2017 be set at £137.43).
3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2015/2016 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.9.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.
4. 100% disregard of War Pension's, War Widower's Pensions and Armed Forces Compensation Payments or any other successor

scheme, be approved in the calculation of Housing Benefit, as set out in paragraphs 1.4.3 to 1.4.5 of Report No CAB/FH/16/004.

5. The revised Minimum Revenue Provision policy, as set out in section 1.8 and Attachment D Appendix 4, be adopted.
6. Where the Council has usable capital receipts that are not needed for other purposes, delegated authority be given for the Section 151 Officer to apply, where prudent to do so, some or all of it to meet capital expenditure incurred in the current year or previous years under paragraph 23 of Section 21(1B) of the Local Government Act 2003, to reduce or eliminate any MRP that might need to be set aside. Subject to the year-end outturn, unallocated usable capital receipts are used to meet the full CFR value during 2015/2016, thus eliminating the need for an MRP charge in 2016/2017 and until such time that the CFR calculation requires one.

161. **Recommendations of the West Suffolk Joint Growth Steering Group: 26 January 2016 - Mildenhall Hub: Development Brief (Report No CAB/FH/16/006)**

Councillor David Bowman, Portfolio Holder for Operations, presented this report which set out the recommendations of the West Suffolk Joint Growth Steering Group, emanating from its meeting on 26 January 2016.

On 26 January 2016, the West Suffolk Joint Growth Steering Group considered the following substantive item of business:

(1) Mildenhall Hub: Development Brief

The purpose of a Development Brief was to set out the planning issues and constraints and provided guidance as to what would need to be addressed in bringing the site forward for development in a cohesive and phased manner to meet the future demands for public services in Mildenhall. This was a separate process, independent to the actual Business Case for the Hub, which was the subject of a separate report on the Cabinet agenda (Report No CAB/FH/16/007 refers).

Whilst discussing the proposed Development Brief, the Steering Group had recommended that it should contain an Executive Summary, outlining the following areas:

- Explaining the value and importance of the Hub, particularly as a community facility.
- To emphasise the proposals for the leisure facilities.
- To include reference to the previous transport study and how this would relate to this development.

Councillor Ruth Bowman, the Ward Member for the Market Ward (Mildenhall), had also explained to the Steering Group, the current concerns of residents with regard to the issues of traffic, car parking and pedestrian access, within the area of Wamil Way and Church Walk and how this may also be further

affected by other potential development within the area. Therefore, taking these comments on board, the Steering Group had proposed that the Brief be further amended, as set out within paragraph 1.3 of the report.

With regard to the consultation process itself, the Steering Group also stated the importance of ensuring that the community could fully participate in the process and, therefore, requested for the consultation period to be undertaken for a minimum of six weeks.

With the vote being unanimous, it was

RESOLVED:

That the draft Development Brief be approved for public consultation, subject to the final content being amended to:

1. Reflect the comments of the West Suffolk Joint Growth Steering Group, with approval of the final text to be undertaken in consultation with the Portfolio Holder for Planning and Growth and the Ward Members for the Market Ward (Mildenhall).
2. Add an Executive Summary, for circulation to the Members of the West Suffolk Joint Growth Steering Group for comment, prior to the Development Brief going out to public consultation.

162. Mildenhall Hub Project - Update and Next Steps (Report No CAB/FH/16/007)

The Director presented this report which updated the Cabinet on the Mildenhall Hub Project, including a revised Business Case (Appendix 1) and also sought approval to move to the next (design) stage of the project, subject to the outcome of the public consultation on the Development Brief (as previously considered under Report No CAB/FH/16/006).

The revised Business Case set out the latest requirements of the partners and there had been several key changes since the 2014 version of the Business Case, which materially affected the project in scope and delivery and these changes were set out in paragraph 1.3.2 of the report.

The Director explained that it had not been possible to bring the final Business Case to the Cabinet at this stage, due to the Mildenhall Academy funding announcement (under the Priority Schools Building Programme) being deferred to at least Spring 2016. Therefore, the full financial Business Case would be presented to the Cabinet and Council later in the year.

If the Cabinet supported the proposal to move ahead to the design stage of the project, then the next steps for the Council would be:

- (a) The Local Planning Authority would complete work on preparing the Development Brief which must be adopted for the project to proceed.

- (b) The partners would sign a Memorandum of Understanding (or equivalent) legal document to create a partnership agreement for the project.
- (c) Pre-application investigations and studies would be carried out, including design of traffic schemes.
- (d) A design and project management team would be appointed to take the project to a developed design capable of achieving planning consent in accordance and a final cost estimate.
- (e) A detailed financial business case would be presented and approved by the partners (including FHDC Council), so that the project could proceed.
- (f) The submission of a planning application (involving further public consultation and provided a Development Brief was adopted).

To move the project forward, the Council would also need to set aside further funding to cover its share of the design costs and planning application processes and therefore, £100,000 of additional funding was also being sought, subject to approval by full Council.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. Progress on the Mildenhall Hub project and the next steps set out in Section 1.6 of Report No CAB/FH/16/007 be noted and approved; specifically that
2. The updated 2015 business case be approved for use in the design stage of the project, alongside any adopted Development Brief.
3. The Director, in consultation with the Leader, be authorised to negotiate, prepare and sign a partnership agreement for the project, provided it is consistent with the business case and the framework set out in this report.
4. A further budget of £100,000, be funded from the Delivering the Strategic Priorities and MTFs Reserve, to meet Forest Heath's share of project management and development costs, be approved; and
5. The Director be authorised to approve spending from this budget, in consultation with the Leader.

