

Cabinet



Forest Heath
District Council

Title:	Agenda												
Date:	Tuesday 25 October 2016												
Time:	6.00 pm												
Venue:	Council Chamber District Offices College Heath Road Mildenhall												
Membership:	<p>Leader James Waters</p> <p>Deputy Leader Robin Millar</p> <table border="0"> <thead> <tr> <th>Councillor</th> <th>Portfolio</th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Robin Millar</td> <td>Families and Communities</td> </tr> <tr> <td>Lance Stanbury</td> <td>Planning and Growth</td> </tr> </tbody> </table>	Councillor	Portfolio	David Bowman	Operations	Stephen Edwards	Resources and Performance	Andy Drummond	Leisure and Culture	Robin Millar	Families and Communities	Lance Stanbury	Planning and Growth
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.												
Quorum:	Three Members												
Committee administrator:	Sharon Turner Democratic Services Officer (Cabinet) Tel: 01638 719237 Email: sharon.turner@westsuffolk.gov.uk												

Public Information



Forest Heath

District Council

Venue:	District Offices College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public speaking:	Members of the public who live or work in the District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
Disabled access:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.	
Induction loop:	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.	
Recording of meetings:	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

1 - 14

To approve as a correct record the minutes of the Cabinet meetings held on 13 September 2016 and 20 September 2016 (copies attached).

Part 1 - Public

3. Open Forum

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

4. Public Participation

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

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

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

**5. Report of the Overview and Scrutiny Committee:
15 September 2016**

15 - 20

Report No: **CAB/FH/16/043**

Chairman of Committee: Simon Cole

Lead Officer: Christine Brain

**6. Report of the Anglia Revenues and Benefits Partnership
Joint Committee: 20 September 2016**

21 - 26

Report No: **CAB/FH/16/044**

Portfolio Holder: Stephen Edwards

Lead Officer: Jill Korwin

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<p>7. Report of the Performance and Audit Scrutiny Committee: 22 September 2016</p> <p>Report No: CAB/FH/16/045</p> <p>Portfolio Holder: Stephen Edwards Chairman of the Committee: Louis Busutil Lead Officer: Christine Brain</p>	27 - 32
<p>8. Recommendations of the Performance and Audit Scrutiny Committee - 22 September 2016: Arrangements for Appointment of External Auditors</p> <p>Report No: CAB/FH/16/046</p> <p>Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann Chairman of the Committee: Louis Busutil</p>	33 - 36
<p>9. Decisions Plan: October 2016 to May 2017</p> <p>Report No: CAB/FH/16/047</p> <p>To consider the most recently published version of the Cabinet's Decisions Plan</p> <p>Portfolio Holder: James Waters Lead Officer: Ian Gallin</p>	37 - 56
<p>10. Revenues Collection and Performance Write-Offs</p> <p>Report No: CAB/FH/16/048</p> <p>Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann</p>	57 - 62
<p>11. Exclusion of the Press and Public</p> <p>To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	

Part 2 - Exempt

<p>12. Exempt Appendices 1, 2 and 3: Revenues Collection Performance and Write-Offs (paras 1 and 2)</p> <p>Exempt Appendices 1, 2 and 3 to Report No: CAB/FH/16/048</p> <p>Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann</p> <p><i>(These exempt Appendices are to be considered in private under paragraphs 1 and 2 of Schedule 12A of the Local Government Act</i></p>	63 - 68
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1972, as they contain information relating to an individual and information which is likely to reveal the identity of an individual)

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

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Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 13 September 2016 at 6.00 pm at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**
Chairman James Waters (Leader of the Council)

David Bowman

Andy Drummond

By Invitation:
Simon Cole

(Chairman of the Overview and Scrutiny
Committee)

In attendance:
Andrew Appleby

217. **Apologies for Absence**

Apologies for absence were received from Councillors Stephen Edwards and Robin Millar.

Councillor Lance Stanbury was also unable to attend the meeting.

218. **Minutes**

The minutes of the meetings held on 14 June 2016, 29 June 2016 (Extraordinary meeting) and 19 July 2016 were unanimously confirmed as a correct record and signed by the Chairman.

219. **Open Forum**

Hatchfield Farm: Secretary of State Decision

Councillor Simon Cole addressed the Cabinet, in relation to the announcement by the Secretary of State for Communities and Local Government, to the overturning of Forest Heath District Council's planning permission made in 2014, to permit 400 homes at Hatchfield Farm in Newmarket.

Councillor Cole explained how he considered that not allowing these homes would effectively be damaging to local residents, local businesses, as well as to the horseracing industry, as future infrastructure investment would not be provided to a town which was not seen to be wanting to achieve balanced and sustainable growth.

Councillor Cole also referred to the statement made by the Secretary of State in relation to the 'perception' of damage to the horseracing industry from this application and considered, that in his view, this could be challenged in the High Court. Councillor Cole also stated that discussions should also be taking place with Lord Derby (the applicant for this planning application) in relation to this decision.

Therefore, Councillor Cole proposed that full Council should consider making a High Court Challenge to the Secretary of State's decision and also explained that there was a six week deadline for this Challenge to be made.

Councillor James Waters responded to Councillor Cole and confirmed that the Council was taking legal advice on the next steps following the Secretary of State's decision and would also be liaising with all parties involved. Councillor Waters also explained that, in the meantime, the Secretary of State had been invited to Newmarket to see how the investment that Newmarket needed could be obtained from the Government.

220. **Public Participation**

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

221. **Report of the Overview and Scrutiny Committee: 9 June 2016 (Report No: CAB/FH/16/032)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following items which had been discussed by the Committee on 9 June 2016 and also drew relevant issues to the attention of the Cabinet:

- (1) Transport Links for Rural Villages in Forest Heath.
- (2) Draft West Suffolk Annual Report (2015-2016).
- (3) Presentation by the Leader of the Council on his Portfolio Holder responsibilities.
- (4) Newmarket Vision Update.
- (5) New Housing Development Sites Joint Task and Finish Group – Update.
- (6) Decisions Plan: June 2016 to May 2017.
- (7) Work Programme and Re-Appointments to Task Groups/Suffolk County Council's Health Scrutiny Committee.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

222. **Report of the Overview and Scrutiny Committee: 21 July 2016 (Report No: CAB/FH/16/033)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following items which had been discussed by the Committee on 21 July 2016 and also drew relevant issues to the attention of the Cabinet:

- (1) Presentation by the Lead Portfolio Member for Housing.
- (2) Review and Revision of the Constitution – Quarterly Report.
- (3) Directed Surveillance Authorised Applications (Quarter 1).
- (4) Decisions Plan: July 2016 to May 2017.
- (5) Work Programme Update and Suggestions for Scrutiny.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

223. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 21 June 2016 (Report No: CAB/FH/16/034)

The Cabinet received this report which informed them of the following items which had been discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 21 June 2016. Relevant issues were also brought to the attention of the Cabinet:

- (1) Performance Report.
- (2) Risk Register.
- (3) Medium Term Financial Plan.
- (4) Opportunities for ARP.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

224. Report of the Performance and Audit Scrutiny Committee: 27 July 2016 (Report No: CAB/FH/16/035)

The Cabinet received this report which informed them of the following items which had been discussed by the Committee on 27 July 2016. Relevant issues were also drawn to the attention of the Cabinet:

- (1) Balanced Scorecard and Quarter 1 Performance Report 2016-2017.
- (2) West Suffolk Strategic Risk Register Monitoring Report – June 2016.
- (3) Work Programme Update.
- (4) Financial Performance Report (Revenue and Capital) – Quarter 1 (April to June 2016).
- (5) Annual Treasury Management Report 2015-2016 and Investment Activity (April to June 2016). *(This item was subject to a separate report on the agenda – Report No CAB/FH/16/036 refers).*

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

225. **Recommendations of the Performance and Audit Scrutiny Committee: 27 July 2016 - Annual Treasury Management Report 2015/2016 and Investment Activity (1 April to 30 June 2016) (Report No: CAB/FH/16/036)**

The Cabinet received this report which sought approval for the Annual Treasury Management Report for 2015/2016.

