

# Overview and Scrutiny Committee



Forest Heath  
District Council

**Minutes** of a meeting of the **Overview and Scrutiny Committee** held on **Thursday 10 November 2016** at **6.00 pm** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

**Chairman** Simon Cole

Chris Barker  
Rona Burt  
Christine Mason

Brian Harvey  
Nigel Roman  
David Palmer

**Also in attendance:**

David Bowman, Cabinet Member for Operations  
Sara Mildmay-White, Lead Cabinet Member for Housing

116. **Substitutes**

There were no substitutes declared.

117. **Apologies for Absence**

Apologies for absence were received from Councillors John Bloodworth and Ruth Bowman.

Councillor Reg Silvester was also unable to attend.

118. **Minutes**

The minutes of the meetings held on 15 September 2016, 4 October 2016 and 20 October 2016 were confirmed as accurate records and signed by the Chairman.

119. **Public Participation**

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

120. **Annual Presentation by the Cabinet Member for Operations**

As set out in the Council's Constitution, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member would be invited to attend to give an account of his or her portfolio and answer questions from the Committee. Therefore, to carry out this constitutional requirement, members

were asked to consider the responsibilities of the Cabinet Member for Operations, who had been invited to the meeting.

The Committee was reminded that on 12 November 2015, the Committee received a presentation from the Cabinet Member for Operations, setting out responsibilities covered under the operations portfolio.

At this meeting, the Portfolio Holder for Operations had been invited to the meeting to provide a follow-up presentation on his portfolio. Report No: OAS/FH/16/029 set out the focus of the follow-up presentation, which was to:

- Outline the main challenges faced during the first year;
- Outline some key successes and any failures during the first year and any lessons learned; and
- Set out the vision for the Operations Portfolio through to 2019, and whether on target to meet that vision.

Councillor David Bowman opened his presentation by thanking the Committee for the invitation. The presentation included information on areas of responsibility; finances; car parking; garden waste collection service; West Suffolk Operational Hub; commercial services; Suffolk Waste Partnership and property).

A number of examples were also provided, outlining challenges; successes and vision through to 2019, such as:

- Maintaining frontline services whilst developing new opportunities / efficiencies (challenge);
- Developing commercialism (challenge)
- Implementation of garden waste collection service (success);
- New CCTV control room (success);
- More commercial ways of working (vision);
- Extending self-serve and online services for residents (vision)

Members discussed the presentation in detail and asked questions of the Cabinet Member for Operations and officers, to which comprehensive responses were provided.

In particular discussions were held on costs relating to the West Suffolk Operational Hub and future expansion; and the perceived lack of provision of a household waste recycling facility for Newmarket. The Chairman of the Committee felt that a town of 19,000 residents deserved better, regardless of the fact that it was surrounded by Cambridgeshire. In response to the Chairman's comments, the Head of Operations agreed to take his comments back to the Suffolk Waste Partnership.

The Chairman thanked the Cabinet Member for the follow-up presentation on his portfolio.

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

## 121. **Barley Homes - Five Year Business Plan**

*[Councillor Brian Harvey declared a non-pecuniary interest as Forest Heath District Council's representative on the Shareholder Advisory Group (Barley Homes) and remained in the meeting during the consideration and voting of this item]*

The Chairman suggested that the Committee might wish to consider this report in its entirety with the Exempt Appendix A in private session.

It was proposed by Councillor Nigel Roman and seconded by Councillor Rona Burt, and

### **RESOLVED**

That the Committee considers Report No: OAS/FH/16/030 and Exempt Appendix A in private session (see Minute Number 127 below)

## 122. **Car Parking Update**

The Committee received Report No: OAS/FH/16/031, which updated Members on the implementation of the Car Parking Review.

The report included information on usage; occupancy; impact of the home of horse racing; pocket car parks; enforcement; road directional signage; new information boards; improvements to Rous Road car park; electric charging points; Park Mark; residential parking zones; Civic Parking Enforcement and financial income.

The Committee considered the report in detail and asked a number of questions to which comprehensive responses were provided. In particular discussions were held on progress towards potential Civil Parking Enforcement in Suffolk, and the impact of parking in the near future in relation to the Home of Horseracing and where coaches would park.

Detailed discussions were also held on on-street parking enforcement, which was the responsibility of the police authority. Councillor Brian Harvey, the Council's representative on the Suffolk Police and Crime Panel informed the Committee that Suffolk's Police and Crime Commissioner, Tim Passmore was holding a series of public meetings across the county throughout the autumn and was encouraging Suffolk residents to attend. The next meeting was scheduled for 6 December 2016 at Severals Sports Pavilion and Councillor Brian Harvey wanted to encourage members to attend the meeting to raise their concerns directly with the Chief Constable regarding on-street parking.