163. Home-Link Lettings Policy (Report No CAB/FH/16/008)

Councillor Sara Mildmay-White, St Edmundsbury Borough Council Portfolio Holder for Housing (and also being the shared lead Councillor for Housing with Forest Heath District Council) presented this report which sought approval for a revised Home-Link Lettings Policy.

Councillor Mildmay-White drew relevant issues to the attention of the Cabinet, including that Home-Link was the Choice Based Lettings (CBL) scheme for the Cambridgeshire and West Suffolk Housing sub-region. Each Local Authority had its own Lettings Policy and was responsible for implementing any changes to that Policy. Many elements of the Lettings Policy had been agreed across the sub-region and these could not be amended without agreement of all local authorities across the sub-region.

Councillor Mildmay-White also thanked the Officers within the Housing Team for the work which had been undertaken on the revision of this Policy.

The Cabinet considered the proposed changes set out in Appendix A attached to the report to be acceptable.

With the vote being unanimous, it was

RESOLVED:

That the revised Home-Link Lettings Policy, as contained in Appendix A to Report No CAB/FH/16/008, be approved.

164. Decisions Plan: February 2016 to May 2016 (Report No CAB/FH/16/009)

The Cabinet considered Report No CAB/FH/16/009, which was the Cabinet Decisions Plan covering the period February 2016 to May 2016.

Members took the opportunity to review the intended forthcoming decisions of the Cabinet. Following on from the discussion earlier in the meeting with regard to the removal/deferral of items within the Decisions Plan, Councillor Robin Millar requested that if items were removed/deferred, information should be included within the Plan to explain the reasons for this. This request was noted and this information would be included in the future.

165. Revenues Collection and Performance Write-Offs (Report No CAB/FH/16/010)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval for the write-off of uncollectable amounts in respect of Business Rates.

Councillor Edwards also referred to paragraphs 3.2 and 3.3 of the report which set out the collection rates for NNDR and Council Tax as at 31 December 2015.

With the vote being unanimous, it was

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendix to Report No CAB/FH/16/010 be approved, as follows:

1. Exempt Appendix 1: Business Rates totalling £13,643.47.

166. Exclusion of the Press and Public

See Minute No. 166. below.

167. Exempt Appendix: Revenues Collection Performance and Write-Offs (paras 1 and 2) (Report No CAB/FH/16/010)

The Cabinet considered Exempt Appendix 1 to Report No CAB/FH/16/010. However, as no reference was made to specific detail, this item was not held in private session.

The Meeting concluded at 6.35 pm

Signed by:

Chairman

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 1 March 2016 at **6.00 pm** at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters (Leader)
Vice Chairman Robin Millar (Deputy Leader)

David Bowman
Stephen Edwards

Andy Drummond

By Invitation:

Rona Burt

(Chairman of the Local Plan Working Group)

In attendance:

Colin Noble

(joined meeting at 6.25 pm)

168. Apologies for Absence

There were no apologies for absence.

169. Open Forum

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

170. Public Participation

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

171. Recommendations of the Local Plan Working Group: 15 February 2016 (Report No CAB/FH/16/011)

Councillor Rona Burt, Chairman of the Local Plan Working Group, presented this report which set out the recommendations of the Working Group, emanating from its meeting on 15 February 2016.

On 15 February 2016, the Working Group considered the following substantive items of business:

- (1) Responses to consultation and engagement on the Core Strategy Single Issue Review (SIR), Site Allocations Local Plan (SALP) and Draft Infrastructure Delivery Plan (IDP) (Report No LOP/FH/16/004)

This report set out the representations, responses, comments and actions which had been made on the Core Strategy Single Issue Review (SIR), the Site Allocations Local Plan (SALP) documents and the Draft

Infrastructure Delivery Plan (IDP), following the public consultation which had been held between August and October 2015.

The Working Group had considered these responses, comments and actions as set out in Working Papers 1, 2 and 3 of Report No LOP/FH/16/004 and had recommended that these be endorsed.

(2) Core Strategy Single Issue Review (SIR) Preferred Option – (Regulation 18) Consultation Document (Report No LOP/FH/16/005)

Working Paper 1 to Report No LOP/FH/16/005 was the third 'Issues and Options' (Regulation 18) Core Strategy SIR consultation document. This document considered one option for the overall level of housing to be provided in the District from 2011 to 2031 and two reasonable options (one of which was the Council's preferred option) for its distribution between towns and villages.

The purpose of the consultation document was to stimulate further debate on housing quantum and the most appropriate way to distribute the housing need throughout the District. The document asked questions from both the public and statutory stakeholders.

The Council was still evidence gathering at this stage and was not making a final decision on the distribution of housing, but was giving an indication of its preferred strategy.

The Local Plan Working Group had recommended that the documents be approved for consultation, subject to additional text being included to provide further clarity and context for Newmarket, in relation to Option 1 (the Council's preferred option) and Option 2 (the Council's non-preferred option).

During the Cabinet discussions, Councillor Robin Millar referred to page 16 of the consultation document where the table on that page set out the distribution of the housing numbers across the District, entitled '*Distribution Option 1: Higher growth at Mildenhall and Red Lodge and Primary Villages, enabling lower growth at Newmarket*'. Councillor Millar considered that further clarity was needed to avoid any misinterpretation of the Council's position and that this was not a statement of the Council's political position, but was a statement of fact. Councillor Millar, therefore, proposed that this wording be amended and that the word '*enabling*' be replaced with the word '*and*'. Therefore reading:

*'Distribution Option 1: Higher growth at Mildenhall and Red Lodge and Primary Villages, **and** lower growth at Newmarket.'*

Councillor Millar also referred to the range of options which had been considered in relation to the site of Hatchfield Farm, Newmarket, including those which had been tested and rejected on the grounds of prematurity. Therefore, deliverability on this site was a key consideration in what the Council was allowed to put forward for consultation. The Principal Planner also explained that the land owner had publicly stated that a submission of 400 homes (plus 100 homes

specifically for the horseracing industry) would only be made within this Plan period.