The Council's Annual Treasury Management Report for 2015-2016 was attached as Attachment 1 to the report, which included tables which summarised the interest earned during 2015-2016 on the various treasury management investments held by the Council; investment activity during the year and investments held as at 31 March 2016.

The budgeted income from investments in 2015/2016 was £379,500 (average rate of return of 1.75%). The interest actually earned during the year totalled £417,402, an overachievement of £37,902. This overachievement was mainly due as a result of timing differences in the receipts and payment of National Non-Domestic Rates (NDR), an underspend on the Council's original capital programme and higher than predicted revenue reserve balances being held. Investment activity from 1 April to 30 June 2016 was also noted.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (28 September 2016)

The Annual Treasury Management Report 2015-2016, attached at Attachment 1 to Report No PAS/FH/16/009), be approved.

226. **West Suffolk Joint Pay Policy Statement 2016/2017 (Report No: CAB/FH/16/037)**

The Cabinet received this report which presented the West Suffolk Joint Pay Policy Statement for 2016/2017.

Section 38/11 of the Localism Act 2011 required local authorities to produce an annual Pay Policy Statement. Relevant issues were drawn to the attention of the Cabinet and it was explained that the West Suffolk Joint Pay Policy Statement (attached as Appendix 1 to the report) reflected a shared workforce and the single Pay and Reward Strategy which was in place for St Edmundsbury Borough and Forest Heath District Councils. It also incorporated the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (28 September 2016)

That the West Suffolk Joint Pay Policy Statement for 2016/2017, as contained in Appendix 1 to Report No: CAB/FH/16/037, be approved.

227. **Recommendations of the West Suffolk Joint Staff Consultative Panel: 25 July 2016 - West Suffolk Human Resources Policies (Report No: CAB/FH/16/038)**

The Cabinet considered this report which sought approval for four new West Suffolk Human Resources (HR) Strategy/Policies.

The Cabinet were informed that at the meeting of the West Suffolk Joint Staff Consultative Panel on 25 July 2016, the Panel had considered the content of the following documents, as attached to the report:

Appendix 1: Workplace Wellbeing Strategy 2016-2019

Appendix 2: Mental Health at Work Policy 2016

Appendix 3: Mentoring Policy 2016

Appendix 4: Mediation Policy

The Workplace Wellbeing Strategy was the overarching strategy which encompassed the West Suffolk Authorities' commitment to the health and wellbeing of staff through a range of initiatives. The other three policies underpinned the commitment and strengthened the wellbeing of the West Suffolk Councils' staff. The Panel had recommended approval of all four documents, which had been prepared in accordance with current employment legislation and good practice, subject to a paragraph being added to the Workplace Wellbeing Strategy, to explain the role of the Workplace Wellbeing Charter.

With the vote being unanimous, it was

RESOLVED:

That subject to the addition of a paragraph to the Workplace Wellbeing Strategy to explain the role of the Workplace Wellbeing Charter, the following West Suffolk Human Resources Policies, as contained in Appendices 1 to 4 respectively to Report No: JSP/JT/16/003 be approved:

- Workplace Wellbeing Strategy 2016-2019 (Appendix 1)
- Mental Health at Work Policy 2016 (Appendix 2)
- Mentoring Policy 2016 (Appendix 3)
- Mediation Policy 2016 (Appendix 4)

228. **Decisions Plan: September 2016 to May 2017 (Report No: CAB/FH/16/039)**

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period September 2016 to May 2017.

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

229. **Revenues Collection and Performance Write-Offs (Report No: CAB/FH/16/040)**

The Cabinet received this report which set out the current revenue collection performance and also sought approval for the writing-off uncollectable debts, in respect of Housing Benefit Overpayments (Exempt Appendix 1) and a FHDC debtor (Exempt Appendix 2).

The Head of Resources and Performance also explained that since the publication of the agenda papers, there was now also an urgent item which needed to be considered by the Cabinet in relation to the writing-off of uncollectable debts in relation to outstanding Business Rates (Exempt Appendix 3). As the detail of this write-off was contained within Exempt Appendix 3, the Cabinet discussions were held in private session (see Minute No. 231 below).

230. **Exclusion of the Press and Public**

It was proposed, seconded 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 items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12(A) of the Act.

231. **Exempt Appendices 1, 2 and 3* (Urgent Item): Revenues Collection and Performance Write-Offs (paras 1 and 2) (Report No CAB/FH/16/040)**

The Cabinet considered Exempt Appendices 1, 2 and 3* (*Urgent Item*) to Report No CAB/FH/16/040, where reference was made to the specific detail contained within these Appendices.

The Head of Resources and Performance also explained that as an urgent decision was required in relation to Exempt Appendix 3, the Chairman of the Overview and Scrutiny Committee had also agreed that the Cabinet decision for this write-off should be exempted from the Call-in procedure, in line with Part 4: Overview and Scrutiny Committee Procedure Rules (paragraph 14.4) of the Council's Constitution.

With the vote being unanimous, it was

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendices to Report No CAB/FH/16/040 be approved, as follows:

1. Exempt Appendix 1: Housing Benefit Overpayment totalling £9,812.86.

2. Exempt Appendix 2: FHDC Debtor Write-Off totalling £2,971.92.
3. Exempt Appendix 3: Business Rates (*Urgent Decision*)*
 - (a) Delegated authority be given to the Head of Resources and Performance, in consultation with the Leader of the Council, to write-off an amount, as set out in Exempt Appendix 3.
 - (b) Delegated authority be given to the Head of Resources and Performance to write-off the daily rate of business rates accruing for the next 14 days.

*(*The settlement of this outstanding debt would be agreed, by consent, with funds only being available for a limited time. Once settled, the agreement would not be open for change at a later stage legally and any call-in would be incapable of altering the Cabinet's decision. Therefore, due to this urgency, the Chairman of the Overview and Scrutiny Committee had agreed that this Cabinet decision should be exempted from the Call-in procedure, in line with Part 4: Overview and Scrutiny Committee Procedure Rules (paragraph 14.4) of the Council's Constitution.*

The Meeting concluded at 6.25 pm

Signed by:

Chairman

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Informal Joint Cabinet



Forest Heath
District Council

Notes of informal discussions of the SEBC/FHDC **Cabinets** held on **Tuesday 20 September 2016 at 6.00 pm** in the **Council Chamber**, District Offices, College Heath Road, Mildenhall, IP28 7EY

Present: Councillors

Forest Heath District Council (FHDC)

James Waters (in the Chair for the informal discussions)

Andy Drummond
Stephen Edwards

Robin Millar
Lance Stanbury

St Edmundsbury Borough Council (SEBC)

Robert Everitt
John Griffiths
Ian Houlder
Sara Mildmay-White

Alaric Pugh
Jo Rayner
Peter Stevens

Prior to the formal meeting, informal discussions took place on the following substantive item:

- (1) Consideration of: Approach to Delivering a Sustainable Medium Term Financial Strategy 2016-2020; Four-Year Settlement Offer from Central Government; and Economic Development and Growth Funding Requests.

All Members of St Edmundsbury Borough Council's Cabinet had been invited to attend Forest Heath District Council's Offices to enable joint informal discussions on the report to take place between the two authorities, prior to seeking formal approval at their respective separate Cabinet meetings, immediately following the informal discussions.

The Chairman, and Leader of Forest Heath District Council, welcomed all those present to the District Offices and the interim Service Manager (Legal and Democratic Services) advised on the format of the proceedings for the informal discussions and subsequent separate meetings of each authority.

Under their Constitutions, both Cabinets listed as standing agenda items: an 'Open Forum', which provided the opportunity for non-Cabinet Members to discuss issues with Cabinet and also 'Public Participation', which provided the opportunity for members of the public to speak. Therefore, as any matters arising from the discussions held during these agenda items may have some bearing on the decisions taking during the separate formal meetings, non-Cabinet Members and members of the public were invited to put their questions/statements prior to the start of the joint informal discussions.

1. Open Forum

There were no non-Cabinet Members in attendance.

2. Public Participation

There were no members of the public in attendance.

