

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda																		
Date:	Tuesday 27 March 2018																		
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>Carol Bull</td> <td>Future Governance</td> </tr> <tr> <td>Robert Everitt</td> <td>Families and Communities</td> </tr> <tr> <td>John Griffiths</td> <td>Leader</td> </tr> <tr> <td>Ian Houlder</td> <td>Resources and Performance</td> </tr> <tr> <td>Sara Mildmay-White</td> <td>Housing</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>	Carol Bull	Future Governance	Robert Everitt	Families and Communities	John Griffiths	Leader	Ian Houlder	Resources and Performance	Sara Mildmay-White	Housing	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.	
Induction loop:	An Induction loop is available for meetings held in the Conference Chamber.	
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 - 20

To confirm the minutes of the meetings held on 9 January 2018 and 6 February 2018 (copies attached).

Part 1 - Public

3. Open Forum

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

4. Public Participation

Members of the public who live or work in the 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 Performance and Audit Scrutiny Committee:
31 January 2018**

21 - 26

Report No: **CAB/SE/18/017**

Chairman of the Committee: Sarah Broughton

Lead Officer: Christine Brain

**6. Report of the Overview and Scrutiny Committee:
7 March 2018**

27 - 32

Report No: **CAB/SE/18/018**

Chairman of the Committee: Diane Hind

Lead Officer: Christine Brain

- 7. Recommendations of the Overview and Scrutiny Committee: 7 March 2018: West Suffolk Information Framework** **33 - 36**
- Report No: **CAB/SE/18/019**
Portfolio Holder: Ian Houlder Lead Officer: Rachael Mann
- 8. Recommendations of the Overview and Scrutiny Committee: 7 March 2018: Lettings Policy** **37 - 40**
- Report No: **CAB/SE/18/020**
Portfolio Holder: Sara Mildmay-White Lead Officer: Davina Howes
- 9. Tackling Rogue Landlords: Civil Sanctions Policy** **41 - 64**
- Report No: **CAB/SE/18/021**
Portfolio Holder: Sara Mildmay-White
Lead Officers: David Collinson and Andrew Newman
- 10. Workforce Strategy 2018-2020** **65 - 84**
- Report No: **CAB/SE/18/022**
Portfolio Holder: Ian Houlder Lead Officer: Wendy Canham
- 11. Decisions Plan: March 2018 to May 2018** **85 - 102**
- To consider the most recently published version of the Cabinet's Decisions Plan
- Report No: **CAB/SE/18/023**
Portfolio Holder: John Griffiths Lead Officer: Ian Gallin
- 12. Haverhill Leisure Centre Investment** **103 - 116**
- Report No: **CAB/SE/18/024**
Portfolio Holder: Joanna Rayner Lead Officer: Jill Korwin
- 13. Revenues Collection Performance and Write Offs** **117 - 120**
- Report No: **CAB/SE/18/025**
Portfolio Holder: Ian Houlder Lead Officer: Rachael Mann
- 14. Exclusion of Press and Public**
- To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part 2 - Exempt

15. Exempt Appendix: Haverhill Leisure Centre Investment 121 - 122

Exempt Appendix 2 to Report No: **CAB/SE/18/024**
Portfolio Holder: Joanna Rayner Lead Officer: Jill Korwin

(This exempt appendix is to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial and business affairs of a particular organisation.)

16. Exempt Appendices: Revenues Collection Performance and Write Offs 123 - 128

Exempt Appendices 1 and 2 to Report No: **CAB/SE/18/025**
Portfolio Holder: Ian Houlder Lead Officer: Rachael Mann

(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.)

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

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Extraordinary (Informal Joint) Cabinet



St Edmundsbury
BOROUGH COUNCIL

Notes of informal discussions of the SEBC/FHDC **Cabinets** held on
Tuesday 9 January 2018 at 6.20 pm in the **Conference Chamber West,**
West Suffolk House, Bury St Edmunds IP33 3YU

Present: Councillors

St Edmundsbury Borough Council (SEBC)

John Griffiths (in the Chair for the informal discussions)

Carol Bull	Alaric Pugh
Robert Everitt	Joanna Rayner
Sara Mildmay-White	Peter Stevens
Ian Houlder	

Forest Heath District Council (FHDC)

James Waters

David Bowman	Robin Millar
Andy Drummond	Lance Stanbury
Stephen Edwards	

By invitation: Sarah Broughton (SEBC) Chairman of SEBC's Performance and Audit Scrutiny Committee

Louis Busuttil (FHDC) Chairman of FHDC's Performance and Audit Scrutiny Committee

In attendance: Susan Glossop (SEBC) David Nettleton (SEBC)

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

- (1) Tackling Rogue Landlords: Civil Sanctions Policy; and
- (2) Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017.

