

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda																
Date:	Wednesday 31 May 2017																
Time:	5.00 pm																
Venue:	Conference Chamber West (F1R09) West Suffolk House Western Way Bury St Edmunds IP33 3YU																
Membership:	<p style="text-align: center;">Leader John Griffiths</p> <p style="text-align: center;">Deputy Leader Sara Mildmay-White</p> <table border="0"> <thead> <tr> <th style="text-align: left;"><u>Councillor</u></th> <th style="text-align: left;"><u>Portfolio</u></th> </tr> </thead> <tbody> <tr> <td>Robert Everitt</td> <td>Families and Communities</td> </tr> <tr> <td>Sara Mildmay-White</td> <td>Housing</td> </tr> <tr> <td>John Griffiths</td> <td>Leader</td> </tr> <tr> <td>Ian Houlder</td> <td>Resources and Performance</td> </tr> <tr> <td>Alaric Pugh</td> <td>Planning and Growth</td> </tr> <tr> <td>Jo Rayner</td> <td>Leisure and Culture</td> </tr> <tr> <td>Peter Stevens</td> <td>Operations</td> </tr> </tbody> </table>	<u>Councillor</u>	<u>Portfolio</u>	Robert Everitt	Families and Communities	Sara Mildmay-White	Housing	John Griffiths	Leader	Ian Houlder	Resources and Performance	Alaric Pugh	Planning and Growth	Jo Rayner	Leisure and Culture	Peter Stevens	Operations
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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:	Claire Skoyles Democratic Services Officer Tel: 01284 757176 Email: claire.skoyles@westsuffolk.gov.uk																

Public Information



St Edmundsbury
BOROUGH COUNCIL

Venue:	West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01284 757176 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 Borough 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 participation:	Members of the public who live or work in the Borough 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:	West Suffolk House has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons. Visitor parking is at the car park at the front of the building and there are a number of accessible spaces.	
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Recording of meetings:	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

1 - 6

To confirm the minutes of the meeting held on 28 March 2017 (copy 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 Borough 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.

**5. Report of the Overview and Scrutiny Committee:
19 April 2017**

7 - 12

Report No: **CAB/SE/17/023**

Chairman: Diane Hind

Lead Officer: Christine Brain

**6. Report of the Anglia Revenues and Benefits Partnership
Joint Committee: 28 March 2017**

13 - 18

Report No: **CAB/SE/17/024**

Portfolio Holder: Ian Houlder

Lead Officer: Jill Korwin

	Page No
<p>7. Restructure Proposal for the Housing Options and Homelessness Team</p> <p>Report No: CAB/SE/17/025 Portfolio Holder: Sara Mildmay-White Lead Officer: Davina Howes</p>	19 - 32
<p>8. Public Space Protection Orders</p> <p>Report No: CAB/SE/17/026 Portfolio Holders: Robert Everitt and Joanna Rayner Lead Officers: Helen Lindfield and Mark Walsh</p>	33 - 50
<p>9. Annual Review and Appointment of the Cabinet's Working Groups, Joint Committees/Panels and Other Groups</p> <p>Report No: CAB/SE/17/027 Portfolio Holder: John Griffiths Lead Officers: Karen Points and Leah Mickleborough</p>	51 - 80
<p>10. Decisions Plan: May 2017 to May 2018</p> <p>To consider the most recently published version of the Cabinet's Decisions Plan</p> <p>Report No: CAB/SE/17/028 Portfolio Holder: John Griffiths Lead Officer: Ian Gallin</p>	81 - 98
<p>11. Revenues Collection Performance and Write Offs</p> <p>Report No: CAB/SE/17/029 Portfolio Holder: Ian Houlder Lead Officer: Rachael Mann</p>	99 - 102
<p>12. Exclusion of 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>	
<u>Part 2 - Exempt</u>	
<p>13. Exempt Appendices: Revenues Collection Performance and Write-Offs (paras 1 and 2)</p> <p>Exempt Appendices 1 and 2 to Report No: CAB/SE/17/029</p>	103 - 108

(These exempt appendices are to be considered in private under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, as they contain information relating to an individual and information which is likely to reveal the identity of an individual.)

14. Exempt: Use of Chief Executive's Urgency Powers: Reporting of a Settlement (paras 1, 2 and 5) 109 - 110

Exempt Narrative No: **CAB/SE/17/030**
Portfolio Holders: Ian Houlder and Peter Stevens
Lead Officer: Ian Gallin

(This exempt narrative item is to be considered in private under paragraphs 1, 2 and 5 of Schedule 12A of the Local Government Act 1972, as it contains information relating to an individual; information which is likely to reveal the identity of an individual and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.)

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

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Cabinet** held on
Tuesday 28 March 2017 at **5.00 pm** in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman John Griffiths (Leader of the Council) (in the Chair)
Vice Chairman Sara Mildmay-White (Deputy Leader)

Robert Everitt	Joanna Rayner
Ian Houlder	Peter Stevens
Alaric Pugh	

In attendance:
Susan Glossop

315. **Apologies for Absence**

(Prior to commencing consideration of formal business, Councillor John Griffiths, Leader of the Council and Chairman, formally welcomed Leah Mickleborough and Mark Miller to their first Cabinet meetings. Mrs Mickleborough and Mr Miller had recently been appointed to the posts of Service Managers for Democratic Services (and Monitoring Officer) and Strategic Communications respectively for St Edmundsbury Borough and Forest Heath District Councils.)

No apologies for absence were received.

316. **Minutes**

The minutes of the meeting held on 7 February 2017 were confirmed as a correct record and signed by the Chairman.

317. **Open Forum**

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

318. **Public Participation**

There were no members of the public in attendance.

319. Report of the Overview and Scrutiny Committee: 15 March 2017

The Cabinet received and noted Report No: CAB/SE/17/017, which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 15 March 2017:

- (1) Annual Presentation by the Portfolio Holder for Resources and Performance;
- (2) Update on Haverhill Town Centre Masterplan and North West Relief Road, Haverhill;
- (3) Decisions Plan: March 2017 to May 2017; and
- (4) Work Programme Update.

320. Enterprise Zones: Infrastructure Investment

The Cabinet considered Report No: CAB/SE/17/018, which sought approval for a £4 million revolving investment loan facility for infrastructure and associated works at Suffolk Park (Suffolk Business Park extension).

Together with 8 hectares of land being allocated at Haverhill Research Park, Enterprise Zone (EZ) status had previously been awarded to 14 hectares of land at Suffolk Business Park.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Cabinet, including that significant progress had been made by the developer/promoter with regard to bringing forward the EZ at Suffolk Park, including making provision for the construction of a spine road and associated services. The completion of this work would enable the developer/promoter to market the EZ as 'fully serviced', which would be a significant incentive for businesses to locate quickly to the site.

A large upfront cost would however, be required to enable the EZ to be serviced and whilst a proportion of the funding had been met through already secured land sales, a request for a loan had been received from the developer/promoter to bridge the temporary gap until further land sales came forward.

It was noted that the request for a loan was only to enable the phase 1 spine road and services to be constructed/completed; however it was likely that further requests for funding towards upfront infrastructure costs would be received in the future to support the EZ and on the wider business park extension.

The Cabinet therefore considered approval of a £4m revolving investment facility, subject to due diligence. Members recognised the benefits of the proposal, which would enable funding decisions of up to that amount to be made (subject to appropriate checks and balances) on a quicker timeframe, thereby ultimately resulting in the faster occupation of the Enterprise Zone at Suffolk Park.

RESOLVED:

That:

- (1) a £4m revolving investment loan facility be agreed, as set out in Report No: CAB/SE/17/018, for infrastructure and associated works for Suffolk Park; and
- (2) subject to the satisfaction of the Section 151 and Monitoring Officers that appropriate security is in place to protect the Council's investment and due diligence highlighting no significant risks to the Council has been completed, delegated authority be given to the Chief Executive in consultation with the Portfolio Holder for Planning and Growth to enter into a loan agreement(s) with the developer.

321. **Development of a new Partnership Agreement with Abbeycroft Leisure**

The Cabinet considered Report No: CAB/SE/17/019, which sought approval for entering into a new Partnership Agreement with Abbeycroft Leisure Ltd.

Councillor Joanna Rayner, Portfolio Holder for Leisure and Culture, drew relevant issues to the attention of Cabinet, including that the new Partnership Agreement had been developed in line with the previously approved principles and commitments of Cabinet and full Council, as set out in Section 2 of Report No: CAB/SE/17/019, and therefore satisfactorily supported the objectives and priorities of the Council and Abbeycroft regarding the promotion of health and wellbeing by supporting people to engage in physical activity.

Members noted that the Agreement built on the positive relationship that had been established with Abbeycroft some 12 years ago. Amongst a raft of issues, the new Agreement detailed financial management plans and proposed investment opportunities in leisure facilities, such as the recently opened Skyliner Sports Centre and the proposed development of a revised leisure offer at Haverhill Leisure Centre. In addition, Abbeycroft had committed to delivering a zero management fee to the Council by 2022.

As the new Agreement would be subject to annual review, this provided a degree of flexibility, therefore any potential issues that might need reconsideration could be addressed as part of that review.

The Cabinet acknowledged the value of the partnership with Abbeycroft Leisure, and that through effective collaborative working, the Council and Abbeycroft were able, and would continue, to deliver financially viable, quality leisure services.

RECOMMENDED TO COUNCIL:

That:

- (1) a new Partnership Agreement be entered into with Abbeycroft Leisure Ltd for a period of 15 years, with options to extend for 5 + 5 years , subject to the protections included in the Partnership Agreement; and**

(2) the Partnership Agreement is finalised in line with Report No: CAB/SE/17/019 and the Heads of Terms attached at Appendix 1.

322. Establishing a Mechanism for Investing in our Growth Agenda

The Cabinet considered Report No: CAB/SE/17/020, which presented a proposed approach for establishing a mechanism for investing in the Council's growth agenda.

The Council had previously committed (with Forest Heath District Council (FHDC)) in its Medium Term Financial Strategy 2017-2021, its intention to facilitate sustainable growth that benefited the communities of West Suffolk, including through investment, over the period of the strategy. This was in order to deliver the Council's growth objectives as well as moving towards its goal of self-sufficiency.

As part of the Budget and Council Tax setting report presented to Council on 23 February 2017, a £20 million (plus £20m from FHDC) revolving capital investment fund was created as a pending item within the Council's capital programme, funded from external borrowing. Report No: CAB/SE/17/020 proposed an approach to govern that fund and the creation of a £1 million (plus £1m from FHDC) revenue reserve budget to facilitate the fund's next steps in delivering growth and investment opportunities in West Suffolk.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth drew relevant issues to the attention of Cabinet, including that the strategic approach to investment planning and the principle of the proposed governance for the revolving capital investment fund, as set out in Section 3 of the report, would enable the Council to be proactive as new investment and growth opportunities arise. The creation of the revenue reserve budget, which was proposed to be funded through a reserve transfer from the Strategic Priorities and Medium Term Financial Strategy Reserve utilising existing delegations of the Assistant Director for Resources and Performance, would be used to support delivery of the capital fund on such items set out in paragraph 5.2 of the report.

The Cabinet recognised the vision and forward thinking of the proposals, which fully supported the Council's strategic priorities and themes of the Medium Term Financial Strategy 2017-2021. Subject to the relevant checks and balances as addressed in the report, the Cabinet agreed that the proposed governance would enable the Council to act more nimbly, swiftly and commercially to progress its growth agenda throughout the towns and rural areas of the Borough and West Suffolk.

Members also noted that further approval would be required on certain elements of the overall approach in relation to the development of an overarching investment strategy, which would be presented to Cabinet and Council in due course.

RESOLVED:

That:

- (1) the strategic approach to investment planning (outlined in Report No: CAB/SE/17/020 and at Section 3) and the development of an overarching investment strategy for Council approval in due course, be supported and approved;
- (2) the principle of the Cabinet's role in the leadership and decision-making in relation to the investment fund (outlined in Report No: CAB/SE/17/020 and at Sections 4 and 5), be supported and approved;
- (3) the transfer from the Strategic Priorities and Medium Term Financial Strategy Reserve, be noted, as detailed in paragraph 5.2 and 5.3 for the creation of a £1m revenue budget to support the capital investment fund; and
- (4) it be noted that prior to the adoption of the overarching investment strategy, referred at (1) above, that the current constitutional decision mechanisms will continue to operate.

323. Decisions Plan: March 2017 to May 2017

The Cabinet considered Report No: CAB/SE/17/021, which was the Cabinet Decisions Plan covering the period March 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.

The meeting concluded at 5.15 pm

Signed by:

Chairman

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Report of the Overview and Scrutiny Committee: 19 April 2017	
Report No:	CAB/SE/17/023	
Report to and date:	Cabinet	31 May 2017
Chairman of the Committee:	Diane Hind Chairman of the Overview and Scrutiny Committee Tel: 01284 706542 Email: diane.hind@stedsb.gov.uk	
Lead Officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 19 April 2017, the Overview and Scrutiny Committee considered the following items:</p> <ol style="list-style-type: none"> (1) Annual Presentation by the Portfolio Holder for Families and Communities; (2) Monitoring Community Safety Activities including Western Suffolk Community Safety Partnership; (3) West Suffolk Housing Strategy: Update on Progress Against Action Points; (4) Review and Revision of the Constitution (Quarter 4); (5) Directed Surveillance Authorised Applications (Quarter 4); (6) Work Programme Update, Formation of a West Suffolk Information Strategy Joint Task and Finish Group and Suggestion for Scrutiny 	

Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/SE/17/023, 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 Families and Communities (Report No: OAS/SE/17/012 and Verbal)

1.1.1 The Committee was reminded that on 20 April 2016, the Committee received a presentation from the Cabinet Member for Families and Communities, setting out responsibilities covered under the families and communities portfolio.

1.1.2 At this meeting, the Portfolio Holder for Families and Communities, Councillor Robert Everitt, had been invited back to provide a follow-up presentation on his portfolio. Report No: OAS/SE/17/012, set out the focus for the follow-up presentation, which was to:

- Outline the main challenges faced since during the first year within your portfolio;
- Outline some key successes and any failures during the first year and any lessons learned:
- Set out the vision for the Families and Communities Portfolio through to 2019 and were you on target to meet that vision.

1.1.3 Members discussed the presentation and asked questions of the Cabinet Member, to which comprehensive responses were provided. In particular, discussions were held on the Bury St Edmunds Bus Station information building and the letting of the unit spaces; the work of the customer services team, including the handling of challenging customers and the volume of telephone calls answered.

1.1.4 Members were also informed about Buurtzorg, which founded in the Netherlands in 2006-2007, was a unique district nursing system, and the Council would, with partners, be piloting the Buurtzorg model in West Suffolk.

1.1.5 The Cabinet Member for Families and Communities thanked officers for all the work they were doing and for the Committee's scrutiny of his portfolio.

1.1.6 There being no decision required, the Committee **noted** the update.

1.2 Monitoring Community Safety Activities Including Western Suffolk Community Safety Partnership (Report No: OAS/SE/17/013)

1.2.1 It is the duty of the Committee, as the Council's Crime and Disorder Committee designated under the Police and Justice Act 2006, to scrutinise the work of the Partnership.

1.2.2 Over the past year the WSCSP continued to meet and discharge its statutory duties by carrying out an annual assessment of crime, producing an annual plan and carrying out Domestic Homicide Reviews, as required.

1.2.3 The Committee received and **noted** the update on the community safety activity in West Suffolk, including the Western Suffolk Community Safety Partnership (WSCSP) from April 2016 to March 2017.

