

Annual Council



Forest Heath
District Council

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| Title: | Agenda |
| Date: | Wednesday 10 May 2017 |
| Time: | 6.00 pm |
| Venue: | Council Chamber District Offices College Heath Road Mildenhall |
| Membership: | All Councillors You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.  Ian Gallin Chief Executive 2 May 2017 |
| Quorum | One quarter of the total number of Members |
| Committee administrator: | Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk |

Public Information



Forest Heath
District Council

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| 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. | |
| 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. | |
| Induction loop: | An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. | |
| Recording of meetings: | <p>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).</p> <p>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.</p> | |

Agenda

Procedural Matters

Part 1 - Public

Page No

1. Election of Chairman of the Council for 2017/2018

The outgoing Chairman will announce that the next item of business is the election of the Chairman for the ensuing year and will call for nominations.

The outgoing Chairman will make their remarks, to be followed by incoming Chairman's Declaration of Acceptance of Office.

2. Election of Vice Chairman of the Council for 2017/2018

The Chairman will nominate their Vice Chairman.

Incoming Vice Chairman to make Declaration of Acceptance of Office.

3. Apologies for Absence

The Service Manager (Democratic Services) will announce any apologies for absence.

4. Appointment of Cabinet Members

Having regard to the provisions of the Constitution, the Chairman will invite the Leader of the Council to announce:

- (a) Up to nine Members whom he will be appointing to form the Cabinet;
- (b) The name of a Member of the Cabinet to act as Deputy Leader; and
- (c) The Portfolios, and which Members of the Cabinet will be Portfolio Holders.

5. Review of Political Balance and Appointment to Politically Balanced Bodies

1 - 34

Report No: **AGM/FH/17/001**

6. Appointment of Chairman and Vice Chairman of Committees

In accordance with the Constitution, the Council will appoint the Chairmen and Vice Chairmen of the:

- (a) Overview and Scrutiny Committee; and
- (b) Performance and Audit Scrutiny Committee

7. Review and Re-appointment of Representation of Outside Bodies 35 - 58

Report No: **AGM/FH/17/002**

Annual Council



Forest Heath
District Council

| | | |
|----------------------------|--|-------------|
| Title of Report: | Review of Political Balance and Appointment to Politically Balanced Bodies | |
| Report No: | AGM/FH/17/001 | |
| Report to and date: | Annual Council | 10 May 2017 |
| Portfolio holder: | Councillor James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk | |
| Lead officer: | Leah Mickleborough Service Manager (Democratic Services) & Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk | |
| Purpose of report: | The Council is required by the Constitution at each Annual Meeting to decide: (1) which Committees to establish for the municipal year; (2) the size and agree Terms of Reference (ToR) for those committees; and (3) the allocation of seats and substitutes to political groups in accordance with the political balance rules. | |
| Recommendations: | It is recommended that: (1) The Committees and Joint Committees listed in paragraphs 1.2.1 to 1.2.4 of Report No: AGM/FH/17/001 continue to operate for 2017/2018 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2 and as amended to include the revisions to the ToR for the Licensing and Regulatory Committee; | |

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| | <p>(2) The formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced, as indicated in Appendix 1 of Report No: AGM/FH/17/001, be approved;</p> <p>(3) The allocation of seats on the Committees which are required by law to be politically balanced, as indicated in Appendix 1 and paragraph 1.2.7, of Report No: AGM/FH/17/001, be approved.</p> <p>(4) The allocation of seats on the Overview and Scrutiny Committee, Performance and Audit Scrutiny Committee and the West Suffolk Joint Standards Committee, as indicated in paragraph 1.2.8 of Report No: AGM/FH/17/001, be approved. These Committees are not required to be politically balanced.</p> <p>(5) If the Council is unable to confirm the appointment of Members and Substitute Members at the Annual Council meeting on 10 May 2017, the Service Manager (Democratic Services) be given delegated authority to appoint Members and Substitute Members to those bodies set out in recommendations (3) and (4) above, on the basis of nominations from the relevant Group Leaders.</p> |
| Key Decision: | <p><i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/></p> |
| Consultation: | <ul style="list-style-type: none"> • None |
| Alternative option(s): | <ul style="list-style-type: none"> • None, as the matters under consideration are required by the Constitution. |
| Implications: | |
| <p><i>Are there any financial implications? If yes, please give details</i></p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets. |
| <p><i>Are there any staffing implications? If yes, please give details</i></p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • As above. |
| <p><i>Are there any ICT implications? If yes, please give details</i></p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| <p><i>Are there any legal and/or policy implications? If yes, please give details</i></p> | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • The Local Government and Housing Act 1989 states that the |

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| | authority has a duty to review the representation of different political groups at, or as soon as practicable, after the annual meeting. | | |
| <i>Are there any equality implications? 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) |
| Opportunities for joint working are missed | Medium | Consider the creation of joint committees/panels wherever possible. | Low |
| Duplication of effort between member bodies | Medium | Carry out an annual review of committees, working parties, etc to ensure that they are all still relevant and adding value and do not cross over with the activities or other bodies e.g. scrutiny committees or task and finish groups | Low |
| The number of meetings and reviews cannot be accommodated with available member and officer time and resources | High | Carry out an annual review to disband any groups no longer required, and to optimise frequency of meetings. Keep under constant review. | Medium |
| Wards affected: | | All Wards | |
| Background papers: <i>(all background papers are to be published on the website and a link included)</i> | | None | |
| Documents attached: | | Appendix 1: Committees required to be politically balanced Appendix 2: Committees and Joint Committees Terms of Reference (including amendments as highlighted to the Licensing and Regulatory Committee ToR) | |

1. Key issues and reasons for recommendation(s)

1.1 Political Composition

1.1.1 The political composition of the Council is as indicated in the following table:

| | No of members | % |
|---------------------------------|----------------------|----------------|
| Conservative | 18 | 66.67% |
| West Suffolk Independent | 5 | 18.52% |
| UKIP | 3 | 11.11% |
| Independent (non group) | 1 | 3.70% |
| TOTAL | 27 | 100.00% |

1.1.2 The Council will need to formally approve the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced. (**Recommendation 2.**)

1.1.3 The obligation to ensure that there is proportionality in the political composition of the Council's committees extends only to proportionate representation of members of political groups, and does not require non-grouped members to be proportionally represented. Seats therefore need to be allocated only to groups.

1.1.4 In carrying out any review the Council is obliged to adopt the following principles and to give effect to them 'so far as is reasonably practicable':

- (a) that not all seats on the Council are allocated to the same political group;
- (b) that the majority of the seats on the Council are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the Council which are allocated to each political group, have the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority, and;
- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the Council which are allocated to each group have the same proportion to the number of all the seats on that Council as is borne by the number of members of that group to the membership of the Council.

1.2 **Entitlement to Places**

1.2.1 The table at Appendix 1 (attached) and as listed below shows those Committees that are required to be politically balanced.

- (a) Development Control Committee (Minimum of 14 seats) (To comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more).
- (b) Licensing and Regulatory Committee (10 seats).
Attention is drawn to Section 1.3 of this report. Specific consideration to the membership requirements for this Committee has been given by the Group Leaders when making their nominations for appointments (as set out in this report).
- (c) Joint Officer Appointments Committee (3 seats).
- (d) Joint Officer Appeals Committee (3 seats).

1.2.2 Overview and Scrutiny Committee (10 seats) – The Council approved on 21 June 2012 that arrangements for appointments to the Overview and Scrutiny Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2016/2017, the allocation of seats was 7 seats to the Conservatives and 2 West Suffolk Independent Group, 1 UKIP.

1.2.3 Performance and Audit Scrutiny Committee (10 seats) – The Council approved on 8 May 2013 that arrangements for appointments to the Performance and Audit Scrutiny Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2016/2017, the allocation of seats was 8 seats to the Conservatives, 1 West Suffolk Independent Group, 1 UKIP.