Councillor Millar explained that in relation to the full range of options, zero growth on this site had also been discussed, but had not been included as an option, as the hierarchy of the settlements required major growth in the larger settlements (ie Newmarket). Equally, the Council's housing targets would be unattainable if some growth was not allocated in Newmarket, as this would then have to be allocated in other smaller settlements.

The Principal Planner confirmed that Newmarket was the largest and most sustainable settlement within the District, with the most services and facilities. Therefore, it had always been both the Member and Officer stance that there should be a higher proportion/commensurate level of growth, being its status as one of the three main towns within the District.

Councillor Millar then stated that in relation to the housing options for Hatchfield Farm, the word '*preferred*' had been used. Again, he concluded that the phrase '*preferred option*' needed to be further clarified, as this was not a statement of the Council's political position, but that it was a technical planning phrase.

The Principal Planner explained that the term '*preferred option*' was part of the statutory Development Plan process. In October 2015, the 'Issues and Options' consultation had set out a number of different options for housing. Following that consultation, the options had been refined and a '*preferred option*' developed, which would now be consulted on under Regulation 18 of the statutory process.

Therefore, Councillor Millar proposed that to avoid misinterpretation of the Council's position, the use of the phrase '*preferred option*', be further clarified as to its use/context, in that it was a technical planning term used under 'Regulation 18' of the statutory Development Plan process.

With the vote being unanimous, it was

RESOLVED:

That:-

1. Responses to consultation and engagement on the Core Strategy Single Issue Review (SIR), Site Allocations Local Plan (SALP) and Draft Infrastructure Delivery Plan (IDP) (Report No LOP/FH/16/004)

The responses, comments and actions as set out in Working Papers 1, 2 and 3 of Report No LOP/FH/16/004 be endorsed.

2. Core Strategy Single Issue Review (SIR) Preferred Option – (Regulation 18) Consultation Document (Report No LOP/FH/16/005)

(a) The Core Strategy Single Issue Review (CS SIR) Preferred Option document (as set out in Working Paper 1 to Report No LOP/FH/16/005) and accompanying Strategic Environmental Assessment (SEA)/Sustainability Appraisal (SA), together with supporting documents, be approved for consultation, subject to the following amendments:

(i) Additional text being included to provide further clarity and context for Newmarket in relation to Option 1 (the Council's preferred option) and Option 2 (the Council's non-preferred option).

(ii) In relation to page 16 of the consultation document – *Distribution Option 1* – the word 'enabling' be replaced with the word 'and' – therefore being amended to read:

*'Distribution Option 1: Higher growth at Mildenhall and Red Lodge and Primary Villages, **and** lower growth at Newmarket'.*

(iii) Further clarity be provided to the use/context of the phrase 'Preferred Option', in that it was a technical planning term used under 'Regulation 18' of the statutory development plan process.

(b) 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 the document, provided that it does not materially affect the substance or meaning.

172. **Recommendations of the Local Plan Working Group: 18 February 2016 (Report No CAB/FH/16/012)**

Councillor Rona Burt, Chairman of the Local Plan Working Group, presented this report which set out the recommendations of the Working Group held on 18 February 2016.

On 18 February 2016, the Working Group had considered the following substantive item of business:

(1) Site Allocations Preferred Options – (Regulation 18) Consultation Document.

Working Paper 1 of Report No LOP/FH/16/006 was the Site Allocations Local Plan Preferred Options document. This superseded and updated the 2015 consultation document and set out the Council's preferred sites to 2031 for housing, employment and other uses.

The document asked questions and invited comments from both the public and statutory stakeholders. The Council was still evidence gathering at this stage and was not making a final decision on sites, but was giving an indication of its preferred strategy.

The Local Plan Working Group had considered the Site Allocations Local Plan in detail and their substantive comments were set out in paragraph 1.17 of Report No CAB/FH/16/012. The Working Group had recommended that the consultation documents be approved, subject to an amendment to Site N1(b) (Land at Black Bear Lane and Rowley Drive Junction, Newmarket) to include further reference to the retention of a horse racing related use on that site.

The Cabinet were also provided with a copy of the Local Plan Preferred Options Policies Map (which also included the Inset Maps).

With the vote being unanimous, it was

RESOLVED:

That:-

1. Progress on the Site Allocations Local Plan (SALP) be endorsed.
2. The Site Allocations Preferred Options document, as set out in Working Papers 1 and 2 to Report No LOP/FH/16/006 and accompanying Strategic Environmental Assessment (SEA)/Sustainability Appraisal (SA), together with supporting documents, be approved for consultation, subject to the following amendment:
 - (i) Newmarket – Site N1(b): Land at Black Bear Lane and Rowley Drive Junction (formerly N/11)
Paragraph 7.18 and Site (b) of Policy N1: Housing in Newmarket, of the SALP document, be amended to include further references to the retention of a horse racing related use on that site.
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 the document, provided that it does not materially affect the substance or meaning.