The Committee noted the contents of the report, and Councillor Rona Burt moved the recommendation, this was duly seconded by Councillor Brian Harvey and with the vote being unanimous, it was:

### **RECOMMENDED**

**That the Head of Operations, under his delegated authority, and in consultation with the Portfolio Holder for Operations,**

**incorporates the Snooker Hall Pocket Car Park spaces into All Saints Car Park for use by pay and display customers.**

**123. Review and Revision of the Constitution (Quarterly Report)**

As set out in the Council's Constitution, the Overview and Scrutiny Committee on a quarterly basis would receive a report from the Monitoring Officer setting out minor amendments made arising from changes to legislation; changes to staffing structures/job descriptions or changes in terminology.

Report No: OAS/FH/16/032 set out minor amendments which had been undertaken by the Monitoring Officer under delegated authority from July to September 2016.

The Committee was advised that all Members of the Council had also been informed of the minor amendments made as part of the ongoing review and revision of the Constitution.

The Committee considered the report presented by the Monitoring Officer, and there being no decision required, the Committee **noted** the minor amendments undertaken by the Monitoring Officer under delegated authority.

**124. Directed Surveillance Authorised Applications (Quarter 2)**

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 required that Members should scrutinise the authority's use of its surveillance powers on a quarterly basis. The Monitoring Officer advised that in Quarter 2, no such surveillance had been authorised.

The Committee asked questions of the Monitoring Officer, who duly responded.

Therefore, there being no decision required, the Committee **noted** the Regulation of Investigatory Powers Act, Quarter 2 update.

**125. Work Programme Update**

The Committee received Report No: OAS/FH/16/033, which updated Members on the current status of its rolling work programme of items for scrutiny during 2017 (Appendix 1).

The Director, Alex Wilson provided a verbal update on the Mildenhall Hub. The Committee was informed that the pre-application consultation on concept designs had been put back a couple of weeks, and was now likely to start mid / end of December 2016. The Committee would be asked to consider a draft financial business case at its 12 January 2017 meeting.

There being no decision required, the Committee **noted** the contents of the Work Programme for 2017 and the verbal update on the Mildenhall Hub.

126. **Exclusion of Press and Public**

It was proposed by Councillor Nigel Roman, seconded by Councillor Rona Burt and

**RESOLVED:**

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

127. **Exempt Appendix A - Barley Homes Group Business Plan (Para 3)**

*[Councillor Brian Harvey declared a non-pecuniary interest as Forest Heath District Council's representative on the Shareholder Advisory Group (Barley Homes) and remained in the meeting during the consideration and voting of this item]*

Councillor Sara Mildmay-White, the Lead Cabinet Member for Housing introduced Report No: OAS/FH/16/030, which asked Members to scrutinise the content of the Barley Homes initial five year Business Plan, prior to being considered by Cabinet and Full Council in December 2016 to approve the funding mechanism required to deliver the plan.

Attached as Exempt Appendix A, was the Barley Homes Group Business Plan.

The Committee was reminded that the primary function of Barley Homes was to generate profits through the development of new housing for sale and rent, on land owned by one of the councils initially in west Suffolk. The establishment of the housing company was one of the many ways that the council was looking to become self-sufficient through new income generation activities, as central government grants were reduced and eventually removed.

The Report set out key issues, which included initial sites; investment opportunity and financial returns; monitoring of progress and future development decisions; delivery of the business plan; legal implications and the next steps.

The Committee considered in detail the Exempt Appendix A to Report No: OAS/FH/16/030, where reference was made to specific detail contained within the Appendix, and asked a number of questions to which comprehensive responses were provided.

Councillor Rona Burt moved the recommendation, this was duly seconded by Councillor Nigel Roman and with the vote being unanimous, it was:

**RECOMMENDED:**

**Subject to approval by full Council, the Committee recommends that:**

- 1) The five year Business Plan, attached at Exempt Appendix A to Report No: OAS/FH/16/030, be approved;**
- 2) A £3m revolving investment facility, to be added to the Council's capital programme, financed from the reallocation of the "Housing Company" pending capital budget of £3m, be approved;**
- 3) Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance and Housing to issue equity and loan funding from the revolving investment facility (set out in 2 above) subject to state aid requirements;**
- 4) The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holder for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements;**
- 5) Approval of the Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.**

The Meeting concluded at 7.35pm

**Signed by:**

**Chairman**

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