1.2.4 West Suffolk Joint Standards Committee (3 seats) – The Council approved on 13 March 2013 that arrangements for appointments to the West Suffolk Joint Standards Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2016/2017, the allocation of seats was 3 seats to the Conservatives with a further 1 Conservative as the named substitute.

1.2.5 Non-grouped members - Although non-grouped members are not required to be proportionally represented, where a group is entitled to less than 0.5 of a place, Group Leaders may wish to consider whether to give a seat to the Council's one non-group member.

1.2.6 The Council is asked (by way of **Recommendations 1 and 2**) to consider whether it wishes to continue operating the above Committees, Joint Committees for 2017/2018 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2 (attached).

Politically Balanced Seats

- 1.2.7 Council is then asked to allocate seats and substitutes to political groups *in accordance with the political balance rules* and appoint membership to those Committees (**Recommendation 3**):

Development Control Committee (Minimum of 14 seats; **to comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more.**)

(Chairman and Vice Chairman appointed by the Committee)

| | |
|--------------------------|---------|
| Conservatives | 9 seats |
| West Suffolk Independent | 3 seats |
| UKIP | 2 seat |

| Ward | Member |
|---------------------------------|-----------------------|
| All Saints | Stephen Edwards (CON) |
| Brandon East | Peter Ridgwell (UKIP) |
| Brandon West | David Palmer (WSI) |
| Eriswell and The Rows | David Bowman (CON) |
| Exning (<i>1 Member Ward</i>) | Simon Cole (WSI) |
| Great Heath | Louis Busuttil (CON) |
| Iceni (<i>1 Member Ward</i>) | Rona Burt (CON) |
| Lakenheath | Louise Marston (CON) |
| Manor (<i>1 Member Ward</i>) | Brian Harvey (CON) |
| Market | Ruth Bowman (CON) |
| Red Lodge | Carol Lynch (CON) |
| Severals | Andrew Appleby (WSI) |
| South (<i>1 Member Ward</i>) | Roger Dicker (UKIP) |
| St Mary's | Chris Barker (CON) |

Licensing and Regulatory Committee (10 seats)

(Chairman and Vice Chairman appointed by the Committee)

Attention is drawn to Section 1.3 of this report. Specific consideration to the membership requirements for this Committee has been given by the Group Leaders when making their nominations for appointments (as set out below).

Conservatives 7 seats
West Suffolk Independent 2 seats
UKIP 1 seat

| Political Group | Member |
|--------------------------|------------------|
| Conservative | Michael Anderson |
| Conservative | Chris Barker |
| Conservative | John Bloodworth |
| Conservative | Carol Lynch |
| Conservative | Christine Mason |
| Conservative | Nigel Roman |
| Conservative | Brian Harvey |
| West Suffolk Independent | Ruth Allen |
| West Suffolk Independent | Victor Lukaniuk |
| UKIP | Reg Silvester |

Joint Officer Appointments Committee (3 seats and 1 substitute seat)
(Joint Committee established with St Edmundsbury Borough Council)

(Chairman and Vice Chairman appointed by the Committee)

Conservatives 2 seats
West Suffolk Independent 1 seat

| Political Group | Member |
|--------------------------|---------------|
| Conservative | Ruth Bowman |
| Conservative | James Waters |
| West Suffolk Independent | David Palmer |
| Substitute Member | |
| Conservative | Nigel Roman |

Joint Officer Appeals Committee (3 seats and 1 substitute seat)
(Joint Committee established with St Edmundsbury Borough Council)

(Chairman and Vice Chairman appointed by the Committee)

Conservatives 2 seats
West Suffolk Independent 1 seat

| Political Group | Member |
|--------------------------|---------------|
| Conservative | David Bowman |
| Conservative | Brian Harvey |
| West Suffolk Independent | Ruth Allen |
| Substitute Member | |
| Conservative | Chris Barker |

Non Politically Balanced Seats

- 1.2.8 Council is then asked to allocate seats and substitutes ***without compliance to the political balance rules*** and appoint membership to those Committees/Joint Committee (**Recommendation 4**):

Overview and Scrutiny Committee (10 seats)

(Cabinet Members cannot be Members of this Committee)

(Chairman and Vice Chairman appointed by Annual Council – see separate agenda item)

The allocation of seats set out below for 2017/2018 is the same as it was for 2016/2017, this being; 7 seats to the Conservatives and 2 West Suffolk Independent Group, 1 UKIP.

| | |
|-----------------------|----------------------|
| Chris Barker (CON) | Rona Burt (CON) |
| John Bloodworth (CON) | Nigel Roman (CON) |
| Ruth Bowman (CON) | David Palmer (WSI) |
| Brian Harvey (CON) | Simon Cole (WSI) |
| Christine Mason (CON) | Reg Silvester (UKIP) |

Performance and Audit Scrutiny Committee (10 seats)

(Cabinet Members cannot be Members of this Committee)

(Chairman and Vice Chairman appointed by Annual Council – see separate agenda item)

The allocation of seats set out below for 2017/2018 is the same as it was for 2016/2017, this being; 8 seats to the Conservatives, 1 West Suffolk Independent Group, 1 UKIP.

| | |
|------------------------|-----------------------|
| Michael Anderson (CON) | Colin Noble (CON) |
| John Bloodworth (CON) | Chris Barker (CON) |
| Louis Busuttil (CON) | Rona Burt (CON) |
| Louise Marston (CON) | Simon Cole (WSI) |
| Christine Mason (CON) | Peter Ridgwell (UKIP) |

West Suffolk Joint Standards Committee (3 seats and 1 substitute seat) (Joint Committee established with St Edmundsbury Borough Council)

(Chairman and Vice Chairman appointed by the Committee)

The allocation of seats set out below for 2017/2018 is the same as it was for 2016/2017, this being; 3 seats to the Conservatives.

| Full Member | Substitute Member |
|--------------------|--------------------------|
| David Bowman (CON) | Brian Harvey (CON) |
| Rona Burt (CON) | |
| Chris Barker (CON) | |

- 1.3 **Review of the Remit and Responsibilities of the Licensing and Regulatory Committee**
(Recommendation 1.)
- 1.3.1 Through the development of a shared service approach, the way that Forest Heath District Council and St Edmundsbury Borough Council (West Suffolk councils) manage and operate their respective licensing functions has changed.
- 1.3.2 Over a five year period, changes have been made in the democratic process and within certain council functions, in particular where they relate to regulatory activities, to improve how policy is developed. A good example of this is the transformation of the Development Control democratic function where changes were made to separate the policy-making and policy-implementation roles within the democratic process. These changes have re-enforced the policy-approving roles of Cabinet and full Council in line with the Constitutions of the councils.
- 1.3.3 It has become apparent that Licensing and Regulatory policy-making is operating in a different way to Development Control although they are comparable quasi-judicial functions. In response, a Task and Finish Group review of the policy-making and implementation process for the Licensing and Regulatory functions was initiated in autumn 2016 led by the Portfolio Holders for Planning and Growth. The objectives of the review were to improve the governance of the Licensing and Regulatory functions and provide a more consistent and efficient approach to policy-making for Licensing.
- 1.3.4 The Task and Finish Group, which included the aforementioned Portfolio Holders and Chairmen of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council's (SEBC) Licensing and Regulatory Committees, was accountable to the FHDC and SEBC's Cabinets and had a consultation process agreed for emerging proposals to include members of FHDC and SEBC's Licensing and Regulatory Committees, prior to wider consultation.
- 1.3.5 The review identified and took account of practice in other local authorities similar to FHDC and SEBC for making licensing policy and also research into Licensing Committee arrangements and national legal and policy frameworks and guidance.
- 1.3.6 The review identified and assessed the options available to bring current practice in line with what is set out in the Constitution, what is already working in other functions in West Suffolk (e.g. Development Control) and also what seemed to be most appropriate within the family group. This has resulted in some amendments to the terms of reference for the Licensing and Regulatory Committee being proposed, as set out using tracked changes in Appendix 2 attached.