The Meeting concluded at 6.25 pm

Signed by:

Chairman

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Cabinet



Forest Heath
District Council

Title of Report:	Report from the Overview and Scrutiny Committee: 10 March 2016	
Report No:	CAB/FH/16/013	
Report to and date:	Cabinet	5 April 2016
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 10 March 2016, the Overview and Scrutiny Committee considered the following reports: (1) Presentation by the Police and Crime Commissioner and the Chief Constable on the Suffolk Local Policing Review; (2) Presentation by the Portfolio Holder for Resources and Performance; (3) West Suffolk Housing Strategy: Progress Report against Action Points; (4) Decisions Plan – April 2016 to May 2017; and (5) Work Programme Update.	
Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/16/013, 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:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any equality implications? 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 Presentation by the Police and Crime Commissioner and the Chief Constable on the Suffolk Local Policing Review (Appendix A: OAS/FH/16/003)

1.1.1 The Committee received a presentation from the Police and Crime Commissioner (PCC), Tim Passmore, who had been invited to the meeting to discuss the Suffolk Local Policing Review, with a particular focus on its implications for the west of Suffolk and to answer questions from the Committee and other members who had also been invited. The PCC was accompanied by the Chief Constable, Gareth Wilson, and Supt. Andrew Mason, Local Policing Commander for the West.

1.1.2 The presentation set out the strategic direction and budget; managing demand; partnership working; protecting victims and vulnerable people; commissioning and grants; innovation; tackling new forms of crime and preventing and reducing crime.

1.1.3 The Committee was informed that the policing review was not solely financial. It was about the Constabulary responding to the changing nature of crime, with resources being located according to demand.

1.1.4 The Committee discussed the presentation in detail and asked a number of questions of the PCC, Chief Constable and the Local Policing Commander, to which comprehensive responses were provided. In particular discussions were held on the following:

- (1) Decriminalisation of parking: Work was underway with district, borough and county councils to transfer responsibility for parking enforcement to the local authority. This would allow Police Community Support Officers (PCSOs) to spend more time on local problem solving.
- (2) Funding for Crime Prevention Panel: The PCC advised that it might be possible for the Crime Prevention Panel to apply for funding from the Crime and Disorder Reduction Grant. The guiding principle for the funding was delivering the police priorities.
- (3) Access to justice: Members raised concerns regarding the proposals to close a number of courts. Access to justice was important and people needed a court that they could easily reach. Local justice for victims was needed. The PCC acknowledged that this was a high priority for the constabulary and the Local Criminal Justice Board. Alternative options were currently being looked at, such as "pop up courts". However, any support from local authorities would be gratefully received.

1.1.5 There being no decision required, the Committee **noted** the contents of the presentation.

1.2 Presentation by the Portfolio Holder for Resources and Performance (Report No: OAS/FH/16/004 and Verbal)

1.2.1 As set out in the Council's Constitution, at every ordinary Overview and

Scrutiny meeting at least one Cabinet Member shall be invited to attend to give an account of his or her portfolio and to answer questions from the Committee.

- 1.2.2 Report No: OAS/FH/16/004 set out the overall responsibilities of Councillor Stephen Edwards, the Cabinet Member for Resources and Performance who had been invited to the meeting to discuss his portfolio.
- 1.2.3 The Committee discussed the presentation and asked a number of questions of Councillor Edwards to which comprehensive responses were provided. In particular discussions were held on pensions; national living wage; IT (paperless working) and IT (resilience).
- 1.2.4 There being no decision required, the Committee **noted** the contents of the presentation.
- 1.3 **West Suffolk Housing Strategy: Progress Report against Action Points (Report No: OAS/FH/16/005)**
 - 1.3.1 The Committee received Report No: OAS/FH/16/005, which asked members to review progress made against the West Suffolk Housing Strategy 2015-2018.
 - 1.3.2 Attached at Appendix A to the report was a detailed update on progress as at the end of December 2015, against 40 objectives. The remainder of the report summarised each of the headings, key achievements to date and work underway and highlighted challenges and external factors impacting on delivery.
 - 1.3.3 Members considered the report in detail and asked questions on private sector housing, homelessness and registered providers to which the Lead Member for Housing and the Head of Housing provided comprehensive responses.
 - 1.3.4 There being no decision required, the Committee:
 - (1) **Noted** the progress made to date against the actions arising from the West Suffolk Housing Strategy 2015-2018;
 - (2) **Noted** the challenges facing delivery of the West Suffolk Housing Strategy; and
 - (3) **Noted** an update would be presented to the Committee in early 2017 in order to monitor delivery in 2016.
- 1.4 **Decisions Plan (April 2016 - May 2017) (Report No: OAS/FH/16/006)**
 - 1.4.1 The Committee considered the latest Decisions Plan, covering the period April to May 2016. Members reviewed the Decisions Plan in detail and asked questions to which responses were provided.
 - 1.4.2 There being no decision required, the Committee **noted** the contents of the Decisions Plan.

1.5 **Work Programme Update (Report No: OAS/FH/16/007)**

- 1.5.1 The Committee received Report No: OAS/FH/16/007, which provided an update on the current status of the Committee's Work Programme and the Task and Finish Groups appointed by the Committee.
- 1.5.2 Members were advised that the Chairman had written to the Suffolk County Council Portfolio Holder for Roads and Transport on 11 February 2016, inviting him and appropriate officers to the Overview and Scrutiny meeting on 21 April 2016. However, to date, no response had been received from the Portfolio Holder. The Committee was disappointed in the lack of response and felt the work programme item on "transport links for rural villages in Forest Heath" should not be pushed back. Councillor Lance Stanbury suggested inviting some of the interested transport companies to come and speak to a future meeting of the Committee.