- 1.2.4 In May 2016, the WSCSP completed and published its partnership plan and project plan for identified community priorities for 2016-2017, which was attached as Appendix A to the report.
- 1.2.5 The report also set out the work of the Strong and Safe Communities Group; the multi-agency Anti-Social Behaviour Group and Public Space Protection Orders.
- 1.2.6 Members scrutinised the report and asked questions of officers. Discussions were held on domestic abuse; the Community Safety Plan 2016-2017; drug addiction and vulnerable adults; the West Suffolk Joint Forum for Domestic Abuse; and the number of responses received regarding the consultation carried out on the Public Space Protection Orders.
- 1.3 **West Suffolk Housing Strategy: Progress Report Against Action Points (Report No: OAS/SE/17/014)**
- 1.3.1 The Committee received Report No: OAS/SE/17/014, which asked Members to review progress against the West Suffolk Housing Strategy 2015-2018. Attached at Appendix A to the report was a detailed update on progress as at the end of December 2016, against 40 objectives. The remainder of the report summarised each of the headings, key achievements to date and work underway and highlighted challenges and external factors impacting on delivery.
- 1.3.2 Members considered the report in detail and asked a number of questions of the Portfolio Holder for Housing and the Service Manager (Strategic Housing) who duly responded. In particular, discussions were held on whether there was any demand for self-build properties in West Suffolk; housing need; building to lifetime home standards; current guidance of space standards; bidding for properties through the Home-link system; local lettings agreements; the definition of affordable housing (currently 80% of market rent); and the Cangle Foyer, Haverhill.
- 1.3.3 The Committee congratulated everyone involved in the Housing Strategy and agreed that it would be useful to continue having a Housing Strategy post 2018 when the current one ends, acknowledging that there was no longer a legal requirement to have one.
- 1.3.4 It was **RESOLVED** that the Committee:
- (1) **Noted** the progress made to date against the actions arising from the West Suffolk Housing Strategy 2015-2018;
 - (2) **Noted** the challenges facing delivery of the West Suffolk Housing Strategy; and
 - (3) **Noted** an update would be presented to the Committee in early 2018 in order to monitor delivery in 2017.

1.4 **Review and Revision of the Constitution – Quarter 4 (Verbal)**

- 1.4.1 The Monitoring Officer provided a verbal update on revisions which had been made to the Constitution during the last quarter. These had mainly been changes made to the officer structure / amendments to job titles.
- 1.4.2 In the past, the Committee had received a report each quarter on minor changes which had been made. The Monitoring Officer was happy to carry on that process, if the Committee found it useful, or it might wish to only receive updates when substantial changes were being made to the Constitution.
- 1.4.3 The Committee considered the proposal and agreed that in future that it would only receive updates on substantial changes being made to the Constitution.

1.5 **Directed Surveillance Authorised Applications (Quarter 4) (Verbal)**

- 1.5.1 The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 requires that Members should scrutinise the authority's use of its surveillance powers on a quarterly basis. In June 2010 it was agreed that this requirement should be fulfilled by the Overview and Scrutiny Committee.
- 1.5.2 The Committee was advised that in Quarter 4, no such surveillance had been authorised, and that the surveillance powers were mainly used by the Anglia Revenue Partnership (ARP) for carrying out benefits checks.
- 1.5.3 The Committee felt that it should be informed when ARP used its surveillance powers; then questioned whether the Council scrutinised ARP. Members then suggested that the Committee might wish to receive at a future meeting a presentation from ARP on its work.
- 1.5.4 The Committee **noted** that the Monitoring Officer would provide the Committee with an update at its July 2017 meeting on surveillance authorisations carried out by ARP; and then:

RESOLVED that Councillor Sarah Stamp would complete a work programme suggestion form inviting the Anglia Revenue Partnership to a future meeting of the Committee.

1.6 **Work Programme Update, Formation of a West Suffolk Information Strategy Task and Finish Group, and Suggestion for Scrutiny (Report No: OAS/SE/17/015)**

- 1.6.1 The Committee received Report No: OAS/SE/17/015, which provided an update on the current status of the Committee's Work Programme for 2017-2018.
- 1.6.2 The Committee was also asked to nominate two Members with appropriate skills to sit on a "West Suffolk Information Strategy Joint Task and Finish Group". The purpose of the Information Strategy will be to seek to recognise the strategic value of information to the Council and to promote and facilitate good information management practice.

The Committee considered the request made by the Service Manager (ICT) and **RESOLVED** to nominate Councillors Clive Springett, John Burns and Diane Hind as a substitute to sit on the Joint Task and Finish Group with Forest Heath District Council.

- 1.6.3 Finally, attached at Appendix 2 to the Report was a "suggestion for scrutiny" submitted by Councillor Diane Hind, suggesting the Committee might wish to consider *"reviewing the Scrutiny Committee's working practices at St Edmundsbury Borough Council to try and see how the system might be changed or adapted to better meet the needs of Councillors and the democratic process"*.

A debate was held and taking into account information provided by Councillor Diane Hind, the Committee **RESOLVED** to include this item in its forward work programme and that the Democratic Services Officer (Scrutiny) be tasked with arranging a dedicated workshop meeting of all Overview and Scrutiny Members to be held on a Wednesday at 4pm.

2. Background Papers

- 2.1.1 Report No: [OAS/SE/17/012](#) to the Overview and Scrutiny Committee: Annual Presentation by the Cabinet Member for Families and Communities
- 2.1.2 Report No: [OAS/SE/17/013](#) and [Appendix A](#) to the Overview and Scrutiny Committee: Monitoring of Community Safety Activities including Western Suffolk Community Safety Partnership
- 2.1.3 Report No: [OAS/SE/17/014](#) and [Appendix A](#) to the Overview and Scrutiny Committee: West Suffolk Housing Strategy: Update on Progress Against Action Points
- 2.1.4 Report No: [OAS/SE/17/015 and Appendix 1](#) and [Appendix 2](#) to the Overview and Scrutiny Committee: Work Programme Update, Formation of a West Suffolk Information Strategy Task and Finish Group, and Suggestion for Scrutiny

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Report of the Anglia Revenues and Benefits Partnership Joint Committee: 28 March 2017	
Report No:	CAB/SE/17/024	
Report to and date:	Cabinet	31 May 2017
Portfolio holder:	Ian Houlder Portfolio Holder for Resources and Performance Tel: 01284 810074 Email: ian.houlder@westsuffolk.gov.uk	
Lead officer:	Jill Korwin Director Tel: 01284 757252 Email: jill.korwin@westsuffolk.gov.uk	
Purpose of report:	<p>On 28 March 2017 the Anglia Revenues and Benefits Partnership (ARP) Joint Committee considered the following substantive items of business:</p> <ul style="list-style-type: none"> (1) Performance Report; (2) Welfare Reform Update; (3) Transformation Programme Update; (4) Forthcoming Issues; (5) Exempt Item: Risk Based Verification Policy Review Report – March 2017; and (6) Exempt Item: Partnership Working through Section 101 Agreement. <p>This report is for information only. No decisions are required by the Cabinet.</p>	
Recommendation:	The Cabinet is requested to <u>NOTE</u> the content of Report No: CAB/SE/17/024 being the report of the Anglia Revenues and Benefits Partnership Joint Committee.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	

Consultation:	<ul style="list-style-type: none"> See reports 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: See reports of ARP Joint Committee at link provided under 'Background papers'	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>
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: 28 March 2017
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 December 2016. The report details ARP's key achievements in respect of Benefits and Fraud Performance; Revenues Performance and Support Performance, including Automation of Outgoing Post; ICT upgrade and E-billing and Landlord Online Account. This detailed report can be viewed on Breckland District Council's website at:

<http://democracy.breckland.gov.uk/documents/s42779/ARP%20Strategic%20Managers%20Highlight%20report%20February%202017.pdf>

- 1.1.2 Benefits performance continues to meet profiled targets and is on course to achieve the majority of year end targets. Exceptions related to the operation of the full Universal Credit service by Waveney District Council; however its performance is improving considerably with new processes already in place to address its present difficulties. In respect of identifying and preventing fraud in four specific areas (as outlined in the report), year end targets were on track to be exceeded, which in turn leads to an increase in Council Tax income.

- 1.1.3 The Joint Committee had also noted the proposed changes to the way in which customers will be able to view their Council Tax, Business Rates, benefits payments and E-billing on the ARP website. E-billing and online accounts have already been introduced and customer sign-up numbers are increasing.

1.1.4 (b) Balanced Scorecard

Members had noted that with the exception of four, targets had been met by all partner authorities with the majority of indicators annotated green as at 31 December 2016, as shown on the Balanced Scorecard at:

<http://democracy.breckland.gov.uk/documents/s42778/ARP%20Balanced%20Scorecard%202016-17%20-%20Dec%202016.pdf>

- 1.1.5 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

- 1.1.6 The targets for 2017/18 have been agreed by the Joint Committee.

1.1.7 (c) Financial Performance

In respect of the financial performance report, the Joint Committee had noted the position as at 31 January 2017, which showed a current underspend of £580,113 against budget. The reasons for the specific variances, which are largely due to employee underspends due to vacancies, postage and stationery efficiency savings, and higher than expected income from the Enforcement Agency, are contained in the report at:

<http://democracy.breckland.gov.uk/documents/s42748/ARP%20Management%20Accounts%20201617%20to%20JC.pdf>

1.1.8 The Enforcement Agency is continuing to exceed expectations with income presently achieving £319,000 higher than budget. This is reflected in the budget for future years.

1.1.9 An update had also been provided on committed expenditure for the Transformation Programme. If all identified expenditure goes through in 2016/2017, there will be £217,313 remaining of the original £501,026 in the Transformation Fund, with £98,196 unallocated.

1.1.10 In addition, Members had noted revised efficiency targets for 2017/2018 to 2019/2020.

1.2 Welfare Reform (Agenda Item 6)

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

- (a) **Universal Credit:** The current position regarding the timeline to move to the live operation of the full service. Waveney District Council, who was already operating the full service (apart from Beccles) has been experiencing difficulties, particularly with processing Council Tax Support claims; however they were not alone in this. Measures and controls have been put in place to address the issues and mitigate the risk of performance against target. St Edmundsbury was expected to roll out the full service in October 2017, with Forest Heath following in September 2018.
- (b) **Discretionary Housing Payment:** Spend continues to be within the grant provided by the DWP, which is designed to help customers remain in their homes or to move to affordable and sustainable accommodation. The main area of expenditure continues to be to assist customers with rent shortfalls, in particular due to restrictions on Housing Benefit rent levels.
- (c) **Benefit Cap:** In November 2016, the maximum family income before the Benefit Cap applies reduced from £26,000 to £20,000 (£13,400 for single adults with no children). The number of ARP customers now affected ranges from 46 to 105 per partner council. The Benefit Service continues to work with colleagues in Customer Service and Housing Options teams to seek to avoid homelessness and the cost of temporary housing.

- (d) **Two Child Limit:** From April 2017, the DWP introduced legislation to restrict benefits to families having a third child from April 2017 to the two child rate. There are exceptions, such as multiple births. New claims for Universal Credit where an applicant has more than two children will be redirected to legacy benefits, i.e. housing benefit.
- (e) **Social Rented Sector Rent Restrictions:** The implementation of a cap on housing benefit and Local Housing Allowance (LHA) rates in the social rented sector has been delayed by a year, to April 2019.

1.3 **Transformation Programme (Agenda Item 7)**

- 1.3.1 The Joint Committee had received and noted an update on the Transformation Programme and its progress against the plan attached as Appendix 1 to that report.
- 1.3.2 The overarching purpose of the programme is to secure continued and improved delivery of excellent services to customers whilst creating efficiencies and savings at least equivalent to the estimated loss of government grant funding.
- 1.3.3 A part of the overall strategy also relates to achieving efficiencies in levels of staff required to process the work received which can then be used where trading opportunities are identified through the ARP trading company and where Members agree to business cases that may be brought from the commercial strand.
- 1.3.4 The transformation programme has three strands: Reduction in Avoidable Contact and Automation of Processes (Digital); Commercial, Partnership and Trading Opportunities; and Organisational Vision and Development.
- 1.3.5 Members had noted progress for each of the above and that it would be challenging to deliver all of the elements of the programme; however early indications have been extremely positive. It is expected that the investment fund will meet the requirements of the actions identified; however, if additional funds are needed then burdens funding received in 2016/17 and 2017/18 could be used upon the Operational Improvement Board authorising the expenditure.
- 1.3.6 Discussion had particularly been held on:
 - (a) the tremendous success of the Enforcement Agency, as reflected in the income generated; and
 - (b) progress in respect of ARP developing its trading arm.
- 1.3.7 A copy of the full report can be found on Breckland DC's website at:

<http://democracy.breckland.gov.uk/documents/s42780/Joint%20Committee%20Transformation%20Programme%20update%20Report.pdf>

Appendix 1

<http://democracy.breckland.gov.uk/documents/s42781/Ready%20%20Business%20Plan%20updated%2006.03.2017.pdf>

1.4 **Forthcoming Issues (Agenda Item 8)**

1.4.1 No issues had been reported on this occasion.

1.5 **Exempt Report (para 3): Risk Based Verification Policy Review – March 2017 (Agenda Item 11)**

1.5.1 Approval had been sought from the Joint Committee to the continuance of its Risk Based Verification Policy. It is required by the Department for Work and Pensions to be reviewed on an annual basis.

1.5.2 The policy is provided to ensure that the Local Authorities within ARP fulfil their statutory requirements and operate a strict regime of preventing fraud and error entering the system whilst continuing with live caseload intervention.

1.5.3 The Joint Committee **RESOLVED that the recommendations, as listed in the exempt report, be approved.**

1.6 **Exempt Report (para 3): Partnership Working through Section 101 Agreement (Agenda Item 12)**

1.6.1 Approval had been sought from the Joint Committee in respect of whether ARP should proceed with a proposal to deliver revenues and benefits services for another district council through a Section 101 Agreement. The district council in question had previously approached ARP regarding this matter.