3. Consideration of: Approach to Delivering a Sustainable Medium Term Financial Strategy 2016-2020; Four-Year Settlement Offer from Central Government; and Economic Development and Growth Funding Requests. (Report Nos: CAB/FH/16/041 and CAB/SE/16/045)

The Cabinets considered the above reports, which sought approval for a number of recommendations relating to:

- (a) seeking support for the Councils' approach to delivering a medium term financial strategy 2016-2020;
- (b) whether the Councils should accept the Government's offer of a four-year finance settlement; and
- (c) whether funding requests should be allocated to projects being worked on by the Economic Development and Growth service.

The following documents were attached to the report:

Appendix 1: Report No: OAS/FH/16/022* and its appendices:

- Appendix A: DCLG multi-year settlement and efficiency plan letter
- Appendix A Annex 1: Conditions of multi-year settlement
- Appendix B: Visual document for MTFS themes and approach
- Appendix C: MTFS work packages

Appendix 2: Economic Development and Growth area funding requests

** or OAS/SE/16/022 as appropriate to each authority*

The Cabinets noted the background which had led to the adoption of the current West Suffolk Medium Term Financial Strategy (MTFS) and its six themes, as listed in paragraph 1.4 of the report. Members also noted the financial challenges for 2017/2018 onwards, including the current medium

term budget gaps, and the likelihood of a shift in emphasis from implementing cost reduction initiatives towards behaving more commercially and considering new funding models. Focus should also be given to taking advantage of new forms of local government finance, through business rates, for example. In response to such financial challenges and changes, a proposed approach to delivering a sustainable MTFS for 2017-2020, was set out in Section 2. Whilst it would not remove the need for an annual savings programme, this approach proposed to ensure resources were available at the appropriate time to deliver the range of projects (both operational and those being developed through the behaving more commercially agenda) and therefore West Suffolk's strategic priorities.

Consideration was then given to a proposal to accept the four-year settlement offer from Central Government as this option was expected to be neutral in terms of its impact on existing financial projections and financial strategy. It would also give more certainty for financial planning purposes. Anticipated consequences of rejecting the Government's offer were provided in paragraph 4.3.

Appendix 2 set out funding requirements to progress the Economic Development and Growth (ED&G) projects currently being worked on by FHDC and SEBC. The Cabinets were asked to consider recommending approval to their own Council for its share of the total allocation that was required to fund these projects. Subject to approval, £391,500 would be allocated by FHDC and £250,500 allocated by SEBC, with each sum being met from the respective authority's Strategic Priorities and MTFS Reserves.

Councillor Ian Houlder, SEBC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of both Cabinets, including that the Overview and Scrutiny Committees had previously considered the topics outlined in (a) and (b) above and subject to the correction of the following typographical error, both Committees had recommended approval of the three recommendations contained in the report under Part (A):

Recommendation (A)(3) be amended to read:

That the Council's existing Medium Term Financial Strategy (MTFS) document and the approach paper (Report No: OAS/FH/16/022) be recognised as the Council's Efficiency Plan, for the purposes of accepting any four-year Finance Settlement under ~~(1)~~ (2) above.*

** or OAS/SE/16/022 as appropriate to each authority*

Councillor Stephen Edwards, FHDC's Portfolio Holder for Resources and Performance, drew attention to additional matters to the attention of the Cabinets, including providing justification for the proposed funding allocations for the ED&G projects outlined in Appendix 2, with particular emphasis placed on being able to progress FHDC's Local Plan, as highlighted in section 2.4.

Councillor Alaric Pugh, SEBC's Portfolio Holder for Planning and Growth, supported Councillor Edwards' comments and placed emphasis on the importance of investing in the ED&G projects, delivery of which would support West Suffolk's 'increased opportunities for economic growth' strategic priority.

Both Cabinets supported approval of the recommendations set out in (A)(1), (2) and (3) and (B).

On the conclusion of the informal joint discussions at 6.19 pm, the Chairman then formally opened the meeting of Forest Heath District Council's Cabinet at 6.20 pm in the Council Chamber.

Minutes of Cabinet overleaf....

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 20 September 2016 at 6.20pm in the **Council Chamber, District**
Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman James Waters (Leader of the Council)
Vice Chairman Robin Millar (Deputy Leader of the Council)

Andy Drummond Lance Stanbury
Stephen Edwards

232. **Apologies for Absence**

An apology for absence was received from Councillor David Bowman.

233. **Open Forum**

This item had already been considered during the informal discussions in relation to Item 4. on the agenda (Item 1. above within the notes of the informal discussions refers).

234. **Public Participation**

This item had already been considered during the informal discussions in relation to Item 4. on the agenda (Item 2. above within the notes of the informal discussions refers).

235. **Consideration of: Approach to Delivering a Sustainable Medium Term Financial Strategy 2017-2020; Four Year Settlement Offer from Central Government and Economic Development and Growth Funding Requests**

(Report No: CAB/FH/16/041)

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/16/041, it was proposed, seconded and

RECOMMENDED TO COUNCIL:

That

- (A) Subject to the correction of a typographical error, as indicated in (A) (3) below, the following recommendations considered by the Overview and Scrutiny Committee on 15 September 2016, as set out in Report No: OAS/FH/16/022, be approved:**
- (1) The approach to delivering a sustainable medium term financial strategy 2016 -2020 as set out in Report No: OAS/FH/16/022, be supported.**
 - (2) Government's offer of a four-year Finance Settlement be accepted, and the Head of Resources and Performance (Chief Financial Officer) be authorised to advise Government of Council's decision.**
 - (3) That the Council's existing Medium Term Financial Strategy (MTFS) document and the approach paper (Report No: OAS/FH/16/022) be recognised as the Council's Efficiency Plan, for the purposes of accepting any four-year Finance Settlement under ~~(1)~~ (2) above.**
- (B) Approval be given to an allocation of £391,500 from its Strategic Priorities and MTFS Reserves, as FHDC's share towards funding the in-year (and in some cases future years) Economic Development and Growth funding requests outlined in Appendix 2 to Report No: CAB/FH/16/041.**

The meeting concluded at 6.21 pm

Signed by:

Chairman

Cabinet



Forest Heath
District Council

Title of Report:	Report of the Overview and Scrutiny Committee: 15 September 2016	
Report No:	CAB/FH/16/043	
Report to and date:	Cabinet	25 October 2016
Chairman of the Committee:	Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk	
Lead Officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 15 September 2016, the Overview and Scrutiny Committee considered the following items:</p> <ol style="list-style-type: none"> (1) Annual Presentation by the Portfolio Holder for Planning and Growth; (2) Approach to Delivering a Sustainable Medium Term Financial Strategy 2016-2020 and Consideration of the Four-Year Settlement Offer from Central Government; (3) Local Air Quality Strategy Progress Report (2015-2016) (4) Final Report of the New Housing Development Sites Joint Task and Finish Group; (5) Decisions Plan: September 2016 to May 2017; and (6) Work Programme Update. <p>(Recommendations for Item 2 above were considered by the Joint Cabinet meeting held on 20 September 2016)</p>	

Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/16/043, being the report of the Overview and Scrutiny Committee.		
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Report for information only.		
Consultation:	<ul style="list-style-type: none"> See Reports listed under background papers below 		
Alternative option(s):	<ul style="list-style-type: none"> See Reports listed under background papers below 		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> See Reports listed under background papers below
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> See Reports listed under background papers below
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> See Reports listed under background papers below
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> See Reports listed under background papers below
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> See Reports listed under background papers below
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)
See Reports listed under background papers below			
Wards affected:	All Wards		
Background papers:	Please see background papers, which are listed at the end of the report.		
Documents attached:	None		

1. Key issues and reasons for recommendation

1.1 Annual Presentation by the Portfolio Holder for Planning and Growth (Report No: OAS/FH/16/021 and Verbal)

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

1.1.2 The Committee was reminded that on 10 September 2015, the Committee received a presentation from the then Cabinet Member for Planning and Growth (Councillor James Waters), setting out responsibilities covered under the planning and growth portfolio.