Entitlement to Places – May 2017

| | | Conservative Group | | | West Suffolk Independent Group | | | UK Independence Group | | | Independent (non group) | | | TOTAL |
|----------------------------|-------------|-------------------------|---------------------------|------------------|--------------------------------|---------------------------|------------------|-------------------------|---------------------------|------------------|-------------------------|---------------------------|------------------|-------|
| Members | | 18 | | | 5 | | | 3 | | | 1 | | | 27 |
| Expressed as % | | 66.67% | | | 18.52% | | | 11.11% | | | 3.70% | | | 100% |
| Committee | No of seats | Entitled places (exact) | Entitled places (rounded) | Allocated places | Entitled places (exact) | Entitled places (rounded) | Allocated places | Entitled places (exact) | Entitled places (rounded) | Allocated places | Entitled places (exact) | Entitled places (rounded) | Allocated places | |
| Development Control | 14 | 9.34 | 9 | 9 | 2.59 | 3 | 3 | 1.56 | 2 | 2 | 0.51 | 0 | 0 | 14 |
| Licensing & Regulatory | 10 | 6.67 | 7 | 7 | 1.85 | 2 | 2 | 1.11 | 1 | 1 | 0.37 | 0 | 0 | 10 |
| Joint Officer Appointments | 3 | 2.00 | 2 | 2 | 0.56 | 1 | 1 | 0.33 | 0 | 0 | 0.11 | 0 | 0 | 3 |
| Joint Officer Appeals | 3 | 2.00 | 2 | 2 | 0.56 | 1 | 1 | 0.33 | 0 | 0 | 0.11 | 0 | 0 | 3 |

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Development Control

1 – Remit

The Development Control Committee is authorised to undertake (or sub-delegate) all of the Council’s functions relating to town and country planning, development control and the protection of hedgerows and trees, as specified in Parts A and I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended by subsequent regulations).

The Committee is also authorised to exercise the Council’s Local Choice Functions in relation to the obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land and the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (as specified in the table in Section 1 above).

In summary, the area of responsibility of this Committee includes all matters relating to the administration of Town and Country Planning legislation, Listed Building and Conservation Area legislation, Hazardous Substances legislation and the Building Acts and associated Regulations within the purview of the Authority as it relates to the following functions:-

- (1) The Committee determines all planning or similar applications which are:
 - (a) judged by the Head of Planning & Growth (after consultation with the Chairman and/or the Vice Chairman/men of the Development Control Committee) to be of such district-wide significance or to be so contentious that they should in the public interest be referred to the Committee for consideration and determination, and;
 - (b) applications proposing major development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995) and where the recommendation of the Head of Planning & Growth would conflict with or would not substantially satisfy the written representation of the Parish/Town Council; or where a Member for the ward in which the application site is located, or who is a Member of the Council’s Development Control Committee, has requested (in writing) consideration by Committee, and;
 - (c) applications proposing other than major development (as defined above) referred by the Head of Planning & Growth following consultation with the Delegation Panel.

- (2) A Delegation Panel Scheme (known as “the Panel”) has been set up to deal with applications for Planning Permissions, Listed Building Consents, Conservation Area Consent and Prior Notifications. This will apply in cases including applications from householders, advertised matters, applications for change of use, applications for minor residential development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995), applications for a variation of conditions, applications relating to hazardous substances, notifications in relation to prior approval, TPO applications and applications for works to trees in Conservation Areas.

In cases referred to above where decisions will only be taken following consultation with the Panel which will comprise the Chairman and/or Vice Chairman/men of Development Control Committee and any local Ward Member(s) who has/have expressed any interest in writing.

The Delegation Panel scheme will operate as follows:

- (a) Meeting of the Panel will normally take place fortnightly.
- (b) A list of applications to be considered at the Panel will be circulated to all Members, and a written briefing report on each case prepared and circulated to the Chairman and Vice Chairman/men of Development Control Committee and any local Member(s) who has/have expressed any interest in writing, at least four clear working days in advance of the Panel meeting, with provision for emergency items at the discretion of the Chairman or Vice Chairman/men and Ward Member(s) or adjacent Ward Member with the approval of the Ward Member(s).
- (c) The local Member(s) may attend the Panel or submit representations in writing in order to make sure the Panel is clearly aware of their views and reasoning.
- (d) The Council’s Planning Case Officer(s) will present individual applications for discussion and decision, including all representations received and photographs of the site.
- (e) The formal decision will be made by the Head of Planning & Growth in consultation with the Chairman and/or Vice Chairman/men and any interested local Ward Member. In the absence of a consensus between the Members the application will be reported to the Development Control Committee.
- (f) The relevant Parish/Town Council will be informed of the decision verbally by the Council’s case officer within two working days of the Panel meeting and will be sent written reasons within 10 working days of the Panel meeting with

copies to the Chairman, Vice Chairman/men of Development Control Committee and local Member(s).

- (3) The Committee is responsible for matters relating to:
- (a) Development Control functions and enforcement including (but without limitation):
 - (i) The preservation of buildings and trees;
 - (ii) Controlling uses of land and buildings, including relocation of non-conforming uses, the making of discontinuance, revocation and modification orders and the making of agreements regulating the development and/or use of land or premises;
 - (iii) Determination of planning applications and commenting upon development proposals by Suffolk County Council and other public bodies;
 - (iv) Determination of planning applications made by or on behalf of the Council, whether submitted by or on behalf of the Council itself or jointly with another person;
 - (v) Determination of applications relating to signs and advertisements;
 - (vi) Enforcement by means of issue of enforcement notices, breach of condition notices, stop notices and any other lawful instrument and subsequent prosecution or legal proceedings.
 - (b) Building Control functions and enforcement, including but without limitation:
 - (i) approval of buildings and works under Building Regulations for the time being in force;
 - (ii) enforcement action including criminal, injunctive or other legal proceedings;
 - (c) To fix fees and charges for all services administered by the Committee.

2 – Membership and meeting arrangements

- 2.1 The Committee will comprise no more than the minimum number of members necessary to allow appointment on the basis of one member from each Ward, unless the obligation to achieve political balance necessitates more than one member from that Ward, but no more.
- 2.2 The Committee will be appointed annually by the full Council and will be politically balanced.
- 2.3 The Committee will appoint its own Chairman and Vice-Chairman/Chairmen.

- 2.4 The Committee will meet in accordance with a schedule of ordinary meetings approved by the Council, although meetings may be cancelled due to lack of business. Special meetings of the Committee may also be called.

3 – Delegation of Functions

- 3.1 The majority of the Committee’s functions will be determined by officers, as set out in Section 4 of this part of the Constitution. These delegations are subject to:-
- (a) any such determination being consistent with Development Plans and adopted Borough and County Planning Policies;
 - (b) statutory and customary consultations being carried out; and
 - (c) the safeguards and consultative procedures listed in Part 1 above.
- 3.2 Those matters which will normally fall to be determined by the Committee are as defined part 1, paragraphs (1)(a) – (c) above. In exercising any of its functions, the Committee may refer any item to Council for a decision.

4 – Procedure at meetings

- 4.1 Procedure at meetings shall be in accordance with the Committee Procedure Rules, except as provided in 4.2 below.
- 4.2 The Committee shall have authority to determine from time to time its own arrangements for public speaking on applications, and which matters are to be included within those arrangements.

Joint Officer Appeals Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council. Membership of the joint Committee will comprise six Members, three from each Authority. In addition, each Authority will be able to appoint one Substitute Member.

The Committee will be appointed annually by the full Council and will be politically balanced.

Any Member of the Council may serve on the Committee provided that they are not also a Member of the Joint Officer Appointments Committee.

The Committee will appoint its own Chairman and Vice Chairman.

The Committee will meet on an ad hoc basis as required.

2. Functions/Remit

To consider appeals against dismissal and grievances by Chief Officers of Forest Heath District Council and St Edmundsbury Borough Council.

Joint Officer Appointments Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council.

Membership of the Joint Committee will comprise six Members, three from each authority. In addition, each Authority will be able to appoint one Substitute Member.

The Committee will be appointed annually by the full Council and will be politically balanced.