1.6.2 Having considered the implications as set out in the exempt report, the Joint Committee **RESOLVED not to proceed with the proposal.**

2. Minutes

2.1 For further information on the discussions held at the Anglia Revenues and Benefits Partnership Joint Committee meeting on 28 March 2017, 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/q4019/Printed%20minutes%2028th-Mar-2017%2010.00%20Anglia%20Revenues%20and%20Benefits%20Partnership%20Joint%20Committee.pdf?T=1>

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Restructure proposal for the Housing Options and Homelessness Team	
Report No:	CAB/SE/17/025	
Report to and date:	Cabinet	31 May 2017
Portfolio holder:	Councillor Sara Mildmay-White Portfolio Holder for Housing Tel: 01359 270580 Email: sara.mildmay-white@stedsbc.gov.uk	
Lead officer:	Davina Howes Assistant Director (Families and Communities) Tel: 01284 757070 Email: davina.howes@westsuffolk.gov.uk	
Purpose of report:	To consider and approve the additional staffing resources required to meet the requirements of the new Homelessness Reduction Act and the impact of other welfare reforms, funded from the Flexible Homelessness Reduction Grant.	
Recommendations:	<p>It is <u>RECOMMENDED</u> that Cabinet:</p> <p>(1) notes the additional statutory duties which will be in place as a result of the Homelessness Reduction Act;</p> <p>(2) agrees that the service be restructured and that an additional 6.8 FTE staff are required to meet the new statutory duties, as set out in Section 2.2 of Report No: CAB/SE/17/025; and</p> <p>(3) agrees that the funding of the additional posts be secured from the Flexible Homelessness Reduction Grant, as out in Section 3.</p>	

<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>(a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</p> <p>(i) be significant in terms of its effects on communities living or working in an area in the Borough/District; or</p> <p>(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;</p> <p>(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 [the] Constitution.</p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<p>Consultation has been carried out with Leadership Team and Portfolio Holder for Housing. Best practice advice has been sought and lessons learnt from the experience of similar legislation enacted in Wales in 2014.</p>
<p>Alternative option(s):</p>	<p>The West Suffolk councils could choose not to increase its staffing and/or retain its current structure. However, it is felt that the status quo is not fit for purpose in terms of the new demands imposed by the Homelessness Reduction Act and other welfare reforms.</p>
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>The cost of the additional staff across West Suffolk in 2017/18 is £230,354 (allocated as £80,624 for Forest Heath District Council and £149,730 for St Edmundsbury). The government has made funding available for homelessness prevention in the form of a Flexible Homelessness Reduction Grant. For West Suffolk councils the total funding for 2017/18 is £228,970. Further information is contained in Section 3 of this report.</p>

<p>Are there any staffing implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> Existing staff will be given the opportunity to express a preference for new roles within the team as a result of the new proposed structure. If approved, these additional resources would result in 6.8 FTE staff being added to the establishment. 	
<p>Are there any ICT implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> Additional cost of IT and phone equipment. 	
<p>Are there any legal and/or policy implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> The Homelessness Reduction Act will bring in a substantial number of new statutory duties. 	
<p>Are there any equality implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> No implications arising directly from this restructure. However, staff will need to be aware of the new housing statutory duties and how they complement the councils' statutory equality duties. Refresher equality training for staff will be required. 	
<p>Risk/opportunity assessment:</p>		<p><i>(potential hazards or opportunities affecting corporate, service or project objectives)</i></p>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Insufficient number of staff to meet existing and increasing demand	High	Ensure that the councils recruit candidates with the right skills set and abilities.	Medium
Staff are unfamiliar with the new requirements of the Act which could lead to increase in reviews and legal challenges	High	Implement a comprehensive training programme for all existing and new staff prior to the statutory duties coming into force.	Medium
<p>Ward(s) affected:</p>		All Wards	
<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>		None	
<p>Documents attached:</p>		<p>Appendix A: Existing Staff Structure Appendix B: Proposed New Structure</p>	

1. Key issues and reasons for recommendations

1.1 Introduction

- 1.1.1 This report outlines the proposed restructure of the Housing Options and Homelessness Team, including the requirement for additional posts to meet new statutory requirements.
- 1.1.2 This restructure has been prompted by a number of factors, including:
- i. a number of **staff changes** and the urgent requirement to fill vacant posts;
 - ii. the need to have a robust service which can respond to forthcoming significant legislative changes, particularly the **Homelessness Reduction Act**;
 - iii. recognition that changes to **Universal Credit (UC)** will have a real impact on tenants and landlords across West Suffolk;
 - iv. reduction in the number of **Housing Related Support** funded beds, anticipated changes to housing support funding from 2018 and continual changes to the **welfare system**;
 - v. a review of the councils' **landlord liaison** activities; and
 - vi. feedback from the **Housing Peer Review**.
- 1.1.3 Whilst we have data to understand the existing level of demand faced by the service, it is difficult to predict with accuracy what the impact of the new Homelessness Reduction Act might be. Figures have been predicted by the government based on the experience in Wales where similar legislation is already in place. Similarly, when assessing the implications of the extension of UC (to St Edmundsbury in October 2017, and Forest Heath in November 2018) we can only consider the impact that this has had elsewhere in the country. At this point we can only state that the service will be facing increasing demands as a result of these two significant changes but are unable to predict, with accuracy, what this increase might be.
- 1.1.4 It should be noted that this restructure forms part of a wider improvement action plan for the team. Ensuring that we have sufficient staffing resources to manage demand is only one part of what is needed. The team's improvement action plan details improvement in a number of key issues to ensure that the team is as efficient and effective as possible and focusses its work on prevention, including: (i) policies and processes; (ii) linkages and interaction with customer services, including channel shift; (iii) increasing lobbying and communication; and (iv) improved partnership working.
- 1.1.5 The driver for this improvement plan, and the restructure, is to ensure that the service provides robust advice and prevention and supports people at an early stage before they find themselves in difficulties. This approach complements the Councils' Families and Communities Strategy.

1.2 Factors influencing a restructure

- 1.2.1 Before detailing the proposed new structure for the team, it is important to expand in more detail the factors outlined in paragraph 1.1.2 above.

1.2.2 *i. Staff changes and ability to recruit and retain*

The service has faced significant changes in the past few years. In 2016, staff turnover in the housing team (wider team, not just housing options) was 18.92%. This compares with 8.74% for the rest of the organisation.

1.2.3 In addition to high staff turnover rate, during 2016 there were four maternity absences in Housing Options. As a result, temporary cover arrangements were put in place, which included moving less experienced staff within the team and backfilling using secondments, as well as bringing in short term temporary agency cover (which in itself created a number of HR and management issues).

1.2.4 It has proven difficult at times to recruit to posts given that a level of experience and knowledge is required particularly when making statutory decisions. There is little in the way of more junior roles within the team, thereby we are not able to develop from within. At the same time, senior staff have limited capacity and are unable to provide the level of training and support which would be expected.

1.2.5 Given the above, there is a need to avoid, insofar as possible, temporary arrangements which lead to further instability and disruption.

1.2.6 *ii. Homelessness Reduction Act*

The Homelessness Reduction Act has gained Royal Assent and is likely to come into force some time between January and April 2018. This Act will confer a number of new duties on councils. Whilst the government has promised an additional £61million over two years to help councils start to intervene earlier, it is not clear how much will be awarded to West Suffolk councils.

1.2.7 The Homelessness Reduction Act will require the councils to: (i) start assessing someone at risk of being made homeless 56 days before losing their home (currently 28 days); (ii) offer every applicant a personalised housing plan; (iii) offer a full Advice and Options assessment; and (iv) identify all applicants at risk of homelessness and attempt to engage those applicants – thereby becoming a proactive rather than reactive service and (v) offer all applicants temporary accommodation at the point of expiry of notice. There is an expectation that councils will have a private sector offer and the ability to step in and assist financially, whether that be to reduce arrears or help with costs of new accommodation. A new duty to co-operate gives partner agencies a duty to assist in advising and co-operating with councils whilst we try to prevent homelessness. We must ensure robust partnerships in place and those relationships are managed.

1.2.8 The impact of the Act and the implications for West Suffolk are still being assessed. Lessons are being learnt from the experience in Wales where similar legislation was introduced in 2014 and this has been considered when developing this restructure proposal. Professional housing organisations are suggesting that councils need to increase staffing capacity specifically in the following areas: (i) advice and prevention; (ii) landlord liaison; (iii) debt and money management; (vi) undertaking reviews which, as a result of the new

Act, can be requested at all stages, not just the final decision; and (v) finding accommodation.

- 1.2.9 Nationally the number of people being defined as homeless has increased since 2010. In 2015/16, some 115,000 households applied to their council for homelessness assistance, 11% more than in 2010/11. Of those, 58,000 were accepted as homeless and in "priority need", 6% up on the year before. The table below show the homelessness figures for both Forest Heath and St Edmundsbury, showing an increase of 9.5%. At this stage, the government is anticipating that, as a result of the new duties in the Act, there will be a 30% to 40% increase in caseload and rights to review are likely to increase by 50%. It is not expected that councils will see a decrease in homeless acceptances until year three.

Homelessness acceptances

Authority	2015	2016
St Edmundsbury	214	203
Forest Heath	114	143
	328	346

- 1.2.10 The rise in homelessness has been attributed to the long-term failure to ensure a sufficient supply of affordable housing. Other significant factors include the increase in homelessness arising from the termination of assured shorthold tenancies in the private rented sector, and Housing Benefit restrictions introduced since 2010 which have made it difficult for claimants to secure housing at rents which Housing Benefit will cover (see below for more information regarding the impact of welfare reform).
- 1.2.11 The national figures in the past year have shown that the number of homelessness acceptances has increased by 10% with rough sleeping increasing by 30%. In terms of rough sleeping in West Suffolk we have seen an increase in reported rough sleepers from 11 in 2015 to 21 in 2016. We continue to receive new rough sleeper alerts via StreetLink with ten so far received as at March 2017.
- 1.2.12 *iii. Impact of Universal Credit*
- UC will be rolled out to all new claimants from October 2017 in St Edmundsbury and from November 2018 in Forest Heath (it is currently only in place for single non-householders so the impact has been minimal thus far). Experience from elsewhere in the country shows that households in receipt of UC are much more likely to be in arrears and also have, on average, larger levels of arrears than tenants in general. This is due to the fact that there is a six week wait for payments and claimants receive one payment directly and have to pay all bills (including rent) from this payment.
- 1.2.13 National studies have shown that in total a very high proportion (86% in September 2016) of those receiving UC are in arrears, compared to less than one third (39%) of tenants not receiving UC. Average arrears have increased to £615 for tenants on UC, almost double the average of £321 in March 2016.

The most common reasons for arrears were the six-week wait for the first UC payment, including the seven day waiting period, and DWP failing to promptly notify landlords of tenant claiming UC. More locally Lowestoft has a full service in operation and a number of concerns have been identified and the same pattern has emerged relating to increased arrears.

1.2.14 UC is therefore going to impact on the housing service in a number of ways including: (i) more support required to be given to tenants to manage their rent; (ii) more time needing to be given to private and social landlords to ensure that they retain UC tenants, or continue to accept them in the first place; (iii) more time negotiating with landlords when a tenant is in arrears; and (iv) time will need to be allocated to chasing the council debt/payments, i.e temporary accommodation funding currently paid to the council from housing benefit will need to be sourced from the tenant directly or arrangements made with DWP to request payment directly, which will be difficult to manage particularly for short term placements.

1.2.15 *iii. Housing related support and welfare reform*

Suffolk County Council has recently completed a re-tender process for its Housing Related Support (HRS) provision. This money is used to fund accommodation-based services for single homeless adults to work collaboratively across Suffolk to provide accommodation and housing support to enable vulnerable people aged 18 and above to gain or regain the necessary skills to enable them to live independently and participate in their community. West Suffolk has experienced a reduction of adult HRS funded beds and young people's beds (with the definition of young people being reduced from 24 years old to 21). Whilst the providers of young people's beds are confident that they will not be evicting, the level of service they will be offering will be reduced. This reduction will result in less provision and options available, along with a reduced provider choice.

1.2.16 In addition to the introduction of UC, there continues to be changes to the welfare system which impact on residents and are likely to increase the demand on the Housing Team, including, but not restricted to:

- There is a four-year freeze to Local Housing Allowance rates for four years from 2016-17 to 2019-20.
- Child Tax Credit (CTC) changed from April 2017, with support provided through CTC will be limited to two children. Any subsequent children born after April 2017 will not be eligible for further support. The 'family element' of £545 per year will be abolished. Families with one or more children born before April 2017 will continue to get the family element but new claims after this date will not.
- From April 2017, the government removed the automatic entitlement to housing support for 18-21 year olds. The principle being that young people in the benefit system should face the same choices as other young people who go out to work but cannot afford to leave the parental home. The number of young people affected will be small in the short-term but will increase with UC roll out.

1.2.17 *iv. Review of the councils' landlord liaison activities*

This restructure proposal takes into account the fact that capacity is required within the team to support and liaise with private landlords as there is insufficient social housing in which to discharge our statutory duties. The councils currently have a temporary post within its team whose role is to manage the Lettings Partnership. The contract for this post will end in September. It is vital that the councils have a supply of private sector landlords who are willing to have tenants in receipt of benefits. This will become all the more critical with the introduction of UC direct payments to tenants. Experience elsewhere in the country shows there is an increasing reluctance amongst private landlords to take UC customers given that they no longer receive direct payment (unless a direct payment agreement is arranged). Future grant funding from the government will, in part, depend on our ability to discharge our duties into the private rented sector. It is therefore vital that we have a strong landlord liaison function.

1.2.18 *Feedback from Housing Peer Review*

This restructure proposal takes into account the key findings from the Housing Peer Review which was carried out in November 2016. The review was carried out by the National Practitioner Support Service (NPSS) which supports local authorities to deliver improved early intervention and prevention focused housing options services. Whilst overall the review was positive about the service provided, there are a number of areas for improvement which are needed, including:

- a. A review of the Homelessness Strategy to reflect the need for additional provisions for Rough Sleepers.
- b. Review Housing Options service structure to meet emerging challenges, including greater emphasis on prevention / relief as per Homelessness Reduction Act.
- c. Ensure that there is sufficient staff supervision and support arrangements are in place. Include regular case file checking for quality assurance.
- d. Develop and implement a consistent service offer and process to all applicants which includes confirming advice given in writing.
- e. Look to offer additional Homeless prevention options including: floating support, mediation, access to the private rented sector, social housing options and access to supported accommodation through an identified pathways approach.
- f. Officers need sufficient time to prepare for interviews and follow up to prepare personalised Housing Plans (new statutory requirement), this includes having sufficient time to provide follow up paperwork and recording information on case files.
- g. Ability to carry out home visits to assess applications.

2. Overview of existing and proposed structures

- 2.1 Appendix A illustrates the existing structure and Appendix B illustrates the proposed new structure and a summary is shown in the table below. The purpose of the structure is to ensure that more capacity is available to focus on prevention with the creation of an Advice and Prevention Team. A solutions team will be created to ensure the councils' have effective liaison with landlords and can also provide welfare/budgeting support to customers to ensure they retain tenancies.
- 2.2 There is not anticipated to be any cost of change associated with this restructure. It is estimated that the total additional staffing costs to deliver this structure is **£230,354 including all employer costs** subject to final job evaluation of the posts. It is proposed staffing costs are funded on the basis of the 35% Forest Heath District Council and 65% St Edmundsbury Borough Council.

Summary table

Existing resources	Proposed resources
1 FTE – Service Manager Band H	1 FTE – Service Manager Band H
2 FTE - Team Leaders Band F (1 FTE vacant)	3.0 FTE – Team Leaders Band F (1.0 FTE – Choice Based Lettings) (1.0 FTE – Solutions) (1.0 FTE – Advice and Prevention)
7.42 FTE – Housing Options/Homelessness Officers Band E	11.62 FTE – Band E officers (2.2 FTE – Assessors) (7.42 FTE – Advice and Prevention) (1 FTE – Welfare) (1 FTE - Landlord Liaison)
1 FTE – Lettings Co-ordinator Band E (funded until September 2017)	Retain until September only. Landlord liaison duties to be passed to newly created Landlord Liaison Post (included above)
1 FTE – Accommodation Officer Band D	1 FTE – Accommodation Officer Band D 1 FTE – CBL assistant Band D 0.60 FTE - Income Recovery Officer – Band D
	1 FTE – Rough Sleeper Worker Band E (paid for by DCLG for two years, but included here for completeness)
0.68 FTE – Business Admin Band C	0.68 FTE – Business Admin Officer Band C
Total posts: 13.1 FTE	Total posts: 19.90 However 1.0 is funded through the DCLG Rough Sleeper Grant until 2019
	Total Increase: 6.80 FTE £230,354*

*Based rates on the new salary rates that come in to effect on 1 April 2017 which include a 1% cost of living increase.