Members considered the report, and with the vote being unanimous, it was

RESOLVED

That the Chairman of the Committee, Councillor Lance Stanbury and the Democratic Services Officer (Scrutiny) meet to consider which transport companies to invite to a future meeting of the Committee.

2. Background Papers

- 2.1.1 Appendix A: OAS/FH/16/003 to the Overview and Scrutiny Committee: Suffolk Local Policing Review
- 2.1.2 Report No: OAS/FH/16/004 to the Overview and Scrutiny Committee: Presentation by the Cabinet Member for Resources and Performance
- 2.1.3 Report No: OAS/FH/16/005 to the Overview and Scrutiny Committee: West Suffolk Housing Strategy: Progress Report against Action Points
- 2.1.4 Report No: OAS/FH/16/006 to the Overview and Scrutiny Committee: Decisions Plan (April 2016 to May 2017)
- 2.1.5 Report No: OAS/FH/16/007 to the Overview and Scrutiny Committee: Work Programme Update

Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Community Energy Plan - Update	
Report No:	CAB/FH/16/014	
Report to and date:	Cabinet	5 April 2016
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:	Peter Gudde Service Manager – Environmental Health Tel: 01284 757042 Email: peter.gudde@westsuffolk.gov.uk	
Purpose of report:	<p>To provide an update on progress towards delivering the opportunities set out in the West Suffolk Community Energy Plan approved by Forest Heath District Council, in partnership with St Edmundsbury Borough Council, in December 2014.</p> <p>This report summarises the progress made since the Plan’s adoption and also makes recommendations for taking forward the previously approved investment programme.</p>	
Recommendation:	<p>It is <u>RECOMMENDED</u> that the capital allocation approved for the development of a rent-a-roof solar scheme for business as agreed by the Council (Report No CAB/FH/14/010 dated 9 December 2014) be extended to support such investment schemes as set out in Section 1.3 of the report based on renewable power, heat and energy efficiency financing.</p>	
<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>(a) <i>A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</i></p> <p>(i) <i>be significant in terms of its effects on</i></p>	

	<p><i>communities living or working in an area in the Borough/District; or</i></p> <p>(ii) <i>result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme;</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:	See paragraphs 3.1-3.4 of the supporting reports		
Alternative option(s):	See section 3		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • The recommendations propose a re-alignment of already approved capital provision		
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 type="checkbox"/> No <input checked="" type="checkbox"/>		
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)
Financial - The projects do not achieve the predicted financial returns	High	Conservative assumptions made. Industry advice has been sought in developing the financial models. Project investment will be tightly controlled to achieve highest support Tariffs, or cease project investment should Government cut the tariffs to make the financial model unsustainable	Medium
Legal - Unable to gain permissions and licences to operate	High	Seek legal advice before progressing options	Medium
Economic - lack of market demand	Medium	Carry out soft market testing. Refine the offer and go to test market again before launching	Low

Technological – Complexity of the technologies	Medium	Initial focus is on a mature, low technological risk.	Low
Community – Public concern. Lack of effective engagement and communication to explain and win support	High	Develop an engagement and communications plan	Medium
Ward(s) affected:	All Wards		
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	Cabinet – 9 December 2014 Report No CAB/FH/14/010		
Documents attached:	None		

1. Key issues and reasons for recommendation(s)

1.1 Background

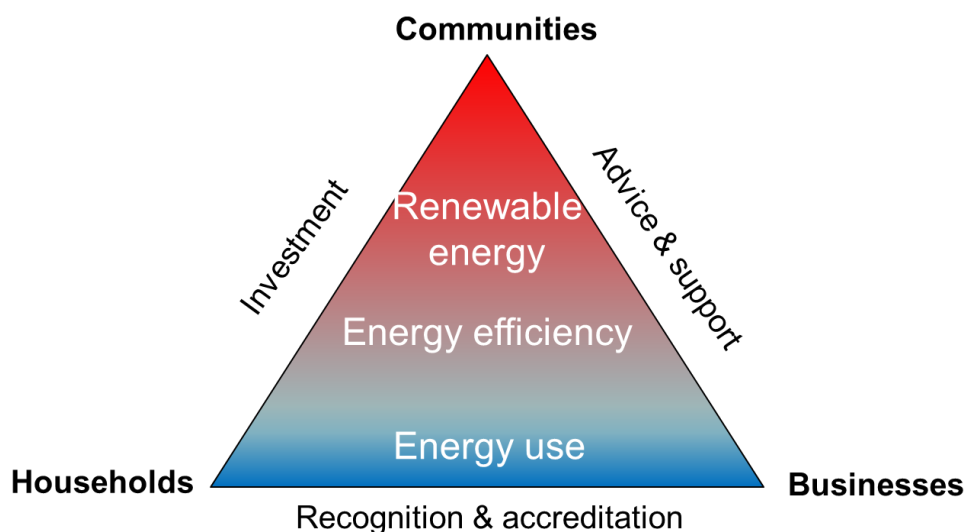
1.1.1 In December 2014, the Councils of Forest Heath District Council and St Edmundsbury Borough Council approved the implementation of the West Suffolk Community Energy Plan. Improvements in energy efficiency deliver immediate savings generally with short financial paybacks. In addition, achieving certain levels of building energy efficiency is a requirement for the highest renewable energy tariffs.