Any Member of the Council may serve on the Committee provided that they are not also a Member of the Joint Officer Appeals Committee.

The Committee must also contain at least one Member of the Cabinet.

The Committee will appoint its own Chairman and Vice Chairman.

The Committee will meet on an ad hoc basis as required.

2. Functions/Remit

To deal with the appointment, discipline and termination of employment of Joint Directors of Forest Heath District Council and St Edmundsbury Borough Council.

West Suffolk Joint Standards Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council. Membership of the Joint Committee will comprise six Members, three appointed by each Authority.

To ensure a wide representation across the Authorities, political balance rules do not apply to this Committee.

2. Functions/Remit

The Joint Standards Committee will have the following roles and functions in respect of both Forest Heath District Council and St Edmundsbury Borough Council:-

- (a) promoting and maintaining high standards of conduct by Councillors and co-opted Members.
- (b) assisting Councillors and co-opted Members to observe the Members' Code of Conduct.
- (c) advising the Council on the adoption and revision of the Members' Code of Conduct.
- (d) monitoring the operation of the Members' Code of Conduct.
- (e) advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.
- (f) granting dispensations to Councillors and co-opted Members from requirements relating to interests set out in Section 34 of the Localism Act 2011.
- (g) considering a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct.
- (h) dealing with a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct of a Town or Parish Council within the District of Forest Heath and the Borough of St Edmundsbury.

The West Suffolk Joint Standards Committee will not cover the conduct of Officers, for which separate provisions apply.

OVERVIEW AND SCRUTINY COMMITTEE

The Council will appoint an Overview and Scrutiny Committee of up to 10 members, or as many as Council determines from time to time, and it will normally be politically balanced. No member of the Cabinet may be a member of the Overview and Scrutiny Committee.

The primary purpose of the Committee is to improve the delivery of policies and services. To do this it will exercise the following

General Role:-

- (a) review and scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions (subject to 7.9.1(h) below);
- (b) make reports and recommendations to the Council and the Cabinet in connection with the discharge of any functions;
- (c) consider any matter affecting the area or its inhabitants;
- (d) question Members of the Cabinet and officers about their views on issues and proposals affecting the area;
- (e) liaise with external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working;
- (f) exercise the right to "call in", for reconsideration, decisions made but not yet implemented by the Cabinet, in accordance with the rules set out in Part 4 of this Constitution; and
- (g) consider any Councillor Calls for Action referred to it in accordance with the Protocol set out in Part 5 of this Constitution;
- (h) consider any matter which has been placed on the agenda of the committee by any member of the committee in accordance with the rules of procedure in Part 4 of this Constitution;
- (i) act as the crime and disorder committee for the purposes of section 19 of the Police and Justice Act 2006.

Scrutiny Role

Within its terms of reference, the Overview and Scrutiny Committee may:-

- (a) review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council officers both in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas, and carry out performance management reviews;
- (c) review the adequacy of policies and practices to ensure compliance with statutory and other guidance;

- (d) question Members of the Cabinet, Committees and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (e) make recommendations to the Cabinet and/or the appropriate Committee arising from the scrutiny process;
- (f) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance and issues of wider concern;
- (g) question and gather evidence from any person (with their consent);
- (h) assist the Council and the Cabinet in the development of the policy framework by detailed analysis of policy issues and options, including research, and community and other consultation;
- (i) consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
- (j) consider how collaborative working with external organisations can enhance the interests of local people.

For specific issues, the above work can be carried out by task and finish groups, which will be appointed and managed by the Committee. These groups will draw upon the knowledge and expertise of all Members of the Council.

Holding the Cabinet to Account

The Overview and Scrutiny Committee will hold the Cabinet to account for the discharge of its functions. The principal elements by which it will do this are as follows:-

- (a) scrutinising decisions which the Cabinet is planning to take, as set out in the Decisions Plan or of which proper notice is given (including decisions referred to it in accordance with paragraph 6.6.2 of Article 6);
- (b) scrutinising decisions of the Cabinet and individual portfolio holders before they are implemented and if necessary using the "call-in" mechanism to require the decision taker to reconsider the earlier decision;
- (c) scrutinising decisions of the Cabinet or Portfolio Holders after they have been implemented as part of a wider review.

PERFORMANCE AND AUDIT SCRUTINY COMMITTEE

The Council will also appoint a Performance and Audit Scrutiny Committee of up to ten members, which will normally be politically balanced. Within its terms of reference the Committee will monitor and scrutinise the performance of the Council's services by having regard to a variety of information, including performance indicators, financial information, reports from external inspections, audit reports, and monitoring of action plans. No member of the Council's Cabinet may be a member of the Performance and Audit Scrutiny Committee.

The Committee will also assist the Council and the Cabinet in the development of the budget framework, and act as the Council's Audit Committee, and the nature of this role is specified in the Procedure Rules in Part 4 of this Constitution.

Finance

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for any finances made available to them.

Annual Report

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

Officers

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for the work programme of any officers employed to support their work.

Proceedings of the Committees

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

Work Programme

The Rules of Procedure in Part 4 of this Constitution will also provide mechanisms to allow all Members of the Council the opportunity to place an item on the agenda of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee.

When practicable, the Overview and Scrutiny Committee will publish a forward work programme or list of items likely to be considered over the next four months.

Working Methods

The following principles should be adhered to by the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee when carrying out their work:-

- (a) a variety of different approaches and formats for meetings may be used;
- (b) 'task and finish' groups reporting periodically and at the end of reviews to the Overview and Scrutiny Committee should be encouraged as the preferred method of scrutiny reviews;
- (c) membership of the Committees and their sub groups (if applicable) should be tailored to ensure appropriate skills and expertise, and external input, are brought to bear;
- (d) when appropriate, full consultation with all other stakeholder groups and organisations should take place;
- (e) the declaration of interest rules shall apply;
- (f) the imposition of the Party Whip is regarded as incompatible with the work of the Council's Scrutiny Committees;
- (g) the chairman and vice-chairman of each Scrutiny Committee will meet at least quarterly with the Leader and Deputy Leader of the Council to ensure that the work of these Committees is properly co-ordinated; and
- (h) where any Scrutiny Committee is reviewing the work of a Regulatory or other Committee of the Council (as opposed to the Cabinet) it will not scrutinise individual decisions made by such Committees, particularly decisions in respect of development control, licensing, registration, consents and other permissions. In particular, scrutiny will not be an alternative to normal appeals procedures. However, the Overview and Scrutiny Committee has the power to make reports and recommendations on functions which are not the responsibility of the Cabinet, an option normally to be used as part of wider policy reviews.

Support

In order that the Overview and Scrutiny Committee can perform its roles properly, it shall be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to the advice of the Council's Monitoring Officer;
- (d) the ability to require Members of the Cabinet and officers to attend to answer questions;
- (e) specific training and development for all persons who undertake overview and scrutiny duties; and

- (f) the Decisions Plan, containing details of all the matters likely to be the subject of key decisions, or to be considered in private by the Cabinet, or its Committees or by officers, shall be made available to all Members of the Overview and Scrutiny Committee.

In order that the Performance and Audit Scrutiny Committee can perform its role properly it shall also be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to external auditors who report direct to the Committee and to the Internal Audit Service Manager; and
- (d) specific training and development as required.

Licensing and Regulatory Committee **(showing tracked changes)**

1. Remit

The Licensing and Regulatory Committee (in this Section referred to as "the Committee") is authorised to undertake or sub-delegate all matters of a regulatory nature, other than those covered by the Development Control Committee, or which are required by statute to be licensed, and the hearing of certain appeals.

The Committee will only hear those appeals which the Authority is required to determine; it will not take the place of any other appeals process or complaints procedure, nor will it provide a general appeal mechanism for any decision of the Authority.