3. Funding the new structure

- 3.1 On 16 March 2017, the Department of Communities and Local Government (DCLG) announced a new Flexible Homelessness Support Grant. This grant replaces the Department for Work and Pensions (DWP) Temporary Accommodation Management Fee from 1 April 2017. Under the existing system, funding could only be used when a household is already homeless, rather than being used to prevent this happening in the first place. Funding for this was paid directly to landlords and with the only funding being allocated to St Edmundsbury of £9,000.
- 3.2 The new Flexible Homelessness Support Grant is paid directly to the councils. The grant is ringfenced for an initial two year period and during that time may only be used to prevent or deal with homelessness. The government has made it clear that it expects councils to use this grant to fund a wider range of homelessness services, for example employing homelessness prevention officers to work with people who are at risk of losing their homes. The funding formula is linked to the number of prevention and relief cases achieved by securing a private rented sector tenancy. Hence it is important that we retain a landlord liaison function (see more details in the section below) to secure future government funding.
- 3.3 Funding allocations have been announced for the next two years with funding for 2019/20 announced later this year. Funding has been awarded to Forest Heath and St Edmundsbury as follows:

	2017/18	2018/19
Forest Heath	£98,502	£111,538
St Edmundsbury	£130,468	£147,734

- 3.4 It is therefore suggested that this grant is used to fund the restructure with the detail as follows:

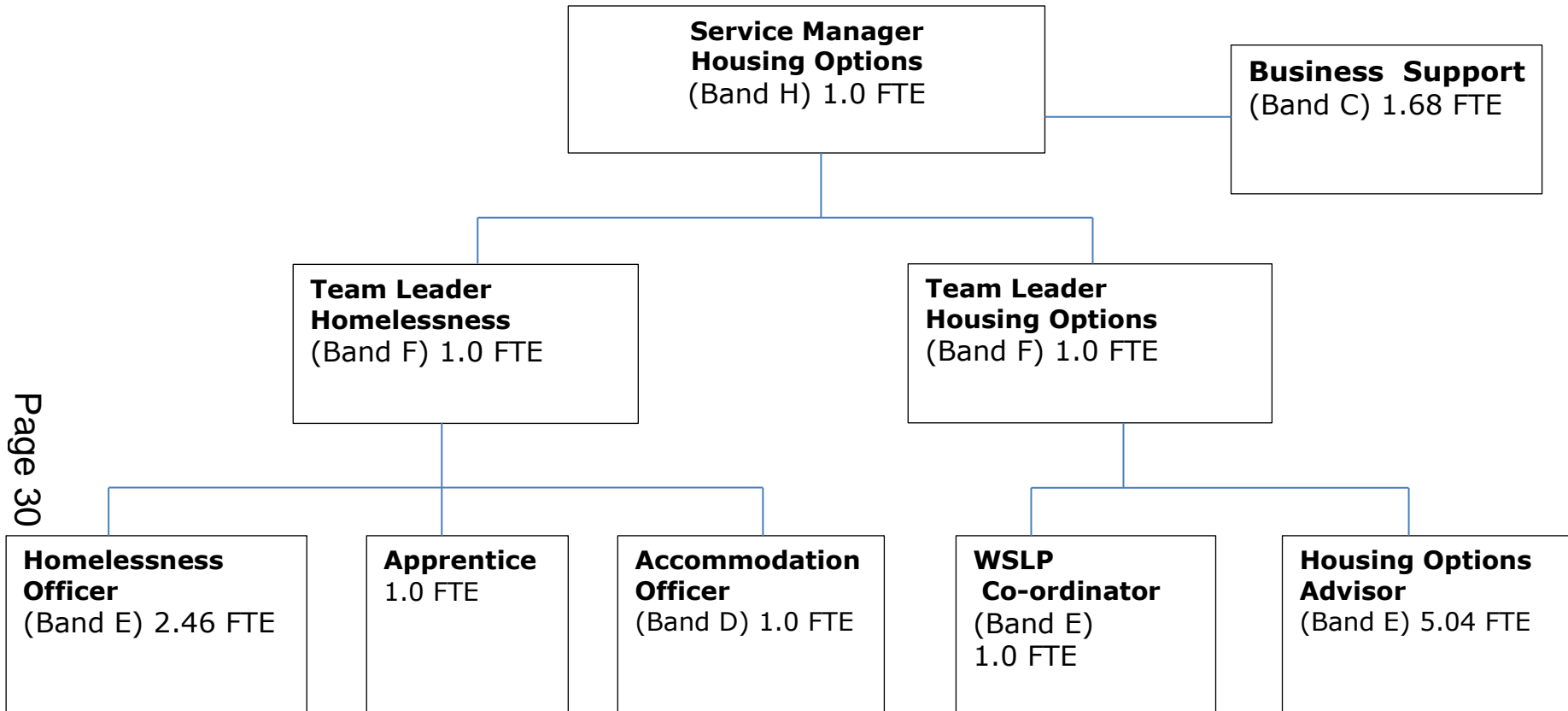
	2017/18	2018/19	2019/20	2020/21
SEBC				
Additional salary cost due to restructure	149,730	151,227	152,740	154,267
Funded from:				
- Flexible Homelessness Support Grant	(130,468)	(147,735)	(147,735)	-
- Universal Credit funding from DWP	(19,262)	(3,492)	(5,005)	(154,267)
	-	-	-	-
	2017/18	2018/19	2019/20	2020/21
FHDC				
Additional salary cost due to restructure	80,624	81,430	82,245	83,067
Funded from:				
- Flexible Homelessness Support Grant	(80,624)	(81,430)	(82,245)	(77,279)
- Universal Credit funding from DWP	-	-	-	(5,788)
	-	-	-	-

- 3.5 It should be noted that in addition to the new grant mentioned above, each council receives £49,000 per year to fund homelessness prevention. This money is used in full at both authorities.
- 3.6 Announcements have already been made that the government will be making available an additional £61 million to help introduce the Homeless Reduction Act. However, it is not likely that West Suffolk will be a significant beneficiary of this funding. Nor do we know how long this funding will be provided.

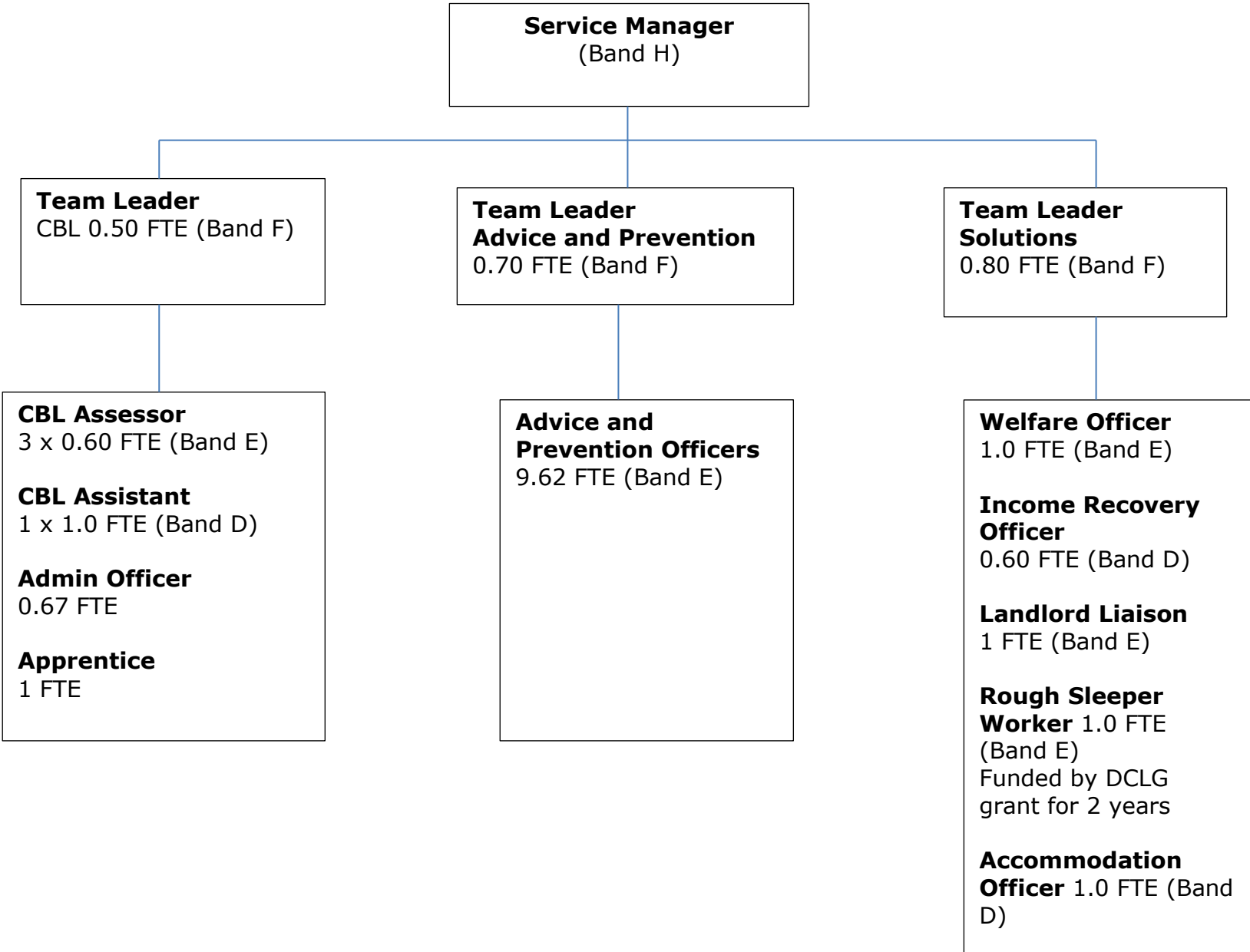
4. Service outcomes and improvements

- 4.1 It is hoped that the proposed new staffing structure as outlined in this report, will provide the following:
- i. more resource to help deal with the demands expected over the next 12-18 months, these include new statutory duties as a result of the Homelessness Reduction Act, a reduction in housing costs available to 18-21 year olds, Universal Credit full rollout, tax credit caps, reduction in HRS funding along with changes to the funding option to HRS accommodation, changes to the temporary accommodation subsidy;
 - ii. bespoke and targeted specialist services in house, specifically landlord liaison and welfare support; and
 - iii. capacity to deliver the improvements identified by the Gold Standard Peer Review (target in the West Suffolk Housing Strategy) with a view to successfully completing the local challenges.

Appendix A: Existing Staff Structure



Appendix B: Proposed new structure



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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Public Space Protection Orders	
Report No:	CAB/SE/17/026	
Report to and date:	Cabinet	31 May 2017
Portfolio holders:	<p>Cllr Robert Everitt Portfolio Holder for Families and Communities Tel: 01284 769000 Email: robert.everitt@stedsbc.gov.uk</p> <p>Cllr Joanna Rayner Portfolio Holder for Leisure and Culture Tel: 07872456836 Email: Joanna.rayner@stedsbc.gov.uk</p>	
Lead officers:	<p>Helen Lindfield Families and Communities Officer Tel: 01284 757620 Email: helen.lindfield@westsuffolk.gov.uk</p> <p>Mark Walsh Assistant Director (Operations) Tel: 01284 757300 mark.walsh@westsuffolk.gov.uk</p>	
Purpose of report:	To provide an update on the outcome of public consultation concerning Public Space Protection Orders (PSPO) and to seek approval to formally adopt them.	
Recommendations:	<p>It is <u>RECOMMENDED</u> that, as set out in Report No: CAB/SE/17/026:</p> <p>(1) the results of the consultations associated with the proposed Public Space Protection Orders (PSPO), be noted;</p> <p>(2) the inclusion of street begging in the Bury St Edmunds alcohol related PSPO, be approved;</p> <p style="text-align: right;"><i>continued over.....</i></p>	

	<p>(3) the PSPO relating to dog fouling, be approved; and</p> <p>(4) the PSPO relating to banning dogs from certain specific children’s play areas and certain specific fenced football pitch areas, be approved.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>(a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</p> <p>(i) be significant in terms of its effects on communities living or working in an area in the Borough/District.</p> <p>(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 [the] Constitution.</p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<ul style="list-style-type: none"> • Consultation has been completed and summarised in section three of this report. •
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • None
<p>Implications:</p>	
<p>Are there any financial implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Purchase and erection of replacement signage. • Alcohol and street begging PSPO area will require approximately 30 signs for Bury St Edmunds at an estimated cost of £30 per sign (including erection on public furniture). • Funding has been identified from historic ASB Home Office funding within the Families and Communities budget. • Dog exclusion sites will require approximately 100 signs across 50 sites in St Edmundsbury. Working on a cost of £25 per sign, the total

	cost will be £2,500 • Funding has been identified from within existing Leisure and Culture budgets		
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • PSPOs can be enforced by Police officers, Police staff (PCSOs) and West Suffolk councils' enforcement officers • There are no plans to increase the number of council enforcement officers		
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • The proposed orders have been drafted by the council's legal team. • Copies attached at Appendix A.		
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •		
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Public perception – negative perception of the impact of the PSPO	High	Information provided Consultation process completed	Low
Reputation- no enforcement activity taken	High	Work with the community. Encourage information and evidence to be provided of any breaches	Medium
Ward(s) affected: <u>Alcohol/street begging PSPO – Bury St Edmunds – Risbygate, Abbeygate, Eastgate and Westgate</u> <u>Dog Control PSPO</u> Dog fouling condition - all wards in St Edmundsbury Dog exclusion condition – those wards detailed in the proposed order			
Background papers: <i>(all background papers are to be published on the website and a link included)</i>			
Report No: OAS/SE/17/002 Report No: CAB/SE/17/003 Report No: OAS/SE/15/011 Report No: OAS/SE/16/018			
Documents attached: Appendix A - Draft PSPO orders Appendix B – Feedback from the Kennel Club.			

1. Key issues and reasons for recommendation(s)

1.1 Alcohol and street begging

- 1.1.1 A report was presented to the Overview and Scrutiny Committee, (Report No: OAS/SE/17/002 refers), proposing the continuation of the Bury St Edmunds alcohol related PSPO with the addition of a condition in relation to street begging. This proposed extension to the PSPO was as a direct request of the local Police as well as feedback from local businesses in the town.
- 1.1.2 At the Cabinet meeting on 7 February 2017, (Report No: CAB/SE/17/003), the Overview and Scrutiny Committee recommended that Cabinet approve the inclusion of street begging subject to a period of public consultation.
- 1.1.3 Cabinet was satisfied that, subject to the outcome of public consultation, the proposed changes were acceptable and proportionate to mitigate potential nuisance or problems in an area that may be detrimental to the local community's quality of life (Report No: CAB/SE/17/003).

1.2 Dog Control orders

- 1.2.1 A report was presented to the Overview and Scrutiny Committee, (Report No: OAS/SE/17/002 refers), proposing the adoption of certain dog controls across St Edmundsbury which include dog fouling and exclusion of dogs from certain specific children's play areas and certain specific fenced football pitch areas.
- 1.2.2 The Cabinet, at its meeting on 7 February 2017 (Report No: CAB/SE/17/003), was satisfied that, subject to the outcome of public consultation, the proposed changes were acceptable and proportionate to mitigate potential nuisance or problems in an area that maybe detrimental to the local community's quality of life.

2 Consultation

- 2.1 In line with Home Office guidance , a period of consultation was undertaken between 20 February 2017 and 17 March 2017.
- 2.2 Key stakeholders (Police, the Police and Crime Commissioner, Ourburystedmunds, Bury St Edmunds Town Council, Haverhill Town Council, The Kennel Club and St Edmundsbury elected Members) were consulted individually. In addition, the Kennel Club was consulted in relation to dog control orders.
- 2.3 Public consultation was made available via an online survey on the West Suffolk councils' website.