The Councils' decision in 2014 set out the shared aim for all in West Suffolk to be able to make sustainable energy choices, reduce the impact of energy cost volatility and move from fossil fuels. Under the Community Energy Plan, the Councils have been working to combine current energy efficiency work with a renewable energy investment programme to be able to fulfil the following outcomes:

- A long term, sustainable source of revenue for the Councils
- Households, businesses and communities in West Suffolk which are less reliant on fossil-based energy
- Locally-owned renewable energy generation to the benefit of the local taxpayer.

1.1.2 This approach to Community Energy comprises:

- Support to residents to insulate their homes and improve energy efficiency – delivered through our participation and promotion of schemes as they become available
- Support to vulnerable residents during the winter – delivered under the Suffolk Warm Homes Healthy People programme
- Resource efficiency advice and support to businesses and communities
- Capital funding to improve business energy efficiency – using grant aid to unlock other capital within the business or from elsewhere
- Capital financing of renewable energy in the community.



1.2 Progress to date

1.2.1 With regards to local energy generation, a range of opportunities were identified during the development of the Community Energy Plan (Appendix 1

of CAB/FH/14/010 dated 9 December 2014 refer).

A summary of progress made to deliver these opportunities is set out below.

1.2.2 Opportunity 1 - Developing more solar on Council property

Table 1 sets out the opportunities identified in Report CAB/FH/14/010 along with the actual development costs and projected performance following installation.

Site/item	Projected Capital investment	Actual Capital investment	Annual income/Savings for the Council ¹		IRR ² for the Council/payback	
			Year 1 Projected	Year 1 Revised	Projected	Revised
Newmarket Leisure Centre – Solar PV	£122,000	£128,500	£10,500	£13,500 ³	10% 10 years	10.5% 9 years
Brandon Leisure Centre – Solar PV	£121,000	£126,500	£10,500	£13,000 ²	10% 10 years	11.5% 8 years
Guineas Car Park - lighting upgrade	£100,000 (including £75,000 capital funding) ⁴	£43,000 ⁵	£25,000	£11,200	21% 4 years	20% 4 years

Table 1: Schemes delivered in Forest Heath

1.2.3 Opportunity 2 - Developing a “rent-a-roof” solar scheme for homes

This workstream has not been progressed due to changes in the Government’s Feed-in Tariff during Winter 2015 significantly affecting the financial viability. The scheme will be reviewed again during 2016 to see if, with market pricing adjustment, a viable business model exists.

1.2.4 Opportunity 3 - Developing a “rent-a-roof” solar scheme for local business

The West Suffolk Solar for Business service was launched in June 2015. A three year “invest to generate income” programme was approved with a capital provision made by the Council of £540,000 per year.

At the time of reporting for the sites that have been completed energy sales contracts have been signed with the host businesses such that they receive discounted electricity, typically 30% cheaper than existing grid tariffs.

The capital investment to date has been £166,000 which is projected to return an annual income for the Council of £15,500 based on a 9 year average

¹ The Feed-In Tariff is index linked over 20 years

² IRR, or Internal Rate of Return, is an indicator of the net benefits expected from a project over its lifetime, expressed as a percentage comparable to the interest rates.

³ This excludes any financial savings delivered to Abbeycroft Leisure Trust

⁴ £25,000 of S106 obligation earmarked

⁵ The scheme was cheaper than predicted since the technology costs have decreased significantly. S106 obligation was used to fund this project

payback and internal Rate of Return of 10.02%.

Development of this service has been lower than expected because the Government cut the Feed-In Tariff beyond industry expectations in January 2016 following its announcement to review tariffs in August 2015. However, a review of scheme pricing and the remaining potential market has shown that although the potential development of further sites will be significantly curtailed there still exists a niche market which should be able to achieve investment returns between 7-9% after accounting for discounted energy savings for the host companies of around 20-25%.

1.2.5 **Opportunity 4 - Buying an operational solar farm**

This workstream is the subject of separate reporting.

1.2.6 **Opportunity 5 - Building a new solar farm**

This workstream has not been progressed since no suitable sites have been identified.

1.2.7 **Opportunity 6 - Buying electricity from a local solar farm**

This workstream has not been progressed since no suitable sites have been identified.

1.2.8 **Opportunity 7 - Brokering investment in renewable energy on behalf of local communities**

This workstream has not been progressed since no suitable opportunities have been identified.

An alternative proposal was identified whereby a national energy supplier, OVO Energy, would supply discounted domestic electricity tariffs should the council be able to guarantee a minimum 10,000 customers over 5 years. This opportunity is currently being evaluated with our local authority partners in Suffolk.

1.3 **Other investment opportunities**

1.3.1 Feasibility studies have been undertaken to develop renewable heat opportunities using the Government's Renewable Heat Incentive. The studies have identified the following opportunities:

a) *LED lighting replacement at leisure centres operated by Abbeycroft Leisure Centre* – the opportunity has been identified to replace existing fluorescent lighting with LED technology lighting which will operate at a much low energy consumption, longer life and lower maintenance cost. The initial feasibility study estimates the capital cost at around £140,000 to undertake the replacement as appropriate at the Newmarket and Brandon Leisure Centres. This is predicted to deliver a saving in excess of £27,000 each year giving a payback of around 5 years and Internal Rate of Return of 15% over the 10 year operating life. In-principle agreement has been reached with Abbeycroft Leisure Trust to progress the work with savings taken into account through a reduction the annual management fee.

b) *A renewable heating offer for business* based on the same operating principles to our rent-a-roof scheme, "Solar for Business" – Internal Rate of Returns are predicted to be in the region of 6-15%, with

paybacks of around 5-10 years over a 20 year project life. These returns are generally in line with investment expectations of the Medium Term Financial Strategy.