- 1.1 The Committee is authorised to undertake (or sub-delegate) all of the Council's regulatory functions relating to licensing and registration, health and safety at work (for non-Council staff), public rights of way and take-away food shops, as specified in Parts B, C and I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended by SI 2001 No.2212 and any subsequent Regulations).
- 1.2 The Committee is also authorised to exercise the Council's Local Choice Functions (as specified in the Table in Section 1) in relation to:-
 - (1) the determination of an appeal against any decision made by or on behalf of the Council (other than those relating to employees of the Council), including appeals relating to Discretionary Housing Payments;
 - (2) any function relating to contaminated land.
 - (3) the discharge of any function relating to the control of pollution or the management of air quality;
 - (4) the service of an abatement notice in respect of a statutory nuisance;
 - (5) the passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area;
 - (6) the inspection of the Authority's area to detect any statutory nuisance;
 - (7) the investigation of any complaint as to the existence of a statutory nuisance;

- (8) the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976; and
- (9) the making of agreements for the execution of highways works.

1.3 The Committee may also authorise a prosecution for any offence within the scope of its delegation.

2. Membership and meeting arrangements

2.1 The Committee will comprise up to 10 Members. It will be appointed annually by the full Council and will be politically balanced insofar as is reasonably practicable.

2.2 Members appointed to the Committee will:

- (a) be able to provide a sufficient, competent¹ pool capable of carrying out the Committee's programme of work and anticipated number of Sub-Committee hearings for the forthcoming year, as set out in Section 3 below;
- (b) make themselves available to participate in the work of the Licensing Authority;
- (c) be required to undertake mandatory training on the functions and responsibilities of the Committee and its Sub-Committees in order that legislative and/or local policy requirements are appropriately applied. Attendance at events or delivered by other means of all updates on relevant laws will be required.^{2.3} The Committee will appoint its own Chairman and Vice-Chairman/Chairmen.

2.3.1 Chairmen will:

- (a) be elected with full understanding of their procedural responsibilities, in accordance with the principles set out in paragraph 5.2 of Article 5 of the Constitution;
- (b) be responsible for Member-to-Member engagement, in particular between the Committee and the respective Portfolio Holder; and
- (c) lead on other Member-related duties including the appointment of Members of the Committee and non-voting co-optees to task and finish groups.

¹ 'Competent' is defined as having the necessary ability, knowledge and skills required to carry out the work of the Committee and its Sub-Committees. Members and Substitutes of the Committee will be declared 'competent' following successful achievement of the required training set out in the Council's mandatory training package.

2.4 The Committee will meet **on an annual basis** in accordance with a schedule of ordinary meetings approved by the Council **to:**

- (a) **set relevant fees and charges;**
- (b) **confirm how the Committee will carry out the core legal functions of the Licensing Authority; and**
- (c) **agree an allocation of Committee Members to participate in the development of policies on the policy work programme.**

2.5 **With the agreement of the Chairman (or Vice-Chairman in the absence of the Chairman) and relevant Portfolio Holder, extraordinary meetings of the Committee may also be called as substantive business dictates. Sub-Committee meetings are also scheduled as and when required.**

3. Delegation of functions

- 3.1 The majority of the Committee's functions will be determined by Officers, as set out in Section 4 of this part of the Constitution. In normal circumstances, matters will only be brought before the Committee or a Sub-Committee where there is a difficulty or an appeal against an Officer's decision.
- 3.2 A Sub-Committee will comprise any three Members drawn from the full membership of the Committee and appointed for each occasion when it is needed. In addition there will be one 'reserve' Member appointed for each Sub-Committee meeting in case one of the other Members is unavailable or has to withdraw on the day. As far as possible, Sub-Committees should not comprise Members drawn from the same political group or who are all male or all female. **All Members of the Committee should be given equal opportunities to sit on Sub-Committees following successful completion of the relevant training.**
- 3.3 Applications made in respect of the Licensing Act 2003 will be brought before the Committee or a Sub-Committee in accordance with any regulations published under the Act, the guidance issued under s.182 of the Act and summarised in Table B1 below.
- 3.4 Applications made in respect of the Gambling Act 2005 will be brought before the Committee or a Sub-Committee in accordance with the Scheme of Delegation summarised in Table B2 below.
- 3.5 Applications made in respect of Sex Establishments will be brought before the Committee or a Sub-Committee in accordance with the Schedule of Delegated Authority summarised in Table B3 attached.

4. Procedure at meetings

- 4.1 Meetings of the Committee will be conducted in accordance with the Committee Procedure Rules, except when the Committee sits as a

hearing, in which case the Hearing Procedure Rules will apply.

TABLE: B1**Licensing Act 2003: Delegation of Functions**

The Licensing Authority has adopted the following level of delegation of functions in accordance with the general guidance issued by the Government.

| Matter to be dealt with | Licensing and Regulatory Sub Committee | Officers |
|---|---|------------------------------------|
| Application for personal licence | If a Suffolk Constabulary objection | If no objection made |
| Application for personal licence with unspent convictions | All cases | |
| Application for premises licence/club premises certificate | If a relevant representation made and not withdrawn | If no relevant representation made |
| Application for provisional statement | If a relevant representation made and not withdrawn | If no relevant representation made |
| Application to vary premises licence/club premises certificate | If a relevant representation made and not withdrawn | If no relevant representation made |
| Application to vary designated premises supervisor | If a Suffolk Constabulary objection | All other cases |
| Request to be removed as designated premises supervisor | | All cases |
| Application for transfer of premises licence | If a Suffolk Constabulary objection | All other cases |
| Applications for Interim Authorities | If a Suffolk Constabulary objection | All other cases |
| Application to review premises licence/club premises certificate | All cases | |
| Decision on whether a complaint is irrelevant frivolous vexatious | | All cases |
| Decision to object when local authority is a consultee and not the lead authority | All cases | |
| Determination of a Suffolk Constabulary representation to a temporary event notice | All cases | |
| Determination of application for minor variation | | All cases |
| Determination of application for licence, or variation of licence, in respect of community premises: supervision of alcohol sales | If a Suffolk Constabulary objection is made and not withdrawn | All other cases |
| Determination of relevance of representation | | All cases |
| Exercise of Responsible Authority Functions of applications and notices submitted to the licensing authority under the Licensing Act 2003 (as amended by the Police and Social Responsibility Act 2011) in accordance with the regulations. | | All cases |

TABLE: B2**Gambling Act 2005: Delegation of Functions**

| GAMBLING ACT 2005 | | | |
|---|-----------------------|---|---|
| Summary of permitted licensing authority delegations | | | |
| (x indicates the lowest level to which decisions can be delegated) | | | |
| Matter to be dealt with | Full Committee | Sub Committee | Officers |
| Final approval of three year Statement of Licensing Principles | x | | |
| Policy not to permit casinos | x | | |
| Fee Setting (when appropriate) | | | x |
| Application for premises licences | | Where representations have been received and not withdrawn made | Where no representations have been received/representations have been withdrawn |
| Application for a variation to a licence | | Where representations have been received and not withdrawn made | Where no representations have been received/representations have been withdrawn |
| Application for transfer of a licence | | Where representations have been received and not withdrawn made | Where no representations have been received/representations have been withdrawn |
| Application for a provisional statement | | Where representations have been received and not withdrawn made | Where no representations have been received/representations have been withdrawn |
| Review of a premises licence | | x | |
| Application for club gaming/club machine permits | | Where objections have been made (and not withdrawn) | Where no objections have been made/objections have been withdrawn |
| Cancellation of club gaming/club machine permits | | x | |
| Applications for other permits | | | x |
| Cancellation of licensed premises gaming machine permits | | | x |
| Consideration of temporary use notice | | | x |
| Decision to give a counter notice to a temporary use notice | | x | |