3. Results of the consultation

3.1 Consultation relating to the alcohol and street begging

- 3.1.1 Three responses were received to the online survey. In summary, all respondents were aware of begging in the town centre, one respondent was supportive and agreed that the proposal is proportionate, whilst the other two

respondents raised some concerns.

- 3.1.2 The concerns raised were that the additional condition of begging would:
- i) displace the issue to another area for example car parks; and
 - ii) penalise vulnerable people who are homeless, and may have mental health or substance misuse issues.
- 3.1.3 In response to the concern raised around displacement, the proposed area for the order covers all the town centre public car parks, including and up to the train station.
- 3.1.4 In response to the concerns raised around penalising the vulnerable, it must be recognised that enforcement is the final option. Statutory and third sector organisations are working together to signpost and support vulnerable people who find themselves in difficult situations, including rough sleeping. Members of the public should be dissuaded from giving money and goods directly to those begging, and encouraged to assist by donating to organisations that can provide the support required.
- 3.1.5 Suffolk Police provided a written response to the consultation which reflected its support of the inclusion of street begging to the existing order.

3.2 Additional work to support vulnerable street homeless

- 3.2.1 As stated above, it should be noted that enforcement is seen as the last resort. West Suffolk councils work with partners to overcome and address issues surrounding rough sleeping in the area by:
- i) liaising with organisations in the town to develop some winter provision, particularly emergency beds;
 - ii) encouraging people to donate/support charities directly so that their money can be used where it is most needed. Local/national support organisations include: <https://community.crisis.org.uk/kits> <http://www.streetlink.org.uk> and <http://www.burydropin.org>;
 - iii) appointing a Rough Sleeper Outreach Worker to work directly with individuals, supporting them to link with services that can help them;
 - iv) exploring other ways that members of the public can donate money, by investigating alternative options in operation across the country.

3.3 Consultation relating to the control of dogs and dog fouling

- 3.3.1 Three responses were received from members of the public to the online survey. Two of the responses were from non-residents of the Borough. In summary two of the respondents objected to the introduction of a dog related PSPO and one was supportive.
- 3.3.2 The council also received a response from the Kennel Club which is attached as Appendix B. The salient point from their response is that the Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities. They strongly promote responsible dog ownership, and believe that dog owners should always pick up after their dogs. They made a point that they would like the council to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

- 3.3.3 St Edmundsbury has been proactive in encouraging responsible dog ownership it has worked with a local veterinary surgery who have sponsored free dog poo bags at both Nowton Park and East Town Park.
- 3.3.4 The Borough's parks are well served with litter bins.
- 3.3.5 Nowton Park hosts an East Anglian Dog Training centre which provides local dog owners with access to professional dog training.
- 3.3.6 The Borough has also embarked on a number of successful campaigns to deter dog fouling in public open spaces.
- 3.3.7 A correspondence was emailed to each of the contacts responsible for Parish play areas advising them of the proposals and inviting them to include their play areas in the order which prohibits dogs from entering play areas. Those Parishes that have requested inclusion will be added to the schedule of sites included in the PSPO.

4. The Orders

- 4.1 Subject to the agreement of Cabinet to accept the Order, there are statutory requirements to:
- i) formally notify the parish, town and county councils;
 - ii) publish the orders on the West Suffolk councils website; and
 - iii) place signs in and adjacent to the restricted areas.
- 4.2 Draft orders detailing conditions **for all proposed PSPOs** can be found at Appendix A.

5. Duration of the Orders

- 5.1 The PSPO relating to alcohol and begging will be reviewed after a period of two years and a decision will then be required with a view to continuation unchanged, variation if required or discharge if no longer required.
- 5.2 The PSPO relating to dog fouling and banning of dogs from certain locations will be reviewed at the end of two years with a view to continuation unchanged, variation if required or discharge if no longer required.

6. Recommendations

- 6.1 It is recommended that Cabinet approve the introduction of the Public Space Protection Orders as outlined in this report.

Public Space Protection Orders

DRAFT – BURY ST EDMUNDS

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by St Edmundsbury Borough Council (the 'Council') and shall be known as the Public Spaces Protection Order (Alcohol and Begging) 2017

PRELIMINARY

1. The Council, in making this Order is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect of the activities:

is, or is likely to be of a persistent or continuing nature,

is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

THE ACTIVITIES AND PROHIBITION

4. (i) No person shall within the restricted area, refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer , to prevent public nuisance, anti-social behaviour or disorder
- (ii) Persons within the restricted area will not approach another person either in person or verbally in order to beg from the other person
- (iii) Persons within the restricted area will not sit or loiter in a public space, with any receptacle used to contain monies for the purpose of begging.

A person shall not engage in any of the Activities listed above anywhere within the restricted area as shown shaded on the attached map labelled 'The Restricted Area'

PERIOD FOR WHICH THIS ORDER HAS EFFECT

5. This Order will come into force at midnight on xxxxxx and will expire on xxxxxx.
6. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse-

- (a) to do anything that the person is prohibited from doing by a public spaces protection order, or
- (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale

FIXED PENALTY

A constable, police community support officer or council enforcement officer may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £80. If you pay the fixed penalty within the 14 days you will not be prosecuted

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

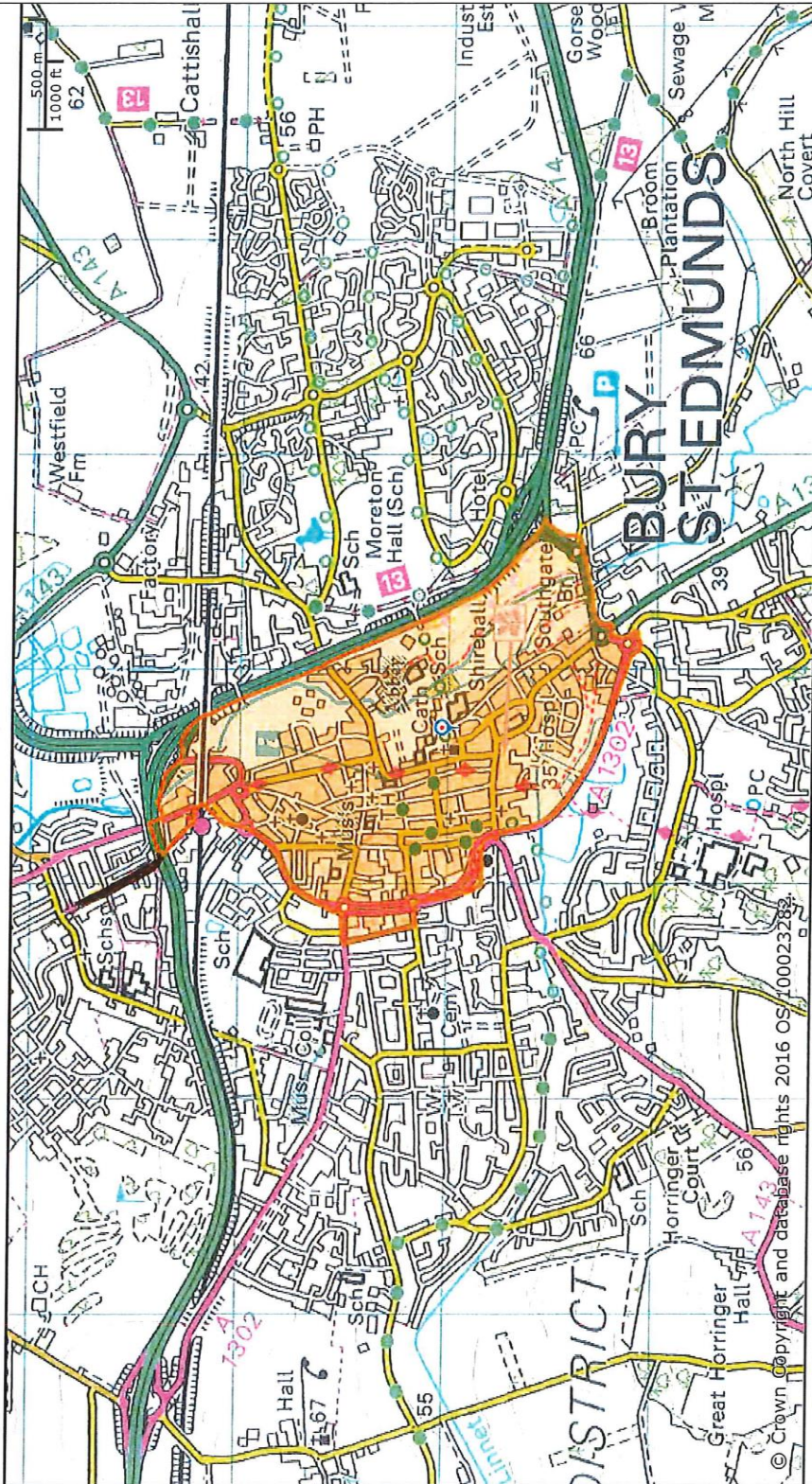
When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated.....

The Common Seal of)
ST EDMUNDSBURY BOROUGH COUNCIL)
was affixed in the presence of)

.....
Authorised Signatory

BSE DRAFT PSPO RESTRICTED AREA



© Crown Copyright and database rights 2016 OS 100023282
St Edmundsbury BC
Forest Heath & St Edmundsbury councils
Western Way
Bury St Edmunds
IP33 3YU
01284 763233
www.westsuffolk.gov.uk

Forest Heath DC
College Heath Road
Mildenhall
IP28 7EY
01638 719000

West Suffolk
working together

Scale: 1:25000
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DRAFT – BURY ST EDMUNDS

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by St Edmundsbury Borough Council (the 'Council') and shall be known as the Public Spaces Protection Order (Dogs) 2017

PRELIMINARY

7. The Council, in making this Order is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect of the activities:

is, or is likely to be of a persistent or continuing nature,

is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

8. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
9. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

10. For the purpose of this order –

- (i) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (ii) Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- (iii) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces
- (iv) "an authorised officer of the Council" means an employee, partnership agency or contractor of the Council who is authorised in writing by St Edmundsbury Borough Council for the purposes of giving directions under the Order.
- (v) Each of the following is a "prescribed charity" –

Dogs for the Disabled (registered charity number 700454)
Support Dogs Limited (registered charity number 1088281)
Canine Partners for Independence (registered charity number 803680)

THE ACTIVITIES

11. The Activities prohibited by the Order are:

- (i) failing to remove dog faeces from land to which the public or any section of the public has access (on payment or otherwise, as a right or by virtue of express or implied consent)
- (ii) taking a dog(s) onto, or permitting a dog(s) to enter or remain on any play area, multi-use games area, green gym or wheel park as detailed in Schedule 1
- (iii) taking a dog(s) onto, or permitting a dog(s) to enter or remain on any fenced sports area between 1st August and 31st May (the football season) as detailed in Schedule 1

THE PROHIBITION

12. The activities are prohibited within the areas listed in Schedule 1 and illustrated on the attached plans in Schedule 2.

THE EXCEPTION

13. The Prohibition does not apply to a person who –

- (i) Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (ii) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which is relied on for assistance ; or
- (iii) Has a disability which affects mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

14. This Order will come into force at midnight on xxxxxx and will expire on xxxxxx.

15. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse-

- (c) to do anything that the person is prohibited from doing by a public spaces protection order, or
- (d) to fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale

FIXED PENALTY

A constable, police community support officer or authorised officer of the council may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £80. If you pay the fixed penalty within the 14 days you will not be prosecuted

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated.....

The Common Seal of)
ST EDMUNDSBURY BOROUGH COUNCIL)
was affixed in the presence of)

.....
Authorised Signatory



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to St Edmundsbury Borough Council Public Spaces Protection Order Consultation

Submitted on 17th March by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, tel: 020 7518 1020, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities the Kennel Club runs a dog owners group KC Dog with approximately 5,000 members, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Response to proposed measures

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Dog access

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

We acknowledge and welcome the seasonal dog exclusion order on sports pitches but ask the local authority to consider whether or not access restrictions are absolutely necessary. If they are deemed to be needed, we believe 'in use' restrictions would be more

appropriate. We are aware in many areas, dog walkers do allow their dogs to exercise on playing fields when they are not in use. If of course they are in use we understand the safety reasons behind restrictions.

The council should be aware that dog owners are required, under the Animal Welfare Act 2006, to provide for the welfare needs of their animals and this includes providing the necessary amount of exercise each day. Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

Assistance dogs

We welcome the proposed exemptions for assistance dogs. There are in total seven charities training registered assistance dogs in the UK that we submit should be included. We would suggest that to find out more information about the range of assistance dogs now legally recognised under disability legislation in the UK that need to be accommodated, go to www.assistancedogs.org.uk.

For the proposed dog fouling measure we suggest the Council adopts the following wording

These offences does not apply to a person who –

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the dog access restrictions including dog exclusion and dogs on lead we submit the Council adopts the following wording -

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

Appropriate signage

It is important to note that in relation to PSPOs the “The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014” make it a legal requirement for local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to -

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be).”

With relation to dog access restrictions such as a “Dogs Exclusion Order”, on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, “You are entering [type of area]” and “You are leaving [type of area]” on the reverse of the sign.

While all dog walkers should be aware of their requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Annual Review and Appointment of the Cabinet's Working Parties, Joint Committees/Panels and Other Groups	
Report No:	CAB/SE/17/027	
Report to and date:	Cabinet	31 May 2017
Portfolio holder:	John Griffiths Leader of the Council Tel: 07958 700434 Email: john.griffiths@stedsbc.gov.uk	
Lead officers:	Karen Points Assistant Director (Human Resources, Legal and Democratic Services) Tel: 01284 757015 Email: karen.points@westsuffolk.gov.uk	
	Leah Mickleborough Service Manager (Democratic Services) and Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	<p>The Cabinet is requested to review the membership and Terms of Reference of its Working Parties, Joint Committee/Panels and other Groups for the year 2017/2018.</p> <p>The existing Terms of Reference (ToR) for each body, and any amendments proposed to them, as appropriate, are contained in Appendices A to F inclusive.</p> <p>Recommendations are contained within the appropriate sections of this report and further summarised in the recommendations listed below.</p>	

<p>Recommendations:</p>	<p>It is <u>RECOMMENDED</u> that:</p> <ul style="list-style-type: none"> (1) the Grant Working Party continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/SE/17/027. (2) Given the diminished workload of the Sustainable Development Working Party in 2016/2017 and the continuing significance of the West Suffolk Joint Growth Steering Group (WSJGSG) in the context of its close association with the West Suffolk strategic priorities, the Sustainable Development Working Party be disbanded, and its responsibilities set out in its Terms of Reference (ToR) at Appendix B, be incorporated into the ToR for the WSJGSG. (3) The West Suffolk Joint Growth Steering Group continues to operate in accordance with its amended Terms of Reference contained in Appendix C. (4) <ul style="list-style-type: none"> (a) the West Suffolk Joint Emergency Planning Panel, be disbanded; but (b) relevant updates be provided to all councillors on emergency planning matters via the intranet and email as required, and to use normal Cabinet or scrutiny mechanisms to input to, and adopt, any work by the Suffolk Joint Emergency Planning Policy Panel. (5) <ul style="list-style-type: none"> (a) The West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices E and F respectively; and (b) periodical meetings of the Joint Panels continue to be scheduled as and when required but with regard to the discussion outlined in Section 1.3.15. <p style="text-align: right;"><i>Continued overleaf....</i></p>
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	<p>(6)</p> <p>(a) The Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and substitute Members to the Grant Working Party, West Suffolk Joint Growth Steering Group, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel for 2017/2018, on the nominations of Group Leaders; and</p> <p>(b) such re-appointments/appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/SE/17/027.</p> <p>(7) The Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, one full Cabinet Member and two substitute Cabinet Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2017/2018, on the nomination of the Leader of the Council.</p> <p>(8)</p> <p>(a) The Cabinet’s existing informal Working Groups be retained as indicated in Section 1.6.2; and</p> <p>(b) provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2017/2018.</p> <p>(9) The Members stated in Section 1.7.2 be re-appointed as observers to the respective outside bodies listed, and to <u>NOTE</u> the Leader or ex-officio appointments to the project or partnership groups listed in Section 1.7.3 and 1.7.4.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>