1.1.3 At this meeting, the newly appointed portfolio holder for Planning and Growth from May 2016, Councillor Lance Stanbury, had been invited to the meeting to provide a follow-up presentation on his portfolio and the work of his predecessor. Report No: OAS/FH/16/021, set out the focus for the follow-up presentation, which was to:

- Outline the main challenges faced since May 2016;
- Outline some key successes and any failures since May 2016 and any lessons learned:
- Set out the vision for the Planning and Growth Portfolio through to 2019 and were you on target to meet that vision.

1.1.3 Members discussed the presentation in detail and asked questions of the Cabinet Member for Planning and Growth, to which comprehensive responses were provided. In particular detailed discussions were held on initiatives in supporting market towns and the creation of masterplans; the A11 technology study to attract the IT sector along the A11 corridor; the Community Infrastructure Levey; and the provision of suitable business properties to attract higher salaried jobs to Brandon and the surrounding area.

1.1.4 The Cabinet Member for Planning and Growth thanked officers for all the work they were doing and for the Committee's scrutiny of his portfolio.

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

1.2 Local Air Quality Strategy Progress Report (2015-2016) (Report No: OAS/FH/16/023)

1.2.1 The Committee received Report No: OAS/FH/16/023, which reported on work that had been undertaken during 2015-2016 to meet the Local Air Quality Regulations across the District and recommend changes to the approach and specific actions. For the majority of the District, air quality remained good. However, work had concluded that some areas of the major towns warranted further monitoring to confirm that this continued to be the case in respect of the main pollutant of concern, Nitrogen Dioxide (NO₂).

- 1.2.2 During the year officers also undertook a more strategic review of the approach to air quality across West Suffolk. The timing and scope of the review reflected several factors and needs:
- Changes to statutory guidance published by the Department of the Environment (Defra)
 - The role of Suffolk County Council Highways Department in respect of air quality management in the light of experience locally and across Suffolk
 - Experienced gained with respect to air quality regulation and planning since the publication of the National Planning Policy Framework in March 2012
 - The need to revise, consult upon and adopt an Air Quality Strategy in Forest Heath District Council when it lapses in 2012-2017 given that a shared service approach had been operating for over three years and no equivalent was adopted in St Edmundsbury.
 - The need to raise awareness of the issues of Local Air Quality as they affect the District.
- 1.2.3 The results of the review were set out in paragraph 2.5 of the report with additional detail provided at Appendix 1. Attached at Appendix 2 was the new streamlined report as recommended by Defra.
- 1.2.4 The Committee considered the report in detail and asked a number of questions to which responses were provided. In particular discussions were held on air quality in Brandon. Members were disappointed to see that there had not been a substantial decrease in NO₂. Members were advised that officer were working with Suffolk County Council to look at why NO₂ levels had not decreased as anticipated in Brandon.
- 1.2.5 The Committee supported the report, and **RECOMMENDED that the Licensing and Regulatory Committee undertake external consultation on the proposal to amend the declared area of the Air Quality Management Area in Newmarket, subject to technical approval from the Department for Environment, Food and Rural Affairs.**
- 1.3 **Final Report of the New Housing Development Sites Joint Task and Finish Group (Report No: OAS/FH/16/024)**
- 1.3.1 The Committee received Report No: OAS/FH/16/024, which provided the findings and recommendations of the New Housing Development Sites Joint Task and Finish Group.
- 1.3.2 The Joint Task and Finish Group (the Group) was formed in March 2013, to look into the problems of adoption sometimes encountered on larger housing developments, and related to both open space and highways matters. Problems had been encountered in the past when houses were occupied before the promised open space or access roads had been completed and adopted.
- 1.3.3 The Group considered ways in which the Development Management Service and other corporate teams (such as Parks), and Suffolk County Council

Highways could work smarter together to avoid these problems in the future with major housing schemes.

- 1.3.4 Both Cambridgeshire County Council and Northamptonshire County Council had protocols in place to ensure that suitable planning conditions were imposed with major developments to ensure that phasing of streets and adoptions were controlled through the planning process. In addition, Central Government recommended the use of similar standard conditions where appropriate.
- 1.3.5 The use of such conditions needed to be agreed with Suffolk County Council (SCC), as Highways Authority. SCC had indicated that they would be amenable in using such conditions, subject to all other Suffolk authorities signing up to their use. The use of such conditions was generally seen as good practice and other colleagues in Suffolk were also informally amenable to their use.
- 1.3.6 The introduction of standard conditions regarding adoption would improve the situation the Council currently had and the good practice of pre-application advice and the development team approach would also provide benefits to address the concerns raised by the Joint Task and Finish Group.
- 1.3.7 The Group concluded that the introduction of standard conditions regarding adoption would improve the situation currently encountered and the good practice pre-application advice and the development team approach would also provide benefits in addressing the concerns raised by the Group.
- 1.3.8 The Committee **RECOMMENDS that the Head of Operations be asked to progress with Suffolk County Council and the other Suffolk Authorities the introduction of standard conditions regarding highway adoption.**
- 1.4 **Decisions Plan: September 2016 to May 2017 (Report No: OAS/FH/16/025)**
 - 1.4.1 The Committee considered the latest Decisions Plan, covering the period September 2016 to May 2017. Members reviewed the Decisions Plan in detail and asked questions to which responses were provided.
 - 1.4.2 There being no decision required, the Committee **noted** the contents of the Decisions Plan.
- 1.5 **Work Programme Update and Suggestion for Scrutiny (Report No: OAS/FH/16/026)**
 - 1.5.1 The Committee received and **noted** Report No: OAS/FH/16/026, which provided an update on the current status of the Committee's Work Programme for 2016-2017.
 - 1.5.2 The Chairman updated the Committee on the issue of parking enforcement in Newmarket in relation to specific roads. A reworded suggestion form had not been resubmitted at this time, because since the Committee's last meeting, the Councils representative, Councillor Brian Harvey on the Suffolk Police and Crime Panel had raised our concerns with the Panel regarding parking issues in

Newmarket. A task force team on enforcement had been established to try and “blitz” areas where parking was an issue in Newmarket. If following this initiative, parking issues in Newmarket had not improved, a reworded suggestion form on parking enforcement in Newmarket could be resubmitted to the Committee in January 2017, for further consideration.

2. Background Papers

- 2.1.1 [Report No OAS/FH/16/021](#): Annual Presentation by the Cabinet Member for Planning and Growth
- 2.1.2 [Report No OAS/FH/16/023 & Appendix 1](#) & [Appendix 2](#): Local Air Quality Strategy Progress Report (2015-2016)
- 2.1.3 [Report No OAS/FH/16/024](#): Final Report of the New Housing Development Sites Joint Task and Finish Group
- 2.1.4 [Report No OAS/FH/16/025](#) & [Appendix 1](#): Decisions Plan: September 2016 – May 2017
- 2.1.5 [Report No OAS/FH/16/026](#): Work Programme Update

Cabinet



Forest Heath
District Council

Title of Report:	Report of the Anglia Revenues and Benefits Partnership Joint Committee: 20 September 2016	
Report No:	CAB/FH/16/044	
Report to and date:	Cabinet	25 October 2016
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 07904 389982 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Jill Korwin Director Tel: 01284 757252 Email: jill.korwin@westsuffolk.gov.uk	
Purpose of report:	On 20 September 2016 the Anglia Revenues and Benefits Partnership (ARP) Joint Committee considered the following substantive items of business: (1) Performance Report; (2) Welfare Reform Update; (3) ARP Health and Safety Policy; (4) ARP Transformation Programme; (5) Forthcoming Issues; and (6) Exempt: Commercial and Partnership Update. This report is for information only. No decisions are required by the Cabinet.	
Recommendation:	The Cabinet is requested to <u>NOTE</u> the content of Report No: CAB/FH/16/044 being the report of the Anglia Revenues and Benefits Partnership Joint Committee.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	<ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers' 	

Alternative option(s):	<ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Implications:	
Are there any financial implications? If yes, please give details	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Are there any staffing implications? If yes, please give details	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Are there any legal and/or policy implications? If yes, please give details	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Are there any equality implications? If yes, please give details	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See reports of ARP Joint Committee at link provided under 'Background papers'
Risk/opportunity assessment:	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>
See reports of ARP Joint Committee at link provided under 'Background papers'	
Ward(s) affected:	All Ward/s
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	Breckland DC Website: http://democracy.breckland.gov.uk/ie/ListDocuments.aspx?CIId=109&MIId=3820&Ver=4
Documents attached:	None

1. Key Issues

1.1 Performance Report (Agenda Item 5)

(a) Operational Performance

1.1.1 The Joint Committee had received and noted the Operational Performance Report as at 31 August 2016. The report details ARP's key achievements in respect of Benefits and Fraud Performance, including performance against the national figures regarding Benefits performance and ARP Fraud Targets (more detail below); Revenues Performance and Support Performance, including Imaging System (EDMS) and ICT upgrade. This detailed report can be viewed on Breckland District Council's website at:

<http://democracy.breckland.gov.uk/documents/s40207/ARP%20Strategic%20Managers%20Highlight%20report%20September2016%20V2.pdf>

1.1.2 Output in respect of Benefits performance regarding the processing of new claims and change of circumstances is currently exceeding the national figures published by the DWP.