TABLE: B3

Sex Establishments: Schedule of Delegated Authority

| Matter to be dealt with | Sub Committee* (see note below) | Officers |
|--|--|--------------------------------|
| Grant (First or New) of an Application for the grant of any type of Sex Establishment Licence. | If a relevant objection received or Officers have concerns in respect of the application or characteristics of the locality. | All other cases |
| Decision on whether an objection is frivolous or vexatious. | | In respect of all Applications |
| Decision on whether an objection is irrelevant. | | All cases |
| Application for Waiver of Licence in respect of any type of Sex Establishment Licence. | All cases | |
| Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being under the age of 18. | | All cases |
| Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who is for the time being disqualified from holding a licence following revocation of such a licence. | | All cases |
| Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of 6 months immediately preceding the date when the application was made. | | All cases |
| Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a body corporate which is not incorporated in an EEA state. | | All cases |
| Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who had, within a period of 12 months immediately preceding the date | | All cases |

| Matter to be dealt with | Sub Committee* (see note below) | Officers |
|---|--|-----------------|
| when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal. | | |
| Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason. | All cases | |
| Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself. | All cases | |
| Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made (determined) is equal to or exceeds the number which the authority consider is appropriate for that locality. | All cases | |
| Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the grant or renewal of the licence would be inappropriate, having regard – (i) to the character of the relevant locality; or (ii) to the use to which any premises in the vicinity are put; or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. | All cases | |
| Refusal of an Application for the Variation of the terms, conditions or restrictions on or subject to which the licence is held for | All cases | |

| Matter to be dealt with | Sub Committee* (see note below) | Officers |
|--|--|-----------------|
| any type of Sex Establishment Licence. | | |
| Revocation of a licence. | All cases | |

**Although matters will normally be referred to a Sub-Committee for determination, they may be referred to the full Committee at the discretion of the Business Regulation and Licensing Manager, after consultation with the Chairman and Vice-Chairman/men*

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Annual Council



Forest Heath
District Council

| | |
|----------------------------|--|
| Title of Report: | Review and Re-appointment of Representation on Outside Bodies |
| Report No: | AGM/FH/17/002 |
| Report to and date: | Annual Council 10 May 2017 |
| Portfolio holder: | James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk |
| Lead officers: | Karen Points Assistant Director (HR, Legal and Democratic Services) Tel: 01284 757015 Email: karen.points@westsuffolk.gov.uk Leah Mickleborough Service Manager (Democratic Services) and Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk |
| Purpose of report: | The Council is required by the Constitution at each Annual Meeting to: (1) receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required; and (2) appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet. |

| | |
|---|--|
| Recommendation: | It is recommended that: <ol style="list-style-type: none"> (1) Where the Council may send observers to meetings of outside bodies these will be appointed by the Cabinet. (2) If deemed appropriate, the Council to explore the passing of nominations to other organisations. (3) Where the Council may make a nomination, but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet. (4) The Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to: <ol style="list-style-type: none"> (a) re-appoint the existing District Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) above for 2017/2018, as detailed in Appendix A to Report No: AGM/FH/17/000; and (b) make new appointments to outside bodies, as applicable, in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed. |
| 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"> • Not applicable |
| Alternative option(s): | <ul style="list-style-type: none"> • As set out in paragraph 1.3 below. |
| Implications: | |
| Are there any financial implications? If yes, please give details | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Are there any staffing implications? If yes, please give details | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Are there any ICT implications? If yes, please give details | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Are there any legal and/or policy implications? If yes, please give details | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

| | | | |
|--|---|--|---------------------------------------|
| <i>Are there any equality implications? 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) |
| Opportunities for the Council to be represented on outside bodies are missed | Medium | To consider the appointment of representatives to outside bodies | Low |
| Ward(s) affected: | | All | |
| Background papers: | | None | |
| Documents attached: | | Appendix A – Forest Heath District Council’s Representation on Outside Bodies 2016/2017 and on Wholly Owned/Joint Venture Commercial Companies in 2016/2017 | |

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 One of the functions exercised by the Council is to appoint representatives on outside bodies.
- 1.1.2 At each Annual Meeting, the Council is required to receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required.
- 1.1.3 Attached as Appendix A, to this report, is the list of outside bodies for the last civic year, 2016/2017. This list provides the name of the organisations and the number of representatives in that year.
- 1.1.4 Wholly-owned/Joint Venture Commercial Companies
- 1.1.5 Appendix A also sets out the Council's representation on its wholly-owned/joint venture commercial companies. Whilst, technically, not outside bodies, this information has been included for transparency and information purposes.

1.2 Considerations

- 1.2.1 Council is asked to consider the list at Appendix A and to request the Service Manager (Democratic Services) and Monitoring Officer to exercise their delegated authority to re-appoint the existing District Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) above for 2017/2018.
- 1.2.2 If, however, it is considered that new appointments to outside bodies are required to be made, these are proposed to be made under the above delegated authority in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed.
- 1.2.3 Attention is also drawn to the following:-
 - (a) Where the District Council may send observers, it is recommended that Cabinet and not Council makes these appointments, if considered necessary, as the appointee is not formally representing the Council. This does not mean that the observer must be a member of the Cabinet. Subject to approval of Recommendation (1) above, the existing representatives on such bodies will be proposed to be re-appointed by Cabinet on 16 May 2017.
 - (b) It is suggested that, where deemed to be appropriate, the District Council explores the possibility of 'passing' the nomination to other organisations (ie Town/Parish Councils).
 - (c) Where the District Council has the right to nominate a representative, but the nominee will not be automatically appointed by the outside body, then the nomination will also be made by the Cabinet.

1.3 **Citizens Advice Bureau (Newmarket) and the Suffolk Police and Crime Panel**

1.3.1 The Conservative Group Leader has notified that they wish to make changes to the current Member representation on the following outside bodies for 2017/2018:

- Suffolk Police and Crime Panel (*Substitute Member*)
- Citizens Advice Bureau (Newmarket)

1.3.2 Therefore, once confirmed by the Conservative Group Leader, the changes to the Member representation on these particular outside bodies will be made under the existing delegated authority of the Service Manager (Democratic Services) and Monitoring Officer (as set out in Recommendation 4(b) above).

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Forest Heath
District Council

REPRESENTATION ON OUTSIDE BODIES 2015 TO 2019

AND

REPRESENTATION ON WHOLLY-OWNED/JOINT VENTURE COMMERCIAL COMPANIES 2015 TO 2019

BRIEF GENERAL INFORMATION ABOUT THE ORGANISATIONS

Forest Heath District Council Representation on Outside Bodies 2015 to 2019

(Note: This list covers constituted organisations and charities. Council representation on project groups or boards, formed of various organisations, would be determined by Cabinet or in accordance with the Memoranda of Understanding for those projects)

| | NAME OF ORGANISATION AND OBJECTIVES | REQUIRED REPRESENTATION | REPRESENTATION 2015 to 2019 | MEETING INFORMATION (where known) | SUPPORT OFFICER(S) |
|-----------|--|---|------------------------------------|--|-----------------------------|
| 1. | Aspal Close Working Group To advise on the management of the Aspal Close Local Nature Reserve | One Member <i>(Ward Member from Eriswell and The Rows)</i> | Cllr David Bowman | Once a year; Evening; Beck Row | Mark Walsh Damien Parker |
| 2. | Association for Suffolk Museums Management Committee Advance education of the public in Suffolk by support and assistance to public museums and art galleries and their development. | One Member | Cllr John Bloodworth | Twice a year; Various locations in Suffolk | Mark Walsh Damien Parker |
| 3. | Brandon Heritage Centre The Centre celebrates the three main industries of the area (flint, fur and forestry). The collection offers a unique view of the Town's colourful history. | One Member | Cllr Christine Mason | Quarterly; Evenings; Brandon Heritage Centre | Mark Walsh Damien Parker |