<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:		<ul style="list-style-type: none"> • Consultation has been undertaken with the Portfolio Holder and other Cabinet Members. 	
Alternative option(s):		<ul style="list-style-type: none"> • Not to undertake an annual review; however, it is considered sensible to review the purpose and remit of the Cabinet's working parties and groups to ensure they remain productive and in line with the Council's strategic priorities. 	
Implications:			
<p>Are there any financial implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets. 	
<p>Are there any staffing implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • 	
<p>Are there any ICT implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • 	
<p>Are there any legal and/or policy implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • See Sections 1.1.1 and 1.1.2 below 	
<p>Are there any equality implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed	Medium	Consider the creation of joint committees, panels and working parties wherever possible.	Low
Duplication of effort between member bodies	Medium	Carry out an annual review of working parties, etc to ensure that they are all still relevant and adding value and do not cross over with the activities or other bodies e.g. scrutiny committees or task and finish groups	Low

The number of meetings and reviews cannot be accommodated with available member and officer time and resources	High	Carry out an annual review to disband any groups no longer required, and to optimise frequency of meetings. Keep under constant review.	Medium
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None.	
Documents attached:		Terms of Reference: <ul style="list-style-type: none"> • Appendix A – Grant Working Party • Appendix B – Sustainable Development Working Party • Appendix C– West Suffolk Joint Growth Steering Group (Amended) • Appendix D – West Suffolk Joint Emergency Planning Panel • Appendix E – West Suffolk Joint Health and Safety Panel • Appendix F – West Suffolk Joint Staff Consultative Panel 	

1. Key issues and reasons for recommendations

1.1 Background

1.1.1 Under Article 6 (The Cabinet) (paragraph 6.5.2) of the Council's Constitution, it states that:

"The Cabinet may carry out its functions:

d. by delegating power to a joint committee, area committee or another local authority".

1.1.2 Under Article 10 (Joint Arrangements and Working Groups) of the Council's Constitution, it states that:-

"10.2 Joint Arrangements

10.2.3 ... the Cabinet may only appoint Cabinet Members to a joint committee and those Members need not reflect the political balance of the Council as a whole."

"10.3 Working Groups

10.3.1 The Council, Cabinet or Committees may appoint from time to time such working groups as they think fit, including joint working groups with Forest Heath District Council..."

1.1.3 The following Working Parties, Joint Committee/Panels and other Groups, either report to the Cabinet or exercise Executive functions:

- (a) Exercise Executive functions on behalf of the Cabinet
 - Anglia Revenues and Benefits Partnership Joint Committee
- (b) Report to the Cabinet
 - Grant Working Party
 - Sustainable Development Working Party
 - West Suffolk Joint Emergency Planning Panel
 - West Suffolk Joint Growth Steering Group
 - West Suffolk Joint Health and Safety Panel
 - West Suffolk Joint Staff Consultative Panel
 - Other informal working groups, as detailed in Section 1.6 below

1.1.4 The Cabinet is requested to review the membership and the terms of reference for its Working Parties, Joint Committee/Panels and other Groups for the year 2017/2018 as set out below.

1.2 Current Working Parties and Panels: Borough Council Membership only

1.2.1 The following Cabinet Working Parties currently operate in accordance with the Appendices attached as indicated in the table below:

SEBC Working Party or Panel	Members	Subs	Terms of Reference
Grant Working Party*	8	4	Appendix A
Sustainable Development Working Party*	13	6	Appendix B

*membership is appointed with regard to the political balance – see Section 1.4 below

1.2.2 **Grant Working Party**

The role and function of the Grant Working Party has been streamlined in recent years by making more use of the electronic voting system, and in 2015, this Working Party was subject to separate review as part of the overall Grants review undertaken to develop the Families and Communities agenda.

1.2.3 This new approach to grant funding arrangements for implementation from 2015/2016 acknowledged the value of retaining the Grant Working Party for its views and advice on how it considers future funding should be granted.

1.2.4 As part of a monitoring process, in September 2016, the Grant Working Party considered an update on the progress of the projects supported with funds from the 2015/2016 Community Chest, and has since received further quarterly updates via email. 39 applications for funding from the Community Chest for the 2017/2018 year (and in some cases beyond this financial year) were considered in November 2016. The substantial number of recommendations, which had demanded significant consideration and discussion by the Working Party, were subsequently approved in their entirety by the Cabinet. Grants totalling £342,961.30 (which includes £44,834 already approved in 2016/2017) were approved for the 2017/2018 year, with some organisations, subject to provisos, benefitting from the knowledge that they will receive funding for the 2018/2019 year as well. This approach regarding the consideration of Community Chest funding applications has therefore worked well since its inception in 2015.

1.2.5 In 2016/2017 as part of the budget setting process, the RIGS fund was extended to include the current Rural Action Plan underspend of circa £90,000. This allowed the scheme to continue for the four year period 2016-2020, by allocating an equal sum in each of those years, taking into account an underspend from the budget for 2015/2016. The fund will then cease from April 2020 and it is envisaged that Community Infrastructure Levy will be in place by then acting as the funding stream direct to town and parish councils for such projects.

It is therefore considered that decisions on the Rural Initiative Grant Scheme (RIGS) grants will remain the responsibility of the Grant Working Party until all of the funding has been allocated.

1.2.6 Other than the two meetings referred to above, additional meetings would only be arranged during 2017/2018 as substantive business dictates.

1.2.7 It is **RECOMMENDED** that **the Grant Working Party continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/SE/17/027.**

1.2.8 **Sustainable Development Working Party**

1.2.9 As Forest Heath District Council's (FHDC) Local Plan is not due to be adopted until the end of 2017, it has been recommended to FHDC's Cabinet that its Local Plan Working Group (LPWG) continues to operate and meetings be arranged as substantive business dictates. Following adoption of the Local Plan, however; it is then FHDC Cabinet's intention for the LPWG to disband as its primary purpose would no longer be required.

1.2.10 The work of the Sustainable Development Working Party (SDWP) has diminished considerably in 2016/2017, having met only twice in 2016/2017 and its last meeting being in October 2016. It is felt that business previously deliberated by the SDWP could be considered by alternative means where Terms of Reference (ToR) allow. As common West Suffolk joint growth objectives and developing planning policies are already taken through the West Suffolk Joint Growth Steering Group, it is considered that this Steering Group should take on **all** of the current responsibilities of the SDWP and the LPWG (including the individual Council specific items such as Masterplans etc.) (see paragraphs 1.3.2 – 1.3.7 below and Appendix C attached for proposed revised ToR for the West Suffolk Joint Growth Steering Group). It is therefore recommended that the SDWP be disbanded.

1.2.11 It is **RECOMMENDED** that **given the diminished workload of the Sustainable Development Working Party in 2016/2017 and the continuing significance of the West Suffolk Joint Growth Steering Group (WSJGSG) in the context of its close association with the West Suffolk strategic priorities, the Sustainable Development Working Party be disbanded, and its responsibilities set out in its Terms of Reference (ToR) at Appendix B, be incorporated into the ToR for the WSJGSG.**

1.3 **Current Joint Panels and Steering Group: Joint Membership with Forest Heath District Council**

1.3.1 The following Joint Panels and Steering Group have been established with Forest Heath District Council:

Joint Panels and Steering Group	Borough Council Members	Substitutes	Terms of Reference
West Suffolk Joint Growth Steering Group*	6	2	Appendix C
West Suffolk Joint Emergency Planning Panel	4	1	Appendix D
West Suffolk Joint Health and Safety Panel	3	1	Appendix E
West Suffolk Joint Staff Consultative Panel	3	2	Appendix F

*membership is appointed with regard to the political balance – see Section 1.4 below

1.3.2 **West Suffolk Joint Growth Steering Group**

This Steering Group has further developed its role in 2016/2017, particularly given its close association with all three West Suffolk Strategic Priorities and its flexibility to be able to co-opt external representatives to assist it with specific issues or to provide particular areas of expertise. Amongst other items, the following joint West Suffolk topics are currently scheduled for the Steering Group's future work programme in 2017/2018:

- Consideration of Government Consultations
- Monitoring delivery of the West Suffolk Six Point Plan for Jobs and Growth
- Progress update on Suffolk Planning and Infrastructure Framework (SPIF)
- Progress updates on highways, transport and other infrastructure proposals and aspirations
- Progress updates on emerging and adopted masterplans
- Progress updates on strategic developments
- Developer/Skills/Employer/Public Sector relationships and other partner collaborations on specific planning and growth projects
- Sector programme updates
- Progress updates on delivery of commercial/business land and premises
- Update on RAF Mildenhall/RAF Lakenheath
- Development of West Suffolk Local Plan

1.3.3 An example of the Group's role was when it considered the contents of the Government's Housing White Paper, 'Fixing our Broken Housing Market' in February and March 2017. The White Paper sets out a broad range of improvements that Government plans to introduce to help reform the housing market and increase the supply of new homes. In order to implement the vision set out in the White Paper, the Government is consulting on a range of changes to planning policy and legislation needed to implement the proposals. Consideration by the Steering Group on the strategic and operational impact of the proposals on West Suffolk provided a significant contribution to the Councils' response to this important consultation. The Group's input into the shaping of the consultation response was therefore of particular value.

1.3.4 In addition and to place further emphasis on the future significance of this Steering Group, it is expected that all common West Suffolk planning policies across the two districts will eventually be developed via this Group with a view to creating a new West Suffolk Local Plan (see Section 1.2.10 above).

1.3.5 As it has been identified that the remit of the WSJGSG is developing in significance, the following other issues have been identified to be considered as part of this review:

- (a) membership of the WSJGSG, which as part of its existing Terms of Reference has regard to the political balance, to be appropriately reviewed by Group Leaders;
- (b) following consideration by the Steering Group, matters requiring a decision will be recommended to Cabinet (and Council, where appropriate) in the normal manner. Reports for information, the purpose of which will be to provide a brief summary to Cabinet of the outcomes from the Group, are also proposed to be included on the next available Cabinet agenda following each meeting of the Steering Group;

- (c) for monitoring purposes, that future West Suffolk Joint Growth Steering Group agendas should include its Work Programme as a 'Standing Item';
- (d) the frequency of the meetings, to take into account the increased workload of the Group moving forward (see 1.3.2 above); and
- (e) the times/days of meetings (currently set at Tuesdays: 10.00 am) and whether to move these to late afternoon/early evening to take account of the public interest that this Group is expected to attract, moving forward.

Together with other amendments to reflect the proposed disbanding of the Sustainable Development Working Party and the FHDC Local Plan Working Group, the proposals outlined in (b), (c) and (d) above have been incorporated into its Terms of Reference, as shown in Appendix C attached.

1.3.6 It is **RECOMMENDED** that **the West Suffolk Joint Growth Steering Group continues to operate in accordance with its amended Terms of Reference contained in Appendix C.**

1.3.7 **West Suffolk Joint Emergency Planning Panel**

1.3.8 This joint Panel considers matters relating to emergency planning policy and implementation, and has not met since February 2015. At the last of these reviews in 2016 it was specifically noted that, even on a bi-annual cycle, meetings of this Panel would not often be required and key information would be circulated electronically instead.

1.3.9 Emergency planning in Suffolk is coordinated by the Joint Emergency Planning Unit, which is funded by all eight local authorities. To support this arrangement there is also a Suffolk Joint Emergency Planning Policy Panel, which has the role to:

- Act as a link with each council's administration to allow joint debate of civil protection issues, both current and emerging, that affect Suffolk.
- Develop common approaches to civil protection strategy and policy, including elected member emergency preparedness training and exercising.
- Represent agreed changes in civil protection direction and policy, as appropriate, in each council's administrative process to embed/gain agreement for any change.
- Consider recommendations from Suffolk Policy Review activity on civil protection capability.
- Agree Suffolk civil protection inputs to any Local Area Agreement (or equivalent).

1.3.10 Membership of the Suffolk Panel comprises the lead councillor in each authority for emergency planning i.e. the Portfolio Holder. For this reason, it is now unusual for Suffolk councils to have their own local emergency planning meetings. However, it is also still recognised that engaging all 72 district councillors in West Suffolk on emergency planning is important and, for this reason:

1.3.11 It is **RECOMMENDED** that:

- (1) the West Suffolk Joint Emergency Planning Panel, be disbanded; but**
- (2) relevant updates be provided to all councillors on emergency planning matters via the intranet and email as required, and to use normal Cabinet or scrutiny mechanisms to input to, and adopt, any work by the Suffolk Joint Emergency Planning Policy Panel.**

1.3.12 **West Suffolk Joint Health and Safety Panel and West Suffolk Joint Staff Consultative Panel**

1.3.13 It is suggested that the West Suffolk Joint Health and Safety Panel and West Suffolk Joint Staff Consultative Panel continue to operate to consider policy matters for recommending to Cabinet/Council for approval, in accordance with the remit of each Panel's ToR.

1.3.14 Where recommendations to Cabinet and/or Council are not required, the greater use of electronic means is exercised to keep Members informed of issues that would usually be noted by these Joint Panels. With greater emphasis now placed on Members' use of electronic devices, such information can be accessed more easily by email, or within dedicated areas on the West Suffolk intranet. This practice has been exercised in previous years; however the importance of maintaining positive face-to-face engagement between employer (council) and employee (staff) representatives on both of these Panels is recognised.

1.3.15 It is therefore suggested that this arrangement continues to operate for 2017/2018. However, subject to the agreement of the relevant Chairman of each of the Joint Panels, this does not preclude Members suggesting that meetings be convened to discuss a specific topic that may arise from information provided electronically.

1.3.16 It is **RECOMMENDED** that:

- (1) the West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices E and F respectively; and**
- (2) periodical meetings of the Joint Panels continue to be scheduled as and when required but with regard to the discussion outlined in Section 1.3.15.**

1.4 **Political Balance**

1.4.1 The formula for the allocation of seats to the political groups of the Council was approved at its Annual Meeting of Council on 18 May 2017. It is therefore suggested that the allocation of seats to the Working Parties/Steering Group that have historically been calculated with regard to the political balance be considered and re-appointments/appointments made under delegation, as reflected in the following recommendation.

1.4.2 It is **RECOMMENDED** that:

- (1) **the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and substitute Members to the Grant Working Party, West Suffolk Joint Growth Steering Group, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel for 2017/2018, on the nominations of Group Leaders; and**
- (2) **such re-appointments/appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/SE/17/027.**

1.5 **Joint Committees**

1.5.1 To comply with the Constitution, the Council's Joint Committees exercise executive functions on behalf of the Cabinet. St Edmundsbury Borough Council's membership of the Joint Committee indicated in 1.5.2 below is therefore required to comprise Cabinet Members:

Joint Committee	SEBC Full Members	SEBC Substitutes
Anglia Revenues and Benefits Partnership Joint Committee	1	2

1.5.2 **Anglia Revenues and Benefits Partnership Joint Committee**

Following agreement in December 2015 by each of the seven Councils represented on the Partnership (Forest Heath District Council, St Edmundsbury Borough Council, Breckland Council, East Cambridgeshire District Council, Fenland District Council, Suffolk Coastal District Council and Waveney District Council), the Anglia Revenues and Benefits Partnership Joint Committee now comprises one Member and two Substitutes appointed from each of the partner Councils represented), with the option for one of the substitutes to attend and take part in debate (but not vote.