1.1.3 As previously reported, the Benefits and Fraud team exceeded the anticipated performance targets contained in the business case approved by the Joint Committee in 2015/2016, in respect of identifying and preventing fraud in four specific areas (as outlined in the report), which in turn leads to an increase in Council Tax income. Targets for 2016/2017 had been agreed by the Joint Committee in March 2016 and performance has continued to exceed expectations. Accordingly, revised targets were proposed for the remainder of 2016/2017, as contained in the report, which had been agreed.

1.1.4 Referring to Support performance, the first stage of aligning daily incoming documents to one single set of document types on the Imaging System for all seven partners has successfully been completed.

(b) Financial Performance

1.1.5 In respect of the financial performance report, the Joint Committee had noted the healthy position as at 31 August 2016, which showed a current underspend of £219,064 against budget. The reasons for the specific variances are contained in the report at:

<http://democracy.breckland.gov.uk/documents/s40167/ARP%20Management%20Accounts%20201617%20August%20-%20to%20Committee%20Services%2006.09.16.pdf>

1.1.6 The Enforcement Agency is presently exceeding expectations and progressing well.

1.1.7 An update had also been provided on committed expenditure for the Transformation Programme (see Section 1.4 below)

(c) Balanced Scorecard

Members had noted that with the exception of one, targets had been met by all partner authorities with the majority of indicators annotated green as at 30 June 2016, as shown on the Balanced Scorecard at:

<http://democracy.breckland.gov.uk/documents/s40196/ARP%20Balanced%20Scorecard%202016-17%20-%20June%202016%20002.pdf>

The above report provides further information on indicators relevant to each partner authority, which are grouped under the following headings:

- (a) **Financial:** Collection, Budget Management
- (b) **Customer:** Customer Satisfaction, Channel Shift
- (c) **Internal Process:** Collection, Fraud
- (d) **Learning and Growth:** Performance Management

1.2 **Welfare Reform Update (Agenda Item 6)**

1.2.1 The Joint Committee had received and noted an update on the topic of welfare reform, which included:

- (a) **Universal Credit:** The current position regarding the timeline to move to the live operation of the full service.
- (b) **Discretionary Housing Payment:** Spend continues to be within the recently increased grant provided by the DWP, which is designed to help customers remain in their homes or to move to affordable and sustainable accommodation.
- (c) **Benefit Cap:** The maximum family income before the Benefit Cap applies will reduce from November 2016 from £26,000 to £20,000 (£13,400 for single adults with no children). A rollout programme for each local authority, however, is yet to be announced.
- (d) **Social Rented Sector Rent Restrictions:** New social sector tenancies entered into after April 2016, will, after April 2018 have their Housing Benefit subject to and restricted to the Local Housing Allowance (LHA), which is the level of rent set in the private sector. Rates that will apply to the partner authorities, and confirmation of any excluded groups, were yet to be received, however it is expected that supported accommodation will be exempt for a further year.

1.3 **ARP Health and Safety Policy (Agenda Item 7)**

1.3.1 The Joint Committee had considered a single Health and Safety Policy, which would be applicable to all authorities within the Partnership.

1.3.2 The draft policy had been produced with guidance from Martin Hosker, Health and Safety Manager for the West Suffolk councils and Health and Safety Officer for ARP, in conjunction with ARP management and partners.

1.3.3 The policy is required by the ARP Partnership Agreement to cover the statutory responsibilities of employers and employees for Health and Safety at Work. It details the responsibilities of the authorities managing each of the four base sites of ARP employees at Breckland House in Thetford, Fenland Hall in March, Melton Hill in Woodbridge and The Marina in Lowestoft.

1.3.4 Further details are provided in the report at:

<http://democracy.breckland.gov.uk/documents/s40199/Joint%20Committee%20Report%20ARP%20Health%20and%20Safety%20Policy%20-%20draftv3.pdf>

1.3.5 The Joint Committee **RESOLVED: That**

(1) delegated authority be given to the Health and Safety Officer to make minor amendments, including legislative updates that do not change the Policy materially; subject to the agreement of the Anglia Revenues Partnership Management; and

(2) the revised Health and Safety Policy be approved; subject to it being reviewed by the Joint Committee at two year intervals.

1.4 **The Anglia Revenues Partnership (ARP) Transformation Programme (Agenda Item 8)**

1.4.1 The Joint Committee had considered a report, which provided an update on progress in respect of the Transformation Programme and had sought its approval, as contained in [Appendix A](#) attached to the report.

1.4.2 Following approval of the Service Delivery Plan by the Joint Committee in December 2015, work had commenced by the Operational Improvement Board on developing a proposed Transformation Programme.

1.4.3 The overarching purpose of the programme will be to secure continued and improved delivery of excellent services to customers whilst creating efficiencies that make savings equivalent to the estimated loss of grant funding previously allocated by Central Government.

1.4.4 A part of the overall strategy also relates to achieving efficiencies in respect of whether ARP work can be identified as potential trading opportunities which can be brought forward (subject to approval) on a commercial basis through the ARP trading company.

1.4.5 The Transformation Programme has taken the actions in the Service Delivery Plan and built them and additional actions into the following three strands:

- Reduction in Avoidable Contact and Automation of Processes (Digital)
- Commercial, Partnership and Trading Opportunities
- Organisational Vision and Development

1.4.6 Further details regarding the elements of the above three strands are contained in the report at:

<http://democracy.breckland.gov.uk/documents/s40200/Joint%20Committee%20Transformation%20Programme%20Report%20draft.pdf>

1.4.7 The Joint Committee had also noted the means of resourcing the proposed Transformation Programme, as outlined in the report, which will be funded from the Partnership's previously approved investment fund.

1.4.8 The Joint Committee **RESOLVED: That**

(1) the progress in respect of the Transformation Programme be noted; and

(2) the Transformation Programme at Appendix A be approved.

1.5 **Forthcoming Issues (Agenda Item 9)**

1.5.1 No issues had been reported on this occasion.

1.6 **Exempt Item: Commercial and Partnership Update (Agenda Item 12)**

1.6.1 The Joint Committee had been informed that another authority has delegated its enforcement service to the ARP Enforcement Agency, starting from mid-October 2016.

1.6.2 Another authority has approached ARP regarding the delegation of the management of its service to the ARP under a partnership agreement. Formal consideration and approval will be sought from the Joint Committee at its next meeting on 6 December 2016.