| | NAME OF ORGANISATION AND OBJECTIVES | REQUIRED REPRESENTATION | REPRESENTATION 2015 to 2019 | MEETING INFORMATION (where known) | SUPPORT OFFICER(S) |
|-----------|--|--------------------------------|------------------------------------|---|-----------------------------|
| 4. | <p>Brandon Remembrance Playing Fields Management Committee</p> <p>The role of the Committee is to offer playing fields to the people of Brandon and for the use by local clubs.</p> | One Member | Cllr Christine Mason | Monthly; Evenings; Sports & Social Club, Brandon Remembrance Playing Fields | Mark Walsh Damien Parker |
| 5. | <p>'Breaking New Ground' Board (replaces the Brecks Partnership – Core Management Group)</p> <p>In March 2014, the Heritage Lottery Fund (HLF) confirmed the award of nearly £1.5m to the Breaking New Ground Landscape Partnership, enabling a £2.2m scheme to start delivering a range of exciting Heritage and Landscape Projects in the heart of the Brecks.</p> <p>'Breaking New Ground' will provide the dynamic impetus to move this unique landscape from the margins of public awareness to the mainstream, connecting communities to the skills and understanding necessary to sustain its natural, archaeological and built heritage and enable them to explore and celebrate its distinctive features</p> | One Member | Cllr Reg Silvester | Quarterly; Various locations within the Brecks | Mark Walsh Damien Parker |

| | NAME OF ORGANISATION AND OBJECTIVES | REQUIRED REPRESENTATION | REPRESENTATION 2015 to 2019 | MEETING INFORMATION (where known) | SUPPORT OFFICER(S) |
|-----------|--|--|------------------------------------|--|------------------------------|
| | such as pine lines, flint buildings, forests and heaths. It will seek to address the challenges presented by climate change, economic pressure, population growth and diversity and connect effective, integrated rural development with environmental excellence in this sensitive and special landscape. | | | | |
| 6. | <p>Citizens Advice Bureau (Newmarket)</p> <ul style="list-style-type: none"> - To ensure people do not suffer through lack of knowledge of their rights and responsibilities or the services available to them or through an inability to express their needs effectively; - To exercise a responsible influence on the development of social policies and services, both locally and nationally. <p>Advice is free, independent, impartial and confidential.</p> | <p>One Member*</p> <p>(*Representation for 2017/2018 to be confirmed by the Conservative Group Leader)</p> | Cllr Michael Anderson | Bi-monthly; Afternoons; Newmarket | Davina Howes Lucy Pettitt |
| 7. | <p>District Councils' Network</p> <p>The District Councils' Network is a cross-party member led network of 199 district councils. It is a</p> | One Member | Cllr James Waters | | Ian Gallin Liz Barnard |

| | NAME OF ORGANISATION AND OBJECTIVES | REQUIRED REPRESENTATION | REPRESENTATION 2015 to 2019 | MEETING INFORMATION (<i>where known</i>) | SUPPORT OFFICER(S) |
|-----------|---|--------------------------------|------------------------------------|--|---------------------------|
| | Special Interest Group of the Local Government Association (LGA), and provides a single voice for district councils within the LGA. It lobbies central government, the political parties and other stakeholders directly on behalf of its members, as well as commissioning research, providing support and sharing best practice. | | | | |
| 8. | <p>East of England Local Government Association (EELGA)</p> <p>The EELGA is a voluntary body funded by subscription. The 52 local councils in the East of England are all members. The organisation is governed by the Leader or elected Mayor of each of the 52 councils in the region. The full assembly of the 52 leaders meets twice a year. This is a forum for discussion on common issues, but importantly provides a platform for all leaders to meet and hear from Ministers and other policy makers on key issues. Day-to-day management is provided by a management committee of five Leaders who are representative of</p> | One Member | Cllr James Waters | The full assembly of the 52 leaders meets twice a year | Ian Gallin Liz Barnard |

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| | the political proportionality of the region. | | | | |
| 9. | <p>Greater Cambridge/Greater Peterborough Local Enterprise Partnership Board</p> <p>To achieve the vision, five strategic goals have been set:-</p> <ul style="list-style-type: none"> - planning for growth - investing for growth - enhancing world class business success - developing world class skills - benefiting for all | One Member | Cllr James Waters | Monthly | Ian Gallin |
| 10. | <p>Home of Horseracing Trust</p> <p>To ensure the views of the Council are properly and directly represented on the Trust, which is charged with the development of the Home of Horseracing project.</p> | <p>One Observer</p> <p><i>(Appointed by the Cabinet. However, the appointment does not need to be a member of the Cabinet)</i></p> | Cllr Andy Drummond <i>(supported by Cllr Chris Barker)</i> | Bi-monthly; Afternoons; Newmarket | Alex Wilson |
| 11. | <p>Internal Drainage Board – Burnt Fen</p> <p>To provide water level management and flood protection for the benefit</p> | One Member | Cllr Louise Marston | Three meetings per year; Afternoons; Prickwillow | David Collinson Peter Gudde Andy Newman |

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| | of Forest Heath district. | | | | |
| 12. | Internal Drainage Board – Lakenheath To provide water level management and flood protection for the benefit of Forest Heath district. | Three Members | 1. Cllr Louise Marston 2. Cllr Colin Noble 3. Mr Robin Rolph (<i>Non-elected Member</i>) | Three meetings per year; Mornings; Prickwillow | David Collinson Peter Gudde Andy Newman |
| 13. | Internal Drainage Board – Mildenhall To provide water level management and flood protection for the benefit of Forest Heath district. | Four Members | 1. Cllr David Bowman 2. Cllr John Bloodworth 3. Mr C J Butcher (<i>Non-elected Member</i>) 4. Mr G H Taylor-Balls (<i>Non-elected Member</i>) | Three meetings per year; Afternoons; Prickwillow | David Collinson Peter Gudde Andy Newman |
| 14. | Local Government Association (LGA) (General Assembly) The LGA a politically-led, cross-party organisation that works on behalf of councils to ensure local government has a strong, credible voice with national government. It aims to influence and set the political agenda on the issues that | One Member | Cllr Robin Millar | Once a year | Ian Gallin |

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| | <p>matter to councils so they are able to deliver local solutions to national problems.</p> <p>The LGA General Assembly meets once a year and acts as the 'parliament' for local government. It is a key element of the LGA's member structure.</p> <p>All district/borough councils are entitled to one vote and to appoint one representative.</p> | | | | |
| 15. | <p>Mildenhall Community Association</p> <p>To supply services to the community.</p> | One Member | Cllr Nigel Roman | As and when required; Evenings; Mildenhall | Davina Howes Lucy Pettitt |
| 16. | <p>Mildenhall Dome Joint Management Committee</p> <p>(formerly Mildenhall Dome Leisure Centre Joint Co-ordinating Committee)</p> <p>Responsibility for the co-ordination of the use of the Centre.</p> | <p>One Member</p> <p><i>(Portfolio Holder responsible for sport or another Councillor nominated by them)</i></p> | Cllr Andy Drummond <i>(as PH for Leisure and Culture)</i> | As and when required; Mildenhall | Alex Wilson |

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| 17. | Mildenhall Museum – Trustees The Trustees will be involved in policy making, financial decisions, the long term care of the museum collections and the future of the museum. | One Member | Cllr Nigel Roman | Quarterly; Evenings; Mildenhall Museum | Mark Walsh Damien Parker |
| 18. | National Horseracing Museum To consider various management issues of the Museum and to liaise between the District Council and the Museum. To also be involved with the proposed re-development of the Palace House site. | One Observer <i>(Appointed by the Cabinet. However, the appointment does not need to be a member of the Cabinet)</i> | Cllr Andy Drummond <i>(supported by Cllr Chris Barker)</i> | Quarterly; Variable; Mornings; Newmarket | Alex Wilson |
| 19. | Our Greenest County Board (Suffolk County Council) Creating the Greenest County is an aspiration that involves the whole county in enhancing the natural and historic environment and responding to climate change. The partnership provides an umbrella for many existing projects, encourages further recognition and resourcing of them and seeks to inspire further actions in communities, businesses | One Member | Cllr David Bowman | Quarterly | David Collinson Peter Gudde |

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| | and schools. | | | | |
| 20. | <p>Rural Services Network (SPARSE)</p> <p>The Rural Services Network (RSN) represents the interests of rural service providers and their rural communities in England. It</p> <ul style="list-style-type: none"> - Makes representations on issues affecting rural services - Promotes active networking between service providers and across all sectors - Establishes and broadcasts rural best practice - Promotes debate and interaction between agencies/sectors across many areas of joint interest for example rural crime, rural housing, broadband provision and rural health | One Member | Cllr Colin Noble | <p>Throughout the year, the RSN provide a range of meetings and events for the subscribed authorities and organisations.</p> <p>The different events range from seminars, to working groups to full meetings and provide organisations with the chance to engage at different levels with different issues.</p> | Davina Howes Liz Barnard |