1.5.3 This has since had a positive impact on the functionality of the Joint Committee.

1.5.4 It is **RECOMMENDED** that **the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, one full Cabinet Member and two substitute Cabinet Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2017/2018, on the nomination of the Leader of the Council.**

1.6. **Other Informal Working Groups**

1.6.1 The Cabinet also sets up from time to time informal Member/Officer Working Groups to consider specific issues usually on a task-and-finish basis and often as joint groups with Forest Heath District Council. These groups make recommendations directly to Cabinet or the appropriate Committee in the form of reports and it is proposed that the practice of setting up such informal

groups to look at specific issues should continue as required, provided there are resources available to support them.

1.6.2 In relation to the groups currently operating, the situation going into 2017/2018 is as follows:

- (a) **The Apex Performance Panel:** this group was established in March 2013 to implement the findings of the two-year review. It reports to the Performance and Audit Scrutiny Committee on an annual basis and will continue to be needed for the foreseeable future. **Retain.**
- (b) **Joint Member Development Group:** This is a joint group with Forest Heath District Council which was established in December 2012 as an informal group to contribute to and support member development opportunities. It has met reasonably frequently in 2016/2017 and has recently been reviewing the current member development programme and exploring alternative means of delivery to encourage greater engagement. **Retain.**

1.6.3 It is **RECOMMENDED** that:

- (1) the Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2; and**
- (2) provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2017/2018.**

1.7 **Re-appointment of representatives to outside bodies**

1.7.1 The Council is required by the Constitution at each Annual Meeting to:

- (1) receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required; and
- (2) appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

1.7.2 Council has delegated the appointment or re-appointment of 'observers' to the Cabinet. The following Members are currently appointed by the Borough Council as observers to the following outside bodies:

- (a) Suffolk West Citizens Advice Bureau (Bury St Edmunds): Councillor Patrick Chung; and
- (b) Theatre Royal Board of Management: Councillor Joanna Rayner.

1.7.3 The Leader also has authority, under the terms of Memoranda of Understanding for projects, to appoint Members to sit on project groups, or equivalent. Councillor Patsy Warby represents the Cabinet on the Guildhall

Project and Councillor Patrick Chung performs the same role for the Newbury Community Centre Project on this basis.

- 1.7.4 The Leader, or a substitute appointed by the Leader, also represents the Cabinet on the informal partnership group which examines the 'One Public Estate' programme in West Suffolk (the West Suffolk Property Board). This is an ex-officio appointment, as the partnership arrangements require the leaders of St Edmundsbury and Forest Heath to attend.
- 1.7.5 Cabinet is **RECOMMENDED** to re-appoint the Members stated in Section **1.7.2** above as observers to the respective outside bodies listed, and to **NOTE** the Leader or ex-officio appointments to the project or partnership groups listed in Section **1.7.3** and **1.7.4** .



St Edmundsbury
BOROUGH COUNCIL

Grant Working Party: Terms of Reference

To consider grant applications and recommend the level of grants payable to organisations to officers or the Cabinet, based on the policies agreed by Council and in accordance with the criteria for Community Chest Grant funding and Rural Area Initiative Grant funding.

Version approved by Cabinet: 24 May 2016 (minute 205 refers)

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Sustainable Development Working Party: Terms of Reference

1. A joint Working Party comprising the relevant Portfolio Holders (i.e. those with responsibility for planning and transportation and environmental matters), the Chairman of the Development Control Committee, members of the Development Control Committee and Overview & Scrutiny Committee to advise the Cabinet and Council:-
 - (i) on the formulation of the Local Development Framework for St Edmundsbury and associated planning policies specific to the district; and
 - (ii) consider and advise on strategic transportation matters and investment in highway schemes that are of more than local significance.
2. All Members of the Council will be invited to attend meetings of the Working Party.

Version approved by Cabinet: 24 May 2016 (minute 205 refers)

Working Party proposed to be disbanded: 31 May 2017

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West Suffolk Joint Growth Steering Group: Proposed Amended Terms of Reference

Terms of Reference

1. To consider and advise the Cabinets of Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) on:
 - (a) creating the conditions to encourage and support sustainable growth across the whole of the West Suffolk area;
 - (b) (i) common planning policy affecting both districts;
(ii) planning policy specifically associated with the individual districts
 - (c) (i) common strategic housing policy affecting both districts
(ii) strategic housing policy specifically associated with the individual districts;
 - (de) the strategic investment in infrastructure, transportation and highway matters that are of more than local significance ;and
 - (ede) monitoring the delivery of the West Suffolk Six Point Plan for Jobs and Growth;
 - (fe)- the formulation of a West Suffolk Local Plan for Forest Heath District and St Edmundsbury Borough; and
 - (gf) environmental management issues
2. Recommendations to Cabinet (and Council, where appropriate) for a decision to be made, will be reported in the normal manner. Reports for information, providing an update on the work of the Steering Group, will be included on each Council's next available Cabinet agenda following a meeting of the Steering Group. Reports for information, the purpose of which will be to provide a brief summary to Cabinet of the outcomes from the Group, will be included on the next available Cabinet agenda, following each meeting of the Steering Group;
3. Agendas will include the Work Programme of the Steering Group as a 'Standing Item', The content of the Work Programme to be agreed by the Chairman and

Vice Chairman and the Portfolio Holders for Planning and Growth and Housing, prior to inclusion within the agenda papers.

42. The Steering Group comprises 12 Members, six from each Council. The Chairmanship and Vice-Chairmanship will rotate annually between the two Councils.
53. Membership of the Steering Group to be politically balanced, and each Council must ensure that its Development Control Committee, Overview and Scrutiny Committee, ~~and planning policy bodies (the Local Plan Working Group in the case of FHDC and the Sustainable Development Working Party in the case of SEBC)~~, FHDC's Local Plan Working Group (whilst it remains in operation), are represented, alongside Members of the two Cabinets.
64. ~~Two Substitute Members be appointed to each 'side' of the Group in accordance with the political balance of each authority. Two Substitute Members to be appointed by each local authority, having regard to the political balance of each authority.~~
75. The quorum of the Steering Group be specifically defined as three Councillors from each Council (six in total).
86. The Group is given the flexibility to directly co-opt up to two voting or non-voting external representatives to its membership, in such a manner as it sees fit.
97. Meetings will be governed by normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in both Councils.
108. Frequency of meetings ~~will would initially be quarterly every other month~~, but this will be reviewed in the light of workload.
11. Meetings will be held on Mondays at 4.30 pm unless otherwise agreed by the Chairman and Vice-Chairman. Venues for meetings to alternate between FHDC's District Offices and SEBC's offices at West Suffolk House, unless an alternative venue is agreed by the Chairman and Vice-Chairman.

Version approved by SEBC's Cabinet: ~~11 February 2014 (minute 95 refers)~~ TBC

Version approved by FHDC's Cabinet: ~~18 February 2014 (minute 897 refers)~~ TBC

West Suffolk Joint Emergency Planning Panel: Terms of Reference

1. The Panel's membership will be drawn from both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC).
2. The Panel will consider both authorities' emergency preparedness arrangements and who can provide guidance to support the development of executive action by officers of both authorities in times of emergency:
 - 2.1 To provide a group of members who can develop an enhanced level of understanding of emergency planning issues.
 - 2.2 To provide a forum for the discussion of emergency preparedness issues.
 - 2.3 To provide policy guidance on emergency planning arrangements to ensure alignment with corporate policies and direction.
 - 2.4 To provide a link with other members to promote resilience within communities
 - 2.5 To be authorised by both Cabinets to make recommendations directly to the Emergency Planning Officer on means to promote both emergency preparedness and community resilience within existing policies and budgets.
 - 2.6 To make recommendations to both FHDC and SEBC's Cabinets about policies and actions required to develop and maintain effective emergency preparedness arrangements and ensure that the authorities can support the emergency services and communities during emergencies.
 - 2.7 To assist both FHDC and SEBC's Cabinets with the dissemination of information to other members during an emergency.

- 2.8 At the discretion of the Chairman, in the event that either:
- (a) an emergency event arises which affects the area of either authority, or
 - (b) the risk of an emergency that affects the area of either authority is assessed as significant by Suffolk County Council's Head of Emergency Planning, an extraordinary meeting of the Panel may be called.

3. Membership

- 3.1 To comprise 8 members, 4 from each authority.
- 3.2 Each authority may nominate one substitute member who may attend in the absence of any member of their authorities.
- 3.3 A quorum will be three, with at least one member present from each authority.
- 3.4 At the discretion of the Chairman, members of either Council who are not members of the panel may be invited to attend/speak.

4. Chairmanship

- 4.1 The Panel will elect a Chairman and Vice-Chairman from its membership. The Vice-Chairman will be from the opposite authority to the Chairman.
- 4.2 Except if agreed otherwise, the Chairmanship will rotate between the two authorities on a two yearly basis (i.e. 4 programmed meetings).

5. Meetings

- 5.1 Meetings will be hosted alternately at the offices of the two Councils, unless an alternative location is agreed by the panel.

6. Meeting Frequency

- 6.1 Every 6 months, or as appropriate.

Version approved by SEBC's Cabinet: 24 May 2016 (minute 205 refers)

Version approved by FHDC's Cabinet: 17 May 2016 (minute 193 refers)

Working Party proposed to be disbanded: FHDC Cabinet: 16 May 2017
SEBC Cabinet: 31 May 2017

West Suffolk Joint Health and Safety Panel: Terms of Reference

1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC).
- 1.2 The Panel will consider both authorities' health and safety arrangements and provide guidance to support the development of executive action by officers of both authorities, including policy guidance.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding of health and safety matters.
- 1.4 To make recommendations to the Cabinets and/or officers of both authorities about policies and actions required to develop and maintain effective health and safety arrangements.

2. Constitution

- 2.1 The West Suffolk Joint Health and Safety Panel shall comprise 12 Members. Three Councillors from both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC), to be the 'employers' side'. Six members of staff from across the two authorities to be the 'employees' side', drawn from the officer Joint Health and Safety Group.
- 2.2 A substitute Member from each authority on the employer's side and two substitutes from the employees' side to provide a total of six full members and two substitute members on each 'side' shall be permitted.
- 2.3 It shall be the Health and Safety Manager's duty to attend and advise the Panel.
- 2.4 The Panel shall appoint a Chairman from the Employer's Side and a Vice-Chairman from the Employees' Side. When the Chairman is a Member of one side of the Panel, the Vice-Chairman shall be a Member of the other side.

2.5 The Panel may invite attendance of any person whose particular knowledge or experience may assist the Panel in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration.

3. Terms of Reference

3.1 The Panel shall keep under review all matters relating to the health, safety and welfare of the Councils' employees, and to the protection of other persons against risks arising out of the work activities of the employees and of persons working under contract.

3.2 To review and monitor the Joint Health and Safety Policy and recommend amendments to the Officers and/or Cabinet of both authorities in accordance with their respective schemes of delegation. Specifically, the Panel will work directly with the Health and Safety Manager to review and implement revisions to the operational instructions and annexes contained in Part 5 of the Policy ("Arrangements") under his/her delegated authority to make such changes.

3.3 Without prejudice to the foregoing terms, items for particular consideration may include: -

- (a) the study of accidents and diseases, and in particular those notifiable to the Health and Safety Executive;
- (b) considering and making recommendations in respect of items submitted by the staff Joint Health and Safety Group;
- (c) consideration of reports and information from the Inspectors of the Health and Safety Executive;
- (d) consideration of reports submitted by Safety Representatives;
- (e) the development of safety procedures and safe systems of work;
- (f) recommending and monitoring the effectiveness of employee safety training;
- (g) the presentation of publicity on safety matters; and
- (h) inspecting or arranging for an inspection of any particular area or activity.

4. Arrangements and Procedures

- 4.1 Meetings shall normally be held three times a year but, exceptionally, the Chairman may decide, after consultation with the Health and Safety Manager, to convene an extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact. Meetings to alternate between a venue in SEBC and FHDC or as agreed by the Panel.
- 4.2 Agendas shall be prepared by the Democratic Services Section, after discussion with the Health and Safety Manager, and shall be made available at least five days before the meeting.
- 4.3 The quorum for the Joint Health and Safety Panel shall be four, comprising at least two employee representatives, and two Members, one from each authority.
- 4.4 Voting shall be by a show of hands and simple majority.
- 4.5 The report from the Joint Health and Safety Panel to the respective Cabinets shall be by way of presentation of the minutes or in a format agreed by the Cabinet.

Version approved by FHDC's Portfolio Holder for Resources and Performance :
17 May 2016 (minute 193 refers)

Version approved by SEBC's Portfolio Holder for Resources and Performance :
24 May 2016 (minute 205 refers)

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West Suffolk Joint Staff Consultative Panel: Terms of Reference

1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC). The definition of 'staff' includes all groups of employees covered by the National Joint Council for Local Government Services.
- 1.2 The Panel will consider both authorities' staffing arrangements and provide a regular forum to secure the largest measure of agreement between the Councils as employers and Trade Union employees regarding matters directly affecting employment by the Councils.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding on staffing matters.
- 1.4 To make recommendations to the Cabinets of both authorities about policies and actions required to develop and maintain effective employee/employer arrangements.

2. Constitution

- 2.1 The Joint Staff Consultative Panel shall comprise 12 Members. Three Councillors from both FHDC and SEBC, which desirably reflects the political balance of each Council, to be the 'employers' side.
- 2.2 Six members of staff from across the two authorities to be the 'employees' side', nominated by the Trade Unions recognised by the Authorities in accordance with the formula set out below:-
 - (a) employee representatives appointed by each of the Trade Unions recognised by the authorities should be on a proportional basis to the total number of employees within the individual union compared to the total Trade Union membership; and
 - (b) each Trade Union recognised by the Authority shall have a minimum of one seat.

- 2.3 The Trade Unions recognised by the Authorities shall represent all Council employees. This will include raising issues on behalf of non-Trade Union members, should they be requested.
- 2.4 In the event of any failure to appoint/elect the number of representatives provided for by this Constitution, such failure to appoint/elect shall not invalidate the decisions of the Panel.
- 2.5 Two substitute Members shall be permitted from each authority on the 'employer's side' and four substitutes shall be permitted from the 'employees' side' to provide a total of 6 full Members and 4 substitute Members on each 'side'.
- 2.6 It shall be the duty of a senior Human Resource Officer to attend and advise the Panel.
- 2.7 The Panel shall elect a Chairman and Vice-Chairman from its members. When the Chairman is a Member of one side of the Panel, the Vice-Chairman shall be a Member of the other side. The Chairman of the Panel shall be rotated on an annual basis between the Employees' and Employers' side. The Chairman of the meeting shall not have a casting vote.
- 2.8 The Panel may invite attendance by any person whose particular knowledge or experience may assist the Panel in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration. In addition, the Employee side may arrange for the attendance of a Trade Union official at any meeting of the Panel, subject to the prior agreement of the Chairman and Vice Chairman.