1.7 **Minutes**

1.7.1 For further information on the discussions held at the Anglia Revenues and Benefits Partnership Joint Committee meeting on 20 September 2016, the draft minutes of the meeting may be viewed on Breckland District Council's website at the following link:

<http://democracy.breckland.gov.uk/documents/g3820/Printed%20minutes%2020th-Sep-2016%2010.00%20Anglia%20Revenues%20and%20Benefits%20Partnership%20Joint%20Committee.pdf?T=1>

Cabinet



Forest Heath
District Council

Title of Report:	Report of the Performance and Audit Scrutiny Committee: 22 September 2016	
Report No:	CAB/FH/16/045	
Report to and date:	Cabinet	25 October 2016
Portfolio Holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Chairman of the Committee:	Louis Busuttil Chairman of the Performance and Audit Scrutiny Committee Tel: 01638 810517 Email: louis.busuttil@forest-heath.gov.uk	
Lead Officer:	Christine Brain Scrutiny Officer Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 22 September 2016, the Performance and Audit Scrutiny Committee considered the following items:</p> <ol style="list-style-type: none"> (1) Ernst and Young – Presentation of 2015-2016 ISA 260 Annual Results Report to those Charged with Governance; (2) West Suffolk Annual Governance Statement 2015-2016; (3) 2015-2016 Annual Statement of Accounts; (4) Arrangements for Appointment of External Auditors; and (5) Work Programme Update. <p>Separate report is included on this Cabinet agenda for Item (4) above.</p>	

Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/16/045, being the report of the Performance and Audit Scrutiny Committee.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Report for information only.	
Consultation:	<ul style="list-style-type: none"> See reports listed in Section 2 below. 	
Alternative option(s):	<ul style="list-style-type: none"> See reports listed in Section 2 below 	
Implications:		
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Please see background papers.
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Please see background papers.
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Please see background papers
<i>Are there any legal and/or policy implications?</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Please see background papers.
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Please see background papers.
Risk/opportunity assessment:	Please see background papers.	
Ward(s) affected:	Please see background papers.	
Background papers:	Please see background papers, which are listed at the end of the report.	
Documents attached:	None	

1. Key issues and reasons for recommendation

1.1 Ernst and Young – Presentation of 2015-2016 ISA 260 Annual Results Report to those Charged with Governance Report No: PAS/FH/16/020)

- 1.1.1 Prior to considering the 2015-2016 Statement of Accounts, the Committee received a presentation from Mark Hodgson (Executive Director) and Mark Russell (Assistant Manager) from Ernst and Young (EY) on the results of EY's work to date. A copy of the Audit Results Report was attached as Appendix A.
- 1.1.2 Attached at Appendix B, was a Letter of Representation on behalf of the Council, in connection with the audit and financial statement for the year 31 March 2016.
- 1.1.3 Mr Hodgson confirmed that all work on the audit of the Council's 2015-2016 financial statements had been concluded and no further errors had been identified. EY issued an unqualified opinion and certificate on 22 September 2016, stating the Council had proper arrangements in securing economy, efficiency and effectiveness in its use of resources. He explained that the Forest Heath accounts were the second set of accounts to be signed off for 2015-2016 and were equal best to St Edmundsbury that he had seen so far this year. He then drew the Committee's attention to a couple of key areas contained within Appendix A, and Members asked questions to which Mr Hodgson duly responded.
- 1.1.4 The Committee **noted** the unqualified opinion of the Financial Statements for 2015-2016, and the Value for Money Conclusions stating that the Council had proper arrangements in securing economy, efficiency and effectiveness in the use of resources (Appendix A), issued by the Auditor.
- 1.1.5 Following the resolution of the Committee, the Letter of Representation on behalf of the Council was **approved**, before the Executive Director (EY) issued his opinion and conclusion, and the Chief Finance Officer in consultation with the Chairman be given delegated authority to conclude the signing of the accounts..

1.2 West Suffolk Annual Governance Statement 2015-2016 (Report No: PAS/FH/16/021)

- 1.2.1 The Committee received Report No: PAS/FH/16/021, which sought Members' approval of the West Suffolk Annual Governance Statement (AGS) 2015-2016, attached as Appendix A. The AGS is designed to provide stakeholders of the Council with the assurance that the Council has operated within the law and that the Council has met the requirements of the Accounts and Audit Regulations 2015.
- 1.2.2 The AGS was prepared by the Officer Governance Group and was presented as a joint statement for St Edmundsbury Borough Council and Forest Heath District Council to reflect both councils working together and sharing services across West Suffolk.

1.2.3 The Committee was advised that the West Suffolk Annual Governance Statement had not changed materially since last year. Members considered the report and did not raise any issues.

1.2.4 The AGS for 2015-2016, attached as Appendix A to Report No: PAS/SE/16/019 was **approved** for signing by the Chief Executive and the Leader of the Council.

1.3 **2015-2016 Annual Statement of Accounts (Report No: PAS/FH/16/022)**

1.3.1 The Committee scrutinised the 2015-2016 Annual Statement of Accounts as contained within Report No: PAS/FH/16/022. Approval was sought for the accounts attached as Appendix A, in accordance with the powers delegated to it under the Council's Constitution.

1.3.2 The attached Statement of Accounts (Appendix A) had been amended (as appropriate) to take on board issues raised by the audit process up to the date of distribution. Only minor presentational changes are now required prior to the signing of the accounts.

1.3.3 The Committee scrutinised the draft accounts and the Members' payments and asked questions to which officers provided responses. The Committee then **resolved**: That

- 1) The 2015-2016 Statement of Accounts, attached as Appendix A to Report No: PAS/FH/16/022 be **approved** in accordance with the powers delegated to it under the Council's Constitution.
- 2) The Chairman of the Performance and Audit Scrutiny Committee signs the certification of the 2015-2016 Statement of Accounts on behalf of the Committee.
- 3) The Chief Finance Officer, in consultation with the Portfolio Holder for Resources and Performance, be given delegated authority to make any presentational and non-material changes to the Statement of Accounts that may be required up to the date of publication.

1.4 **Work Programme Update (Report No: PAS/FH/16/024)**

1.4.1 The Committee received its Work Programme which provided information on current items scheduled to be presented to the Committee during 2016-2017.

1.4.2 There being no decision required, the Committee **noted** its Work Programme for 2015-2016.

2. Background Papers

2.1.1 [Report No PAS/FH/16/020](#) and [Appendix A](#) and [Appendix B](#): Ernst and Young – Presentation of 2015-2016 ISA 260 Annual Results Report to those Charged with Governance

- 2.1.2 [Report No PAS/FH/16/021](#) and [Appendix A](#): West Suffolk Annual Governance Statement 2015-2016
- 2.1.3 [Report No PAS/FH/16/022](#) and [Appendix A](#): 2015-2016 Annual Statement of Accounts
- 2.1.4 [Report No PAS/FH/16/024](#): Work Programme Update

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Cabinet



Forest Heath
District Council

Title of Report:	Recommendation of the Performance and Audit Scrutiny Committee: 22 September 2016 – Arrangements for Appointment of External Auditors	
Report No:	CAB/FH/16/046	
Reports to and dates:	Cabinet	25 October 2016
	Council	21 December 2016
Portfolio Holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Chairman of the Committee:	Louis Busuttil Chairman of the Performance and Audit Scrutiny Committee Tel: 01638 810517 Email: louis.busuttil@forest-heath.gov.uk	
Lead Officer:	Rachael Mann Head of Resources and Performance Tel: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	On 22 September 2016, the Performance and Audit Scrutiny Committee considered Report No: PAS/FH/16/023 , which asked Members to consider the options available for appointing External Auditors in time to make the first appointment by 31 December 2017, following the closure of the Audit Commission, and the end of the transitional arrangements.	
Recommendation:	It is <u>RECOMMENDED</u> that subject to the approval of full Council, Option 3, to 'opt-in' to the sector led body (Public Sector Audit Appointments Limited (PSAA)) for the independent appointment of the Council's External Auditor, beginning with	

	responsibilities for the financial year 2018-2019 be approved.		
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:	• See Report No: PAS/FH/16/023		
Alternative option(s):	• See Report No: PAS/FH/16/023		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: PAS/FH/16/023		
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: PAS/FH/16/023		
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: PAS/FH/16/023		
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: PAS/FH/16/023		
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: PAS/FH/16/023		
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
See Report No: PAS/FH/16/023			
Wards affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		http://www.psa.co.uk/supporting-the-transition/procurement-and-appointment-of-auditors/	
Documents attached:		None	

1. Key issues and reasons for recommendation

- 1.1 The Committee received Report No: PAS/FH/16/023, which asked the Committee to consider options available for appointing External Auditors in time to make a first appointment by 31 December 2017, following the closure of the Audit Commission, and the end of the transitional arrangements.
- 1.1.2 It was the Council's statutory responsibility to appoint a local auditor to audit its 2018-2019 accounts by 31 December 2017. In meeting this statutory responsibility the Council could choose one of the following options:
- 1) Establish a stand-alone Auditor Panel to make the appointment on behalf of the Council;
 - 2) Commence work on exploring the establishment of local joint procurement arrangements with neighbouring authorities; or
 - 3) Use an existing independent panel of the Authority (this would only be applicable where a suitably constituted plan already existed).
- 1.1.3 The report set out in detail the advantages and disadvantages for each of the three options; risk management; legal and financial implications.
- 1.1.4 The Council had until December 2017 to make an appointment, which meant one of the three options would need to be in place by Spring 2017, in order that the contract negotiation process could be carried out during 2017.
- 1.1.5 The Committee was advised that option 3 would provide for better economies of scale in keeping audit fees down, and having a Suffolk Wide auditor.