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| 21. | <p>Suffolk County Council - Health and Wellbeing Board</p> <p>The Suffolk Health and Wellbeing Board was established in accordance with the Health and Social Care Act 2012. The Board has a duty to "encourage integrated working" between health, care, police and other public services in order to improve wellbeing outcomes for Suffolk. It is responsible for delivery of the Joint Strategic Needs Assessment and the county's Joint Health and Wellbeing Strategy.</p> <p>The Suffolk Health and Wellbeing Board has 22 members in total, comprising members and officers from the County Council, local clinical commissioning groups, NHS England, HealthWatch, the police, the voluntary sector and district and borough councils.</p> | <p>One Member and one substitute</p> <p><i>(representation alternated every two years with St Edmundsbury Borough Council)</i></p> | <p><i>Representation to September 2017</i></p> <ol style="list-style-type: none"> 1. Cllr Robin Millar (FHDC) <i>(Member)</i> 2. Cllr Robert Everitt (SEBC) <i>(Substitute)</i> | <p>Every two months; 9.30/10.0 am; Endeavour House, Ipswich</p> | <p>Davina Howes Lucy Pettitt</p> |

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| 22. | <p>Suffolk County Council - Suffolk Flood Risk Joint Scrutiny Sub-Committee</p> <p>The Suffolk Flood Risk Scrutiny Sub Committee is made up of eight councillors (1 councillor from Suffolk County Council and 1 from each of the local borough/district councils.</p> <p>The Sub-Committee is responsible for reviewing, scrutinising and influencing decision making in relation to the Suffolk Flood Management Strategy.</p> | One Member and one Substitute | <p>Cllr Christine Mason (Member)</p> <p>Cllr Andy Drummond (Substitute)</p> | Once/twice a year; 10.00am Endeavour House, Ipswich | Mark Walsh |
| 23. | <p>Suffolk County Council - Health Scrutiny Committee</p> <p>Suffolk County Council is responsible in Suffolk for undertaking local government scrutiny of health provision. It has established a Committee for this purpose, with representation from the Overview & Scrutiny Committees of the District/Borough Councils in the County.</p> | <p>One Member</p> <p><i>(Nominations for 2017/2018 to made by the Overview and Scrutiny Committee on 6 June 2017, for confirmation by Council on 14 June 2017)</i></p> | <p>Cllr Christine Mason (Member)</p> <p>Cllr John Bloodworth (Substitute)</p> | Quarterly; 10.30am; Endeavour House, Ipswich | Davina Howes Christine Brain |

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| 24. | <p>Suffolk Joint Emergency Planning Policy Panel</p> <ul style="list-style-type: none"> - To act as a link with each Council's administration to allow joint debate of civil protection issues, both current and emerging, that affect Suffolk. - Develop common approaches to civil protection strategy and policy, including elected member emergency preparedness training and exercising. - Represent agreed changes in civil protection direction and policy, as appropriate, in each Council's administrative process to embed/gain agreement for any change. - Consider recommendations from the Suffolk Policy Review activity on civil protection capability. - Agree Suffolk civil protection inputs to Local Area Agreements. | <p>One Member</p> <p><i>(The nomination to be the Lead Member for civil protection in each authority)</i></p> | <p>Cllr Robin Millar</p> | <p>Meetings held as and when required; No fixed meeting location</p> | <p>Stephen Henthorn</p> |
| 25. | <p>Suffolk Police and Crime Panel</p> <ul style="list-style-type: none"> - Reviewing and scrutinising the decisions and other actions of the statutory functions of the Suffolk Police and Crime | <p>One Member and one Substitute*</p> <p><i>(Conservative appointments based on political proportionality across</i></p> | <p>Cllr Brian Harvey <i>(Member)</i></p> <p>Cllr Lance Stanbury <i>(Substitute)</i></p> | <p>Quarterly; 10.30am; Endeavour House, Ipswich</p> | <p>Davina Howes Lucy Pettitt</p> |

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| | <p>Commissioner, providing both support and challenge.</p> <ul style="list-style-type: none"> - Focus on key strategic actions and decisions taken by the PCC. - Making reports and evidence based recommendations to the PCC. - Vetoing the level of the precept and the appointment of the chief Constable. - Dealing with complaints, as required by law, in respect of the PCC. | <p><i>the whole of Suffolk)</i></p> <p><i>(*The Substitute representation for 2017/2018 to be confirmed by the Conservative Group Leader)</i></p> | | | |
| 26. | <p>Suffolk Waste Partnership</p> <p>The Suffolk Waste Partnership (SWP) is a strategic partnership of the county, district/borough councils, who work together to continuously improve waste management services throughout Suffolk. The SWP has created a Joint Municipal Waste Management Strategy 2003-2020, which sets out the strategic framework for the management of municipal waste across the county.</p> | One Member | Cllr David Bowman | | Mark Walsh Mark Christie |

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| 27. | <p>Suffolk West Citizens Advice Bureau (Brandon and Mildenhall)</p> <ul style="list-style-type: none"> - To ensure people do not suffer through lack of knowledge of their rights and responsibilities or the services available to them or through an inability to express their needs effectively; - To exercise a responsible influence on the development of social policies and services, both locally and nationally. <p>Advice is free, independent, impartial and confidential.</p> | One Member | Cllr John Bloodworth | | Davina Howes Lucy Pettitt |
| 28. | <p>Western Suffolk Community Safety Partnership</p> <p>Community Safety Partnerships (CSP) are statutory bodies which came into being as a result of the 1999 Crime and Disorder Act in which the government recognised that crime and disorder cannot be addressed by the Police alone.</p> | One Member | Cllr Robin Millar <i>(supported by Cllr Brian Harvey)</i> | | Davina Howes Lucy Pettitt |

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| | There was originally one CSP per District/Borough area in Suffolk; however in 2004 the 3 districts in Western Suffolk (Forest Heath, St Edmundsbury and Mid Suffolk) agreed to merge into one Western Suffolk Community Safety Partnership (WSCSP), so reducing bureaucracy and forging the way for greater partnership working. | | | | |

Forest Heath District Council Representation on Wholly-owned/Joint Venture Commercial Companies

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| 1. | <p>Barley Homes (Group) Ltd</p> <p>A commercial company limited by shares, for the purpose of developing housing for sale and private rent, and affordable rent and low-cost home ownership in line with the Councils' existing planning policies.</p> <p>The company is wholly-owned by Forest Heath District Council (25% of shares), St Edmundsbury Borough Council (25%) and Suffolk County Council (50%) and will provide a revenue income to all Councils.</p> | <p>Shareholder Advisory Group consisting of:</p> <p>Two Members (FHDC)</p> <p>Two Members (SEBC)</p> <p>plus four Members from Suffolk County Council</p> <p><i>(As separate arrangements have been approved, re-appointments to this Group are not made each year at Annual Council.)</i></p> | <p>1. Cllr Brian Harvey 2. Cllr Lance Stanbury</p> <p>1. Cllr Sara Mildmay-White 2. Cllr Richard Rout</p> | To be confirmed | Simon Phelan Davina Howes |

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| 2. | <p>Verse Facilities Management Ltd</p> <p>A commercial company, limited by shares, for the purpose of delivering Facilities Management Services in West Suffolk and surrounding areas.</p> <p>The company is wholly-owned by Forest Heath District Council (14% of shares), St Edmundsbury Borough Council (26% of shares) and Vertas Ltd (60% of shares) (who are themselves wholly owned by Suffolk County Council) and will provide a revenue income to all Councils.</p> | Arrangements for representation on a Shareholder Advisory Group are still to be confirmed. | To be confirmed | To be confirmed | Mark Walsh Karen Points |