All Members of Forest Heath District Council's Cabinet had been invited to attend St Edmundsbury Borough Council's Offices at West Suffolk House,

Bury St Edmunds to enable joint informal discussions on the reports to take place between the two authorities, prior to seeking formal approval at their respective separate Cabinet meetings, immediately following the informal discussions.

The Chairman/Leader of St Edmundsbury Borough Council, welcomed all those present to West Suffolk House. The Service Manager (Democratic Services) and Monitoring Officer firstly advised on the format of the proceedings for the informal discussions and subsequent separate meetings of each authority.

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

1. Open Forum

No non-Cabinet Members in attendance wished to speak during the informal joint discussions.

2. Public Participation

There were no members of the public in attendance.

3. Tackling Rogue Landlords: Civil Sanctions Policy

(Report Nos: CAB/SE/18/001 and CAB/FH/18/001)

The Cabinets considered the above report, which sought endorsement of a proposed approach to be taken for developing a new Civil Sanctions Policy.

Under the Housing and Planning Act 2016, new powers were available to councils for tackling rogue landlords. The new legislation helped regulate the worst unsafe properties and landlords in the private rented sector, which included providing a streamlined alternative to prosecution, albeit with the same level of evidence and an appeals process in place. Options included the imposition of civil penalty fines, rent repayment orders and banning orders for non-compliance with certain Housing Act 2004 offences, further details of which were contained in Appendix A attached to the report.

Councillor Sara Mildmay-White, West Suffolk's Lead Member for Housing, drew relevant issues to the attention of both Cabinets, including that the development of the new policy would assist with tackling the small number of rogue landlords in West Suffolk, improve the wellbeing of tenants and protect the interests of compliant landlords. An engagement process would shortly be undertaken on the draft policy with landlords, tenants, interested groups and other stakeholders, following which the final policy would be presented to each Cabinet for adoption (with new delegated powers to officers for

incorporation into their respective Constitutions being presented to each Council for approval).

The Cabinets fully endorsed the approach and the recommendation set out on page 1 of the report was unanimously supported by both Cabinets.

4. **Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017**

(Report Nos: CAB/SE/18/002 and CAB/FH/18/002)

The Cabinets received and noted the above report, which informed Members of the following items discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 5 December 2017:

- (1) Highlight Report, Balance Scorecard, Finance Report and 2018/2019 Budget;
- (2) Information about Directors of the ARP Trading Company and Operational Improvement Board Report;
- (3) Service Delivery Plan and Risk Register; and
- (4) Welfare Reform Update.

Councillors Stephen Edwards (FHDC) and Ian Houlder (SEBC), Portfolio Holders for Resources and Performance, drew relevant issues to the attention of the Cabinets, including that the Joint Committee had set its budget for the 2018/2019 year and approved a revised Service Delivery Plan and Risk Register.

Both Members expressed their thanks to Jill Korwin, Director and the Anglia Revenues and Benefits Partnership (ARP) team for the manner in which the West Suffolk councils were mitigating the effects of being slightly below target for business rates collection, as set out in paragraph 1.1.10.

Councillor Edwards commended the success of the ARP Enforcement Agency and subsequently explained that in contrast to the information reported in paragraph 1.4.1 (a) of the report, the roll-out of the full Universal Credit service for Forest Heath District Council had now been delayed from September 2018 to December 2018.

The item was duly noted by both Cabinets.

(With the agreement of the Chairman, the following matter was considered at this point during the informal discussions.)

5. **Review and Appointment of the Cabinet's Working Parties, Joint Panels and Other Groups**

(Report Nos: CAB/SE/18/004 and CAB/FH/18/005)

The Cabinets considered the above reports, which presented an interim review of each Cabinet's Working Parties, Joint Panels and Other Groups.