1.2 Performance and Audit Scrutiny Committee

- 1.2.1 The Performance and Audit Scrutiny Committee scrutinised the report in detail and asked a number of questions to which officers duly responded.
- 1.2.2 The Performance and Audit Scrutiny Committee has put forward a recommendation as set out on page one of this report.

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Forest Heath District Council

Report No: CAB/FH/16/047

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 October 2016 to 31 May 2017

Publication Date: 26 September 2016

The following plan shows both the key decisions and other decisions/matters taken in private, that the Cabinet, Joint Committees or Officers under delegated authority, are intending to take up to 31 May 2017. This table is updated on a monthly rolling basis and provides at least 28 clear days' notice of the consideration of any key decisions and of the taking of any items in private.

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

Members of the public may wish to:

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

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk or via Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
25/10/16	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1, 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices
25/10/16	Delivering a Sustainable Budget 2017/2018 The Cabinet will be asked to consider recommendations of the Performance and Audit Scrutiny Committee for recommending to Council on proposals for achieving a sustainable budget in 2017/2018.	Not applicable	(R) - Council 21/12/16	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Recommendations of the Performance and Audit Scrutiny Committee to Cabinet and Council
<i>Deferred from 25/10/16</i> <i>(Date tbc)</i>	Forest Heath Local Plan The Cabinet will be asked to approve the Forest Heath Core Strategy Single Issue Review (Regulation 19) and the	Not applicable	(D)	Cabinet	Lance Stanbury Planning and Growth 07970 947704	Steven Wood Head of Planning and Growth 01284 757306	All Wards	Recommendations from the Local Plan Working Group to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Site Allocations Local Plan submission drafts for public consultation.							
<i>Deferred from 25/10/16</i> <i>(Date tbc)</i>	<p>West Suffolk Gypsy and Traveller Accommodation Assessment (GTAA)</p> <p>The Cabinet will be asked to consider the adoption of the results of the GTAA undertaken on behalf of the Council, by Opinion Research Services (OPS) which provides a robust and credible evidence base which can be used to aid the implementation of Development Plan policies and the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period up to 2036.</p>	Not applicable	(D)	Cabinet	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580 sara.mildmay-white@stedsbc.gov.uk	Simon Phelan Head of Housing 01638 719440	All Wards	Recommendations from the Local Plan Working Group to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
25/10/16 <i>(Brought forward from 01/11/16)</i>	Appointment of External Auditors The Cabinet will be asked to recommend to Council the appointment of external auditors for both Forest Heath District and St Edmundsbury Borough Councils. The Performance and Audit Scrutiny Committees of both Councils will have previously considered this matter.	Not applicable	(R) - Council 21/12/16	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet and Council
03/11/16 <i>(Deferred from 24/10/16)</i>	Norfolk and Suffolk Devolution Following a period of consultation, the Cabinet will be asked to endorse the decisions of Council regarding the provision of consent to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.	Not applicable	Partly (KD) However, recommendations will also be considered by Council.	Cabinet/ Council	James Waters Leader of the Council 07771 621038	Ian Gallin Chief Executive 01284 757001	All Wards	Report to Cabinet (same report for Council) Separate report from Overview and Scrutiny Committee regarding its findings on devolution.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
13/12/16 <i>(Deferred from 13/09/16)</i>	Mildenhall Hub: Business Case The Cabinet will be asked to consider and recommend to Council, the Business Case for the Mildenhall Hub Project.	Paragraph 3	(R) - Council 21/12/16	Cabinet/ Council	James Waters, Leader of the Council 07771 621038	Alex Wilson Director 01284 757695	Great Heath; Market	Recommendations of the Overview and Scrutiny Committee to Cabinet and Council
13/12/16	Local Council Tax Reduction Scheme and Council Tax Technical Changes 2017/2018 The Cabinet will be asked to consider proposals for the Local Council Tax Reduction Scheme and Council Tax Technical Changes for 2017/2018, prior to seeking its approval by Council.	Not applicable	(R) - Council 21/12/16	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommendations to Council
13/12/16	Council Tax Base for Tax Setting Purposes 2017/2018 The Cabinet will be asked to recommend to full	Not applicable	(R) - Council 21/12/16	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommendations to Council

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Council the basis of the formal calculation for the Council Tax Base for the financial year 2017/2018.							
13/12/16	Applications for Community Chest Grant Funding 2017/2018 The Cabinet will be asked to consider applications for the Community Chest funding for 2017/2018.	Not applicable	(KD) - Applications for the 2018/2019 year and beyond are also subject to the budget setting process	Cabinet	Robin Millar Families and Communities 07939 100937	Davina Howes Head of Families and Communities 01284 757070	All Wards	Report to Cabinet
13/12/16 <i>(Deferred from 20/09/16)</i>	Housing Development Company - Barley Homes (Group) Ltd - Initial Five Year Business Plan The Cabinet will be asked to make recommendations to full Council, in respect of approving funding to implement the initial five year Business Plan for the Council's wholly owned	Paragraph 3	(R) - Council 21/12/16	Cabinet/ Council	Councillor Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Recommendations from the Overview and Scrutiny Committee to Cabinet and Council

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Housing Development Company: Barley Homes (Group) Ltd.							
13/12/16	Health and Fitness Facilities - Newmarket Leisure Centre The Cabinet will be asked to recommend to Council an investment from Abbeycroft Leisure to improve the health and fitness facilities at Newmarket Leisure Centre to deliver a reduction in management fee payable to Forest Heath District Council.	Not applicable	(R) - Council 21/12/16	Cabinet/ Council	Andy Drummond Leisure and Culture 01638 666888	Jill Korwin Director 01284 757252	All Saints; Severals; St Mary's	Report to Cabinet, with recommendations to Council
14/02/17	Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1, 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
14/02/17	<p>Annual Treasury Management and Investment Strategy 2017/2018 and Treasury Management Code of Practice</p> <p>The Cabinet will be asked to recommend to Council the approval of the Treasury Management and Investment Strategy 2017/2018, which must be undertaken before the start of each financial year.</p>	Not applicable	(R) - Council 22/02/17	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommendations to Council
14/02/17	<p>Budget and Council Tax 2017/2018</p> <p>The Cabinet will be asked to consider the proposals for the 2017/2018 budget and Medium Term Financial Strategy, prior to its approval by Council. This report includes the Minimum Revenues Provision (MRP) Policy and Prudential Indicators.</p>	Not applicable	(R) - Council 22/02/17	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with recommendations to Council

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
14/02/17	<p>Designated Public Place Orders in Brandon and Newmarket and Change to Public Space Protection Orders</p> <p>The Cabinet will be asked to give approval for going out to consultation on planned changes to the above Orders, as required by legislation. The Overview and Scrutiny Committee may also be asked to consider the latter prior to seeking Cabinet approval.</p>	Not applicable	(D)	Cabinet	Robin Millar Families and Communities 07939 100937	Davina Howes Head of Families and Communities 01284 757070 Helen Lindfield Families and Communities Officer (Community Safety Lead) 01284 757070	All Saints; Brandon East; Brandon West; Severals; St Mary's	Report to Cabinet (which may include recommendations from the Overview and Scrutiny Committee), with map and proposed conditions.
04/04/17 <i>(Deferred from 01/11/16)</i>	<p>West Suffolk Information Strategy</p> <p>The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny Committee and recommend to full Council, approval of a West Suffolk Information Strategy, which had been jointly</p>	Not applicable	Possibly (R) - Council 26/04/17	Cabinet/ Council	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Recommendations of the Overview and Scrutiny Committee to Cabinet and Council