The offer would be open to all businesses across West Suffolk although to ensure value for money, it would be necessary to apply eligibility criteria. This would include technical criteria relating to the existing heat provision at the host business and criteria regarding the ownership of the building and business heat use.

Market research has shown that there is interest from businesses, although this may be limited by technical aspects, like business energy profile and building characteristics, the appetite of the key decision makers in the business and the level of financial return that could be offered.

- c) *Energy efficiency financing for Business* - Research has been undertaken exploring the financing of energy efficiency improvements in local businesses who lack the available capital. The Councils already promotes advice from the Suffolk Climate Change Partnership to support local businesses identify energy efficiency improvements. We also provide in-house technical expertise to businesses wishing to implement improvements. Where businesses lack the necessary capital, the Councils could provide the necessary finance to businesses based on an agreed interest rate. This would be funded through energy savings. Our research suggests that there is a market for this “*energy performance contract*” or *financing arrangement*.

- 1.3.2 If approved, the investment opportunities set out in paragraph 1.3.1 could be financed by extending the scope of the existing capital provision for the Opportunity 3, Business rent-a-roof scheme, with the objective of generating similar projected returns along with supporting local businesses and cutting carbon emissions (See Recommendation (c) of Report CAB/FH/14/010).

2. Additional supporting information

- 2.1 A separate report will be prepared setting out how we have delivered the householder and business energy efficiency component of the Community Energy Plan.

As stated in the supporting reports, the proposals work towards bringing together economic, social and environmental benefits by:

- Delivering sustainable, long term financial benefit for the Council to achieve its Medium Term Financial Strategy
- Showing community leadership by helping to deliver legally-binding national targets to reduce greenhouse gas emissions and to generate more electricity from renewable energy
- Developing wider economic benefits, for example by using local suppliers during the construction phase, and supporting local businesses taking up energy efficiency and renewable energy
- Helping local communities access low cost energy.

3. Consultation

- 3.1 Although no formal consultation has been undertaken on the options, informal discussions have been held with a range of potential stakeholders to gather information to assess each option and test the market.

- An engagement and communications plan has been put together based on the previously approved investment programme. This will be updated to incorporate the proposed investments should they be approved.
- 3.2

4. Alternative option(s)

4.1 Doing nothing

Lack of investment capital has been cited as a block to taking action to improve energy efficiency and uptake of renewable energy generation. This block would continue to hold back our communities and businesses if the Council chose not to support the opportunities presented in this report.

5. Financial implications

- 5.1 The viable options are predicted to generate stable, long term revenue which would contribute to meeting the Council's Medium Financial Strategy.

- 5.2 In addition, local communities and businesses partnering with the Council would receive discounted power and heat, enhancing the overall value of the projects.

- 5.3 Although energy costs have dropped in the last 12 months, it is difficult to predict long-term trends of energy prices. The demand for energy is probably the single most significant factor affecting price. The ability to hedge against energy price volatility would allow participating businesses and communities the ability to plan their utility budgets with more confidence over the longer term.

- 5.4 The invest-to-generate-income projects are modelled based on the Public Works Loan Board borrowing rate which is currently available at approximately 3.5-4%. These investments have been assessed against the return on capital investment needed to cover borrowing, taking a prudent view on servicing capital debt. However, the Council's Treasury Management activities will determine when the Council will actually need to enter into external borrowing.

6. Staffing implications

- 6.1 Subject to approval, the current project delivery team will take forward any specific proposals that are viable alongside existing provision. This may place additional capacity and technical demands on existing staff. This will be monitored and project value will be assessed to determine whether additional staff provision could be funded by the investment return if greater than predicted.

7. Legal and policy implications

- 7.1 The Council has the power to generate and sell electricity and heat as described in this report by virtue of the Local Government (Miscellaneous

Provisions) Act 1976 (as amended in 2010).

- 7.2 Legal advice has been sought to establish whether any of the options would require a trading company to be established. Furthermore, there may be circumstances where a special purpose vehicle may be required, for example where a joint venture is the best approach to delivering one of the viable options. These issues will be the subject of a separate report.

Advice has already been sought to understand the costs and benefits including procurement, taxation and insurance implications.

- 7.3 The proposals contribute positively to all three of the Council's strategic priorities as outlined in the supporting reports.

8. Equality implications

- 8.1 Please refer to the supporting reports.

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Forest Heath District Council

CAB/FH/16/015

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 April 2016 to 31 May 2016 (including Cabinet decisions beyond May 2016)

Publication Date: 7 March 2016

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
	<p>The Guineas Shopping Centre, Newmarket</p> <p>This item has been removed from the Decisions Plan, as there are no decisions required to be made by the Cabinet at this time.</p>				David Bowman Operations 07711 593737	Simon Phelan Head of Housing 01638 719440 Michael Linsdell Service Manager (Property) 01638 719440	All Saints; Severals; St Mary's	
	<p>West Suffolk Joint Sports Facility and Playing Pitch Strategy</p> <p>This item has been removed from the Decisions Plan as a Cabinet decision is no longer required. This item was noted by the West Suffolk Joint Growth Steering Group at their meeting on 8 February 2016 (Report No: JGG/JT/16/002)</p>				Andy Drummond Leisure and Culture 01638 666888	Mark Walsh Head of Operations 01284 757300 Damien Parker Leisure and Cultural Services Operational Manager 01284 757300	All Wards	