Whilst there remained differences between the two reports as each Cabinet appointed some Working Groups/Parties and implemented arrangements that were individual to the separate authorities, the Cabinets were asked whether they wished to jointly discuss the common elements of the reports, namely the review undertaken on the following bodies:

- (a) Growth and Innovation Group (which had been proposed to replace the existing West Suffolk Joint Growth Steering Group);
- (b) Future Governance Steering Group;
- (c) West Suffolk Joint Health and Safety Panel;
- (d) West Suffolk Joint Staff Consultative Panel; and
- (e) Joint Member Development Group.

The Cabinets were content with the proposed joint arrangements set out in the reports and considered each paper in further detail during their separate formal meetings.

On the conclusion of the informal joint discussions at 6.35 pm, the Chairman then formally opened the meeting of St Edmundsbury Borough Council's Cabinet at 6.36 pm in the Conference Chamber West, which upon conclusion at 6.47 pm, was immediately followed by Forest Heath District Council's Cabinet, also in the Conference Chamber West.

See overleaf for formal minutes.....

Extraordinary Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of an extraordinary meeting of the **Cabinet** held on
Tuesday 9 January 2018 at **6.36 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)

Carol Bull
Robert Everitt
Ian Houlder

Alaric Pugh
Joanna Rayner
Peter Stevens

By Invitation:

Sarah Broughton

Chairman of the Performance and Audit
Scrutiny Committee

In attendance:

Susan Glossop

David Nettleton

418. **Apologies for Absence**

No apologies for absence were received.

419. **Open Forum**

This item had already been considered during the informal discussions in relation to Items 4 and 5 on the agenda (Item 1 above refers.)

However, in respect of the non-joint items, Councillor David Nettleton, one of the Ward Members for Risbygate Ward, made a statement in support of Agenda Item 8, '*Newbury Community Centre Project*'. The proposed scheme was located in St Olaves Ward, which neighboured Risbygate Ward.

Councillor Nettleton acknowledged that steady progress had been made with the project, together with expressing his satisfaction for the proposed provision of 30% affordable housing on the site, which was in line with policy. He hoped that upon completion that residents of the new adjacent Marham Park development would make use of the facilities provided, which would help bring the communities together.

No other non-Cabinet Members in attendance wished to speak on Items 6 to 9.

420. Public Participation

This item had already been considered during the informal discussions in relation to Items 4 and 5 on the agenda (Item 2 above refers.)

No additional members of the public joined the meeting wishing to speak on Items 6 to 9.

421. Tackling Rogue Landlords: Civil Sanctions Policy

(Report No: CAB/SE/18/001)

Further to the joint informal discussions held prior to the meeting with Forest Heath District Council's Cabinet on Report No: CAB/SE/18/001, it was proposed, seconded and

RESOLVED:

That the approach by which the Public Health and Housing Team wishes to develop the new Civil Sanctions Policy, be noted and endorsed, which will allow the West Suffolk councils to implement the new measures and sanctions which will support existing enforcement work and pro-active inspection programmes.

422. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017

(Report No: CAB/SE/18/002)

Further to the joint informal discussions held prior to the meeting with Forest Heath District Council's Cabinet on Report No: CAB/SE/18/002, this item was duly noted.

423. Report of the Performance and Audit Scrutiny Committee: 29 November 2017

(Report No: CAB/SE/18/003)

The Cabinet received and noted Report No: CAB/SE/18/003, which informed the Cabinet of the following substantive items discussed by the Performance and Audit Scrutiny Committee on 29 November 2017:

- (1) External Quality Assessment of Internal Audit against the Public Sector Internal Audit Standards;
- (2) Mid-year Internal Audit Progress Report 2017-2018;
- (3) Balanced Scorecard and Quarter 2 Performance Report 2017-2018;
- (4) West Suffolk Strategic Risk Register Monitoring Report – September 2017;
- (5) Work Programme Update;
- (6) Building Control – Improvement Plan;

- (7) Ernst and Young – Presentation of Annual Audit Letter 2016-2017;
- (8) Financial Performance Report (Revenue and Capital) – Quarter 2 2017-2018;
- (9) Delivering a Sustainable Medium Term Financial Strategy 2018-2021; and
- (10) Mid-year Treasury Management Report and Investment Activity (April to September 2017).

Councillor Sarah Broughton, Chairman of the Performance and Audit Scrutiny Committee (PASC), drew relevant issues to the attention of Cabinet, including that the first six items had been considered jointly with Forest Heath District Council's PASC, and that separate reports in connection with Items (9) and (10) above had been considered and recommendations approved by Cabinet at its meeting held on 5 December 2017.