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	produced with St Edmundsbury Borough Council.							
16/05/17	<p>Revenues Collection and Performance Write-Offs</p> <p>The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.</p>	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 01638 660518	Rachael Mann Head of Resources and Performance 01638 719245	All Wards	Report to Cabinet, with exempt appendices

NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS

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

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

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

- Page 47
1. Information relating to any individual.
 2. Information which is likely to reveal the identity of an individual.
 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
 6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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

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

NOTE 2: KEY DECISION DEFINITIONS

Key decisions are:

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

NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS

(a) Membership of the Cabinet and their Portfolios:

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

(b) Membership of the Anglia Revenues Partnership Joint Committee (Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, Suffolk Coastal District Council, St Edmundsbury Borough Council and Waveney District Council (Membership amended from 1 December 2015 to one Member/two Substitutes per Authority)

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

Karen Points
 Head of HR, Legal and Democratic Services
 Date: 26 September 2016

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Forest Heath District Council

Decisions Plan

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decisions Plan of Intended Key Decisions

Date: October 2016 to May 2017: General Exception Notice

Publication Date: 30 September 2016

Notice is hereby given that the Chairman of Forest Heath District Council's Overview and Scrutiny Committee has been informed, in accordance with Regulation 10 of the above Regulations, that the date by which the key decision set out below must be taken make compliance with the requirements for notification of a key decision being made under Regulation 9(2) of the above Regulations impracticable enabling, in this case, the matter to be considered by a body with executive decision-making powers. The intended key decision is urgent for the reasons stated and cannot reasonably be deferred.

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, require the publication of intended key decisions and when bodies with executive decision-making powers will consider items in private, at least 28 clear days in advance of the decision being taken or the item being considered in private. In this instance, the required 28 clear days notice is unable to be provided.

Members of the public may wish to:

- make enquiries in respect of the intended decision listed below;
- receive copies of any of the documents in the public domain listed below;
- receive copies of any other documents in the public domain relevant to those matters listed below which may be submitted to the decision taker

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk or via Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

The October 2016 to May 2017 version of the Decisions Plan was published on 26 September 2016, which provided at least 28 clear days notice of future intended key decisions/items to be considered in private. This Exception Notice is now available for public inspection at Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY and has been published on the Council's website.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
11/10/16 (Extra-ordinary Meeting)	<p>Hatchfield Farm Planning Decision - Next Steps</p> <p>The planning application on this site has been the subject of a decision by the Secretary of State. There is a window of opportunity to pursue a High Court Challenge in respect of that decision, which is due to expire on 12 October 2016.</p> <p>There are a number of issues which need to be taken into account in deciding whether there is any merit in seeking to challenge the Secretary of State and the Cabinet will be looking to consider the options. This necessitates arranging an extraordinary meeting of the Cabinet to look at the issues and decide on the best course of action. There is no other Cabinet meeting at</p>	Not applicable	(KD) This decision would potentially be significant in terms of its effect on the local community.	Cabinet	Lance Stanbury Planning and Growth 07970 947704	Steven Wood Head of Planning and Growth 01284 757306	All Wards	Report to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	<p>which this could have been taken for consideration, given the timeframe.</p> <p>Given the timeframe that is being worked to, it has not been possible to provide for 28 days notice of the decision. Under the Access to Information Procedure Rules of the Council's Constitution, paragraph 16.1 relates to a Key Decision (which this is) and requires that where the normal procedure cannot be followed, the Chairman of the Overview and Scrutiny Committee is to be informed as to why the taking of the decision cannot be reasonably deferred. This has been undertaken accordingly.</p>							

NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS

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

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

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

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

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

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

NOTE 2: KEY DECISION DEFINITIONS

Key decisions are:

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

NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS

(a) Membership of the Cabinet and their Portfolios:

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

(b) Membership of the Anglia Revenues Partnership Joint Committee (Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, Suffolk Coastal District Council, St Edmundsbury Borough Council and Waveney District Council (Membership amended from 1 December 2015 to one Member/two Substitutes per Authority)

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

Steven Boyle
Interim Service Manager (Legal and Democratic Services)
Date: 30 September 2016

Cabinet



Forest Heath
District Council

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/FH/16/048	
Report to and date:	Cabinet	25 October 2016
Portfolio holder:	Councillor Stephen Edwards Portfolio Holder for Resources, Governance and Performance Telephone: 07711 457657 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Rachael Mann Head of Resources and Performance Telephone: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	To consider the current revenue collection performance and to consider writing off outstanding debts, as detailed in the exempt appendices.	
Recommendation:	<p>The write-off of the amounts detailed in the exempt appendices to this report be approved, as follows:</p> <ol style="list-style-type: none"> 1. Exempt Appendix 1: Council Tax totalling £5,709.68 2. Exempt Appendix 2: Business Rates totalling £74,715.96 3. Exempt Appendix 3: Overpayment of Housing Benefit totalling £5,809.18 	
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>(a) <i>A Key Decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</i></p> <p>(i) <i>Result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme.</i></p>	

<p><i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:		Leadership Team and the Portfolio Holder for Resources and Performance have been consulted with on the proposed write-offs.	
Alternative option(s):		See paragraphs 2.1 and 2.2	
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See paragraphs 3.1 to 3.3	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The recovery procedures followed have been previously agreed; writing off uncollectable debt allows staff to focus recovery action on debt which is recoverable.	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • The application of predetermined recovery procedures ensures that everybody is treated consistently. • Failure to collect any debt impacts on either the levels of service provision or the levels of charges. • All available remedies are used to recover the debt before write off is considered. • The provision of services by the Council applies to everyone in the area. 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
Debts are written off which could have been collected.	Medium	Extensive recovery procedures are in place to ensure that all possible mechanisms are exhausted before a debt is written off.	Low
Ward(s) affected:		All wards will be affected	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	

Documents attached:

1. Exempt – Appendix 1–Council Tax totalling £5,709.68
 2. Exempt – Appendix 2 – Business Rates totalling £74,715.96
 3. Exempt – Appendix 3 – Overpayment of Housing Benefit totalling £5,809.18
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1. Key issues and reasons for recommendation(s)

- 1.1 The Revenues Section collects outstanding debts in accordance with either statutory guidelines or Council agreed procedures.
- 1.2 When all these procedures have been exhausted the outstanding debt is written off using the delegated authority of the Head of Resources and Performance for debts up to £2,499.99 or by Cabinet for debts over £2,500.00.
- 1.3 It is best practice to monitor the recovery procedures for outstanding debts regularly and, when appropriate, write off irrecoverable debts.
- 1.4 Provision for irrecoverable debts is included both in the Collection Fund and the General Fund and writing off debts that are known to be irrecoverable ensures that staff are focussed on achieving good collection levels in respect of the recoverable debt.
- 1.5 It should be noted that the Council is working with the Local Government Association (LGA) for legislation changes which will support the prevention of businesses building up thousands of pounds in unpaid business rates. With support from the Council, the LGA recently raised the profile of the issue through a press release which called for new legislation to stop phoenix companies from being created with no obligation to pay their old company's business rates debts. In addition to this, they also called for changes to licensing powers which would allow the suspension of an existing premises licence or refusal of a new application. The press release can be viewed here: http://www.local.gov.uk/web/guest/media-releases/-/journal_content/56/10180/7959143/NEWS

2. Alternative options

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

3. Financial implications and collection performance

- 3.1 Provision is made in the accounts for non recovery but the total amounts to be written off are as follows with full details shown in Exempt Appendix 1, 2 & 3.
- 3.2 As at 30 September 2016, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (as the billing Authority) is £24m per annum. The collection rate as at 30 September 2016 was 55.71% against a profiled target of 55.91%.

- 3.3 As at 30 September 2016, the total Council Tax billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (includes the County, Police and Parish precept elements) is just over £27.5m per annum. The collection rate as at 30 September 2016 was 56.00% against a profiled target of 56.42%.

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