3. Terms of Reference

- 3.1 To establish and maintain methods of negotiation and consultation, to consult on matters affecting the employment of all groups of employees of the Councils, with a genuine commitment to seek consensus and enter into agreements, as appropriate.
- 3.2 These matters may include such subjects as:-
 - (a) application or implementation of National Agreements;
 - (b) application or implementation of Local Agreements or local conditions of service;
 - (c) productivity or performance arrangements;
 - (d) issues referred to the Panel by the Trade Unions as provided for by the formal 'Consultation Procedures' (Employment Restructuring & Redundancy);
 - (e) working conditions;

- (f) welfare and health of employees;
 - (g) personnel procedures including recruitment, sickness, discipline and handling of grievances and redundancies;
 - (h) training & development of employees;
 - (i) equality issues; and
 - (j) any issue referred to the Joint Staff Consultative Panel by the Cabinets.
- 3.3 Issues affecting individuals (e.g. pay, discipline) are excluded from consideration unless they represent matters of principle which are of general application to employees.

4. Authority of the Panel

- 4.1 Decisions of the Joint Staff Consultative Panel shall be in accordance with the voting arrangements set out in paragraph 5.4 below and shall be subject to the approval of the Cabinets, as provided for by the Councils' Schemes of Delegation.

5. Arrangements and Procedures

- 5.1 Meetings shall normally be held quarterly but, exceptionally, the Chairman may decide, after consultation with a Senior Human Resources Officer to convene an extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact. Meetings to alternate between a venue in SEBC and FHDC or as agreed by the Panel.
- 5.2 Agendas shall be prepared by the appropriate Committee Services Section, after discussion with a Senior Human Resources Officer, Chairman and Vice Chairman, and shall be circulated at least five working days before the meeting.
- 5.3 The quorum for the Joint Staff Consultative Panel shall be four, comprising at least two Employee representatives and two Members, one from each authority.
- 5.4 Voting shall be by a show of hands and simple majority. No motion shall be regarded as carried unless it has been approved by a majority of Employer representatives and a majority of Employee representatives present and voting.
- 5.5 The report from the Joint Staff Consultative Panel to the respective Cabinets shall be by way of presentation of the minutes/draft minutes or by way of a brief report in a format agreed by the Cabinet.

5.6 If the Panel is unable to agree and no local settlement can be achieved, the matter may be referred by either side to the Cabinets.

Approved by SEBC's Cabinet: 24 May 2016 (minute 205 refers)

Approved by FHDC's Cabinet: 17 May 2016 (minute 193 refers)



St Edmundsbury
BOROUGH COUNCIL

St Edmundsbury Borough Council

CAB/SE/17/028

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 May 2017 to 31 May 2018

Publication Date: 26 April 2017

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 2018. 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 or via St Edmundsbury Borough Council, West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU.

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
31/05/17	Revenues Collection Performance and Write Offs The Cabinet will be asked to consider writing-off outstanding debts, as detailed in the exempt appendices.	Exempt Appendices: Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet with exempt appendices.
31/05/17	Annual Review of Cabinet's Working Groups, Joint Committees/Panels and Other Groups The Cabinet will be asked to consider an annual review of its Working Groups, Joint Committees/Panels and other Groups.	Not applicable	(D)	Cabinet	John Griffiths Leader of the Council 07958700434	Karen Points Assistant Director (HR, Legal and Democratic Services) 01284 757015	All Wards	Report to Cabinet.
31/05/17 (NEW)	Change to Public Space Protection Order in Bury St Edmunds following Consultation Following consultation which resulted in receipt of an objection to the proposed changes to the	Not applicable	(D)	Cabinet	Robert Everitt Families and Communities 01284 769000	Davina Howes Assistant Director (Families and Communities) 01284 757070 Helen Lindfield Families and Communities	Abbeygate Risbygate; Eastgate; Southgate; Westgate;	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
	above Order, the Cabinet will be asked to re-consider approval of the planned changes to the above Order in light of the objection received.					Officer (Community Safety Lead) 01284 757620		
31/05/17 (NEW) Page 83	Housing Options and Homelessness Team Resources and Structure The Cabinet will be asked to approve the additional staff resources for the Housing Options and Homelessness Team, funded from the DCLG's Flexible Homelessness Support Grant.	Not applicable	(KD)	Cabinet	Sara Mildmay-White Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report to Cabinet.
27/06/17 (Deferred from 28/03/17)	TO BE DEFERRED Western Way Design and Development Brief The Cabinet will be asked to consider the Design and Development Brief that has been formulated around the principles within the adopted Masterplan for phase II	Possible Exempt Appendices: Paragraph 3	(R) – Council 25/07/17	Cabinet/ Council	Alaric Pugh, Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Rachael Mann Assistant Director (Resources and Performance) 01638 719295	All Wards	Report to Cabinet with recommendations to Council and possibility of 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
Page 84	<p>of the Western Way Development Site Bury St Edmunds. The buildings within the development site will no doubt change as the detailed development requirements of each partner is finalised but the Design and Development Brief once approved can be used to demonstrate the design structure, density of development, establish build costs, the quality of the materials to be used together with how the development will relate to West Suffolk House and neighbouring land and uses. The Cabinet will be asked to note the interest shown by the various public and private bodies who have expressed their commitment to being part of this exciting project. The Cabinet will</p>							

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
	then be asked to recommend to Full Council that final approval be given to the delivery of Phase II of the Western Way Development site as envisaged by the Design and Development brief							
27/06/17	West Suffolk Annual Report 2016/2017 Following scrutiny by the Overview and Scrutiny Committee, the Cabinet will be asked to consider the West Suffolk Annual Report 2016/2017, which has been jointly produced with Forest Heath District Council.	Not applicable	(D)	Cabinet	John Griffiths Leader of the Council 07958700434	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report to Cabinet.
27/06/17	West Suffolk Community Energy Plan - Update 2016/2017 Following previous approval given for a capital allocation for the	Not applicable	(D)	Cabinet	Alaric Pugh, Planning and Growth 07930 460899	Peter Gudde Acting Head of Regulatory Services 01284 757042	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
Page 86	development of a rent-a-roof solar scheme for business, which was subsequently extended to support other specific investment schemes, the Cabinet will be asked to consider extending this allocation further to cover energy efficiency and renewable energy schemes delivering similar financial and environmental returns.							
27/06/17 (NEW)	Draft Bury St Edmunds Town Centre Masterplan The Cabinet will be asked to consider an update on the emerging draft Bury St Edmunds Town Centre Masterplan following the outcome of the consultation on the Issues and Options. Delegated authority will be sought to undertake consultation on the draft masterplan.	Not applicable	(D)	Cabinet	Alaric Pugh Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Chris Rand Principal Planning Officer – Major Projects 01284 757352	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
27/06/17 (NEW) Page 87	<p>Leisure Investment Fund: Consideration of business case for investment in Haverhill Leisure Centre</p> <p>The Cabinet will be asked to consider a detailed proposal for investment in the Council owned leisure facilities at Haverhill to deliver a revenue saving to the Council and enhanced user experience.</p>	Exempt Appendix: Paragraph 3	(KD)	Cabinet	Joanna Rayner Leisure and Culture 07872 456836	Jill Korwin Director 01284 757252	All Wards	Report to Cabinet with exempt appendix
19/09/17 (NEW)	<p>TO BE BROUGHT FORWARD TO 27/06/17</p> <p>Discretionary Business Rate Relief Scheme</p> <p>The Cabinet will be asked to approve a new discretionary Business Rates Relief Scheme, which will include the methodology and financial implications. This proposes to be a joint scheme with Forest</p>	Not applicable	(D)	Cabinet	Ian Houlder Resources and Performance 01284 810074	<p>Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p> <p>Joanne Howlett Service Manager (Finance and Performance) 01284 757264</p>	All Wards	Report to Cabinet with 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
	Heath District Council.							
19/09/17 (NEW) Page 88	Revenues Collection Performance and Write Offs The Cabinet will be asked to consider writing-off outstanding debts, as detailed in the exempt appendices.	Exempt Appendices: Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet with exempt appendices.
17/09/17 (NEW)	West Suffolk Local Code of Corporate Governance The Cabinet will be asked to consider the recommendations of the Performance and Audit Scrutiny Committee, in respect of seeking approval for the West Suffolk Local Code of Corporate Governance. This has been jointly produced with Forest Heath District Council and will be subject to approval of full Council.	Not applicable	(R) – Council 19/12/17	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Recommendations from Performance and Audit 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
17/10/17 (NEW) Page 89	Delivering a Sustainable Budget 2018/2019 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 2018/2019.	Not applicable	(R) – Council 19/12/17	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Recommendations of the Performance and Audit Scrutiny Committee to Cabinet and Council
14/11/17 (NEW)	Overarching Strategy for Facilitating Growth and Investment The Cabinet will be asked to recommend to Council, approval of an overarching strategy for facilitating growth and investment by the West Suffolk councils. This will be considered at a joint meeting with Forest Heath District Council's Cabinet and will also	Not applicable	(R) – Council 19/12/17	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074 Alaric Pugh Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Rachael Mann Assistant Director (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
	have been subject to scrutiny by both Councils' Overview and Scrutiny Committees.							
05/12/17 (NEW) Page 90	Bury St Edmunds Town Centre Masterplan Following consultation, the Cabinet will be asked to recommend to Council, adoption of the Bury St Edmunds Town Centre Masterplan as supplementary planning guidance.	Not applicable	(R) – Council 19/12/17	Cabinet/ Council	Alaric Pugh Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Chris Rand Principal Planning Officer – Major Projects 01284 757352	All Wards	Report to Cabinet with recommendations to Council.
05/12/17 (Deferred from 01/11/16)	West Suffolk Information Strategy The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny Committee in respect of seeking approval of a West Suffolk Information Strategy (incorporating an ICT Strategy), which has been jointly	Not applicable	(D)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245 Kevin Taylor Service Manager (ICT) 01284 757230	All Wards	Recommendations of the Overview and Scrutiny Committee 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
	produced with Forest Heath District Council.							
05/12/17 (NEW) Page 91	Applications for Community Chest Grant Funding 2018/2019 The Cabinet will be asked to consider recommendations of the Grant Working Party in respect of applications for Community Chest funding for the 2018/2019 year.	Not applicable	(KD) - Applications for the 2019/2020 year and beyond are also subject to the budget setting process	Cabinet	Robert Everitt, Families and Communities 01284 769000	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Recommendations from the Grant Working Party to Cabinet.
05/12/17 (NEW)	Local Council Tax Reduction Scheme and Council Tax Technical Changes 2018/2019 The Cabinet will be asked to consider proposals for the Local Council Tax Reduction Scheme and Council Tax technical changes for 2018/2019 prior to seeking its	Not applicable	(R) - Council 19/12/17	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (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
	approval by full Council.							
05/12/17 (NEW) Page 92	Council Tax Base for Tax Setting Purposes 2018/2019 The Cabinet will be asked to recommend to full Council the basis of the formal calculation for the Council Tax Base for the financial year 2018/2019.	Not applicable	(R) - Council 19/12/17	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet with recommendations to Council.
05/12/17 (NEW)	Revenues Collection Performance and Write Offs The Cabinet will be asked to consider writing-off outstanding debts, as detailed in the exempt appendices.	Exempt Appendices: Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet with exempt appendices.
06/02/18 (NEW)	Budget and Council Tax Setting 2018/2019 and Medium Term Financial Strategy The Cabinet will be asked	Not applicable	(R) - Council 20/02/18	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Reports 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
	to consider the proposals for the 2018/2019 budget and Medium Term Financial Strategy, prior to its approval by full Council. This report includes the Minimum Revenues Provision (MRP) Policy and Prudential Indicators.							
06/02/18 (NEW)	<p>Treasury Management Report 2017-2018 – Investment Activity (April to December 2017)</p> <p>The Cabinet will be asked to recommend to Council, the approval of the Treasury Management Report 2017-2018 which summarised the investment activity for the period 1 April to 31 December 2017.</p>	Not applicable	(R) - Council 20/02/18	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Recommendations of the Performance and Audit 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
06/02/18 (NEW) Page 94	Annual Treasury Management and Investment Strategy 2018/2019 and Treasury Management Code of Practice The Cabinet will be asked to recommend to full Council the approval of the Treasury Management and Investment Strategy 2018/2019 and Treasury Management Code of Practice, which must be undertaken before the start of each financial year.	Not applicable	(R) - Council 20/02/18	Cabinet/ Council	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Recommendations of the Performance and Audit Scrutiny Committee to Cabinet with recommendations to Council.
27/03/18 (NEW)	Revenues Collection Performance and Write Offs The Cabinet will be asked to consider writing-off outstanding debts, as detailed in the exempt appendices.	Exempt Appendices: Paragraphs 1 and 2	(KD)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (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

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 DEFINITION

- (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:

Cabinet Member	Portfolio
Councillor John Griffiths Councillor Sara Mildmay-White	Leader of the Council Deputy Leader of the Council/ Housing
Councillor Robert Everitt Councillor Ian Houlder	Portfolio Holder for Families and Communities Portfolio Holder for Resources and Performance
Councillor Alaric Pugh Councillor Joanna Rayner Councillor Peter Stevens	Portfolio Holder for Planning and Growth Portfolio Holder for Leisure and Culture Portfolio Holder for Operations

(b) Membership of the Anglia Revenues Partnership Joint Committee (Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, Suffolk Coastal District Council, St Edmundsbury Borough Council and Waveney District Council)

Full Breckland Cabinet Member	Full East Cambridgeshire District Council Cabinet Member	Full Fenland District Council Cabinet Member	Full Forest Heath District Council Cabinet Member	Full Suffolk Coastal District Council Cabinet Member	Full St Edmundsbury Borough Council Cabinet Member	Full Waveney District Council Cabinet Member
Cllr 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
Assistant Director (Human Resources, Legal and Democratic Services)
Date: 26 April 2017

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/SE/17/029	
Report to and date:	Cabinet	31 May 2017
Portfolio holder:	Ian Houlder Portfolio Holder for Resources and Performance Tel: 01284 810074 Email: ian.houlder@stedsbc.gov.uk	
Lead officer:	Rachael Mann Assistant Director (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.	
Recommendations:	<p>It is <u>RECOMMENDED</u> that the write-off of the amounts detailed in the exempt appendices to Report No: CAB/SE/17/029, be approved, as follows:</p> <p>(1) Exempt Appendix 1: Business Rates totalling £385,637.48; and</p> <p>(2) Exempt Appendix 2: Overpayment of Housing Benefit totalling £8,590.96</p>	
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p>	
<p><i>(Check the appropriate box and delete all those that do not apply.)</i></p> <p>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</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? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See paragraphs 3.1 to 3.3	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input type="checkbox"/> •	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The recovery procedures followed have been previously agreed; writing off uncollectable debt allows staff to focus recovery action on debt which is recoverable.	
Are there any equality implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • The application of predetermined recovery procedures ensures that everybody is treated consistently. • Failure to collect any debt impacts on either the levels of service provision or the levels of charges. • All available remedies are used to recover the debt before write off is considered. • The provision of services by the Council applies to everyone in the area. 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
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 are affected.	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Exempt Appendix 1: Business Rates £385,637.48 Exempt Appendix 2: Overpayment of Housing Benefit £8,590.96	

1. Key issues and reasons for recommendations

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

2. Alternative options

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

3. Financial implications and collection performance

- 3.1 Provision is made in the accounts for non recovery but the total amounts to be written off are as follows with full details shown in Exempt Appendices 1 and 2.
- 3.2 As at 31 March 2017, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (as the billing Authority) is just over £49.6 million per annum. The collection rate as at 31 March 2017 was 98.11% against a profile of 98.46%.
- 3.3 As at 31 March 2017, the total Council Tax billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (includes the County, Police and Parish precept elements) is £57 million per annum. The collection rate as at 31 March 2017 was 98.26% against a profile target of 98.29%

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