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
05/04/16	<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 Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
05/04/16	<p>West Suffolk Community Energy Plan – Update</p> <p>The Cabinet will be provided with an update on progress towards the West Suffolk Community Energy Plan and recommendations for taking forward the previously approved investment programme.</p>	Not applicable	(D)	Cabinet	James Waters Planning and Growth 07771 621038	Steven Wood Head of Planning and Growth 01284 757306 Peter Gudde Service Manager (Environment and Regulation) 01284 757042	All Wards	Report to Cabinet

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17/05/16	Mildenhall Hub - Development Brief The Cabinet will be asked to consider the Development Brief for the Mildenhall Hub Project, following the public consultation exercise.	Not applicable	(D)	Cabinet	James Waters Planning and Growth 07771 621038	Alex Wilson Director 01284 757695	Market; Great Heath	Report to Cabinet, with recommendations from the West Suffolk Joint Growth Steering Group
17/05/16	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices	Paragraphs 1, 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
17/05/16	Annual Review of Cabinet's Working Groups, Joint Committees/Panels and Other Groups The Cabinet will be asked to consider an annual review of its Working Groups, Joint	Not applicable	(D)	Cabinet	James Waters Leader of the Council 07771 621038	Karen Points Head of HR, Legal and Democratic Services 01284 757015	All Wards	Report to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Committees/Panels and other Groups.							
17/05/16	Revised Suffolk Flood Risk Management Strategy The Cabinet will be asked to approve the revised content of this Strategy.	Not applicable	(D)	Cabinet	James Waters Planning and Growth 07771 621038 David Bowman Operations 07711 593737	Mark Walsh Head of Operations 01284 757300 Steven Wood Head of Planning and Growth 01284 757306	All Wards	Report to Cabinet
14/06/16	West Suffolk Annual Report 2015/2016 Following scrutiny by the Overview and Scrutiny Committee, the Cabinet will be asked to consider the West Suffolk Annual Reports 2015/2016, which has been jointly produced with St Edmundsbury Borough Council.	Not applicable	(D)	Cabinet	James Waters Leader of the Council 07771 621038	Davina Howes Head of Families and Communities 01284 757070	All Wards	Report to Cabinet, with recommendations from the Overview and Scrutiny Committee

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
13/09/16	<p>Mildenhall Hub - Financial Business Case</p> <p>The Cabinet will be asked to consider and recommend to Council, the Financial Business Case for the Mildenhall Hub Project.</p>	Not applicable	(R) - Council 28/09/16	Cabinet	James Waters Planning and Growth 07771 621038	Alex Wilson Director 01284 757695	Market; Great Heath	Report to Cabinet, with recommendations to Council

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

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.
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.
- b) A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this Constitution.

NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS

(a) Membership of the Cabinet and their Portfolios:

<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 (Membership amended from 1 December 2015 to one Member/two Substitutes per Authority)

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 Pablo Dimoglou	Cllr David Ambrose-Smith	Cllr Chris Seaton	Cllr Stephen Edwards	Cllr Richard Kerry	Cllr Ian Houlder	Cllr Mike Barnard
Substitute Breckland Cabinet Members	Substitute East Cambridgeshire District Council Cabinet Members	Substitute Fenland District Council Cabinet Members	Substitute Forest Heath District Council Cabinet Members	Substitute Suffolk Coastal District Council Cabinet Members	Substitute St Edmundsbury Borough Council Cabinet Members	Substitute Waveney District Council Cabinet Members
Cllr Michael Wassell	Cllr Lis Every	Cllr John Clark	Cllr James Waters	Cllr Geoff Holdcroft	Cllr Sara Mildmay-White	Cllr Sue Allen
Cllr Ellen Jolly	Cllr Julia Huffer	Cllr Will Sutton	Cllr David Bowman	Cllr Ray Herring	Cllr Robert Everitt	Cllr Letitia Smith

Steven Boyle
Interim Service Manager (Legal)
Date: 7 March 2016

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Cabinet



Forest Heath
District Council

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/FH/16/016	
Report to and date:	Cabinet	5 April 2016
Portfolio holder:	Councillor Stephen Edwards Portfolio Holder for Resources, Governance and Performance Telephone: 07711 457657 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Rachael Mann Head of Resources and Performance Telephone: 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:	<p>The write-off of the amounts detailed in the exempt Appendices to this report be approved, as follows:</p> <ol style="list-style-type: none"> 1. Exempt Appendix 1: Council Tax totalling £4,414.49 2. Exempt Appendix 2: Business Rates totalling £35,774.87 3. Exempt Appendix 3: Housing Benefit Overpayments totalling £14,072.39 4. Exempt Appendix 4: Sundry Debts totalling £5,624.01 	
<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>(a) (ii)</i></p> <p><i>Result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme.</i></p>	
<p><i>The decisions made as a result of this report will be 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</i></p>		

<i>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? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See paragraphs 3.1 to 3.3	
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"/> 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? <i>If yes, please give details</i>		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: Council Tax totalling £4,414.49 2. Exempt Appendix 2: Business Rates totalling £35,774.87 	

- | | |
|--|--|
| | <ol style="list-style-type: none">3. Exempt Appendix 3: Housing Benefit Overpayments totalling £14,072.394. Exempt Appendix 4: Sundry Debts totalling £5,624.01 |
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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 currently uses the services of the ARP Enforcement Agency 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 Appendix 1.
- 3.2 As at 29 February 2016, 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 29 February 2016 was 93.84% against a profiled target of 94.58%
- 3.3 As at 29 February 2016, 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 £26m per annum. The collection rate as at 29 February 2016 was 94.03% against a profiled target of 93.31%.

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

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