The Cabinet particularly noted that the Committee had:

- (a) undertaken detailed scrutiny of the Balanced Scorecards and had noted progress against target in some service areas as detailed in paragraph 1.3.3;
- (b) been pleased to note that the review of the Building Control service was showing an improvement in performance; and
- (c) been pleased to note that the 2017/2018 financial performance remained in line with the forecasted out-turn position for 2017/2018.

424. **Review and Appointment of the Cabinet's Working Parties, Joint Panels and Other Groups**

(Report No: CAB/SE/18/004)

The Cabinet considered Report No: CAB/SE/18/004, which provided an interim review of the Cabinet's Working Parties, Joint Panels and Other Groups.

As the Cabinet's Grant Working Party, and presently the West Suffolk Joint Growth Steering Group, were constituted with having regard to the political balance of the Council, an interim review of the membership and Terms of Reference (ToR) of the Working Parties, Joint Panels and other Groups had been undertaken as a result of recent changes to the political composition of the Council.

This had also provided an opportunity to review and propose amendments to the ToR for the existing West Suffolk Joint Growth Steering Group and Future Governance Steering Group.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that approval of the majority of the recommendations meant that no changes would be made to the existing arrangements.

It was however, recommended that the West Suffolk Joint Growth Steering Group be replaced by the Growth and Innovation Group for the reasons provided in the report; and that the terms of reference for the Future Governance Steering Group be amended to enable it to consider a wider range of technical issues to ensure the appropriate governance was in place for the creation of the new single council for West Suffolk.

With the exception of the new Growth and Innovation Group, which was proposed not to have defined membership, Table 1 contained in each appendix, listed the existing membership for the various bodies, and it was proposed these be re-appointed. Where membership to each body included a seat allocated to the UKIP Group, it was proposed that this be allocated to the Haverhill Indys.

RESOLVED:

That:

- (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/18/004.
- (2) The existing West Suffolk Joint Growth Steering Group be disbanded and replaced by the Growth and Innovation Group, in accordance with the new Terms of Reference contained in Appendix B.
- (3) The Future Governance Steering Group continues to operate, in accordance with the amended Terms of Reference contained in Appendix C.
- (4)
 - (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 D and E 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 1.3.16.
- (5)
 - (a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.4.2; and
 - (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 the remainder of 2017/2018.
- (6)
 - (a) St Edmundsbury Borough Council's membership (including substitutes) of the Grant Working Party, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel, West Suffolk Joint Staff Consultative Panel, The Apex Performance Panel and Joint Member

Development Group, as set out in Table 1 of Appendices A, C, D, E, F and G respectively, be re-appointed for the remainder of 2017/2018;

- (b) should any future changes to membership of the bodies listed in (6)(a) above be required in the remainder of 2017/2018, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders; and
- (c) such appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/SE/18/004.

425. Newbury Community Centre Project

(Report No: CAB/SE/18/005)

The Cabinet considered Report No: CAB/SE/18/005, which sought approval of matters to enable the Newbury Community Centre Project to progress.

Councillor Robert Everitt, Portfolio Holder for Families and Communities, drew relevant issues to the attention of Cabinet, including that steady progress had been made on the proposal to the replace and transfer the Newbury Community Centre (NCC) to the Newbury Community Association as part of the overall NCC project, an outline of which was contained in the report. By ensuring the necessary safeguards were in place, as set out in paragraph 1.9 of the report, and without prejudice regarding its role as Local Planning Authority, and noting that there would be no capital cost to the taxpayer, if approved, the decisions taken would be a key element towards the complete delivery of this complex, combined regeneration scheme.

The Cabinet fully supported the recommendations, as proposed.

RESOLVED:

That:

- (1) progress with the Newbury Community Centre Project be noted;
- (2) without prejudice its role as Local Planning Authority, and subject to the safeguards set out in paragraph 1.9 of Report No: CAB/SE/18/005, the Council's participation in the delivery of the scheme granted outline planning consent in December 2017 be approved, and the negotiation and implementation of the necessary legal agreements, land and property transactions, release of covenants and/or any other actions required by the Council be authorised.

426. Revenues Collection Performance and Write Offs

(Report No: CAB/SE/18/006)

The Cabinet considered Report No: CAB/SE/18/006, which provided the collection data in respect of Council Tax and National Non-Domestic Rates and sought approval for the write-off of debts as contained in the Exempt Appendix.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including the current collection performance, as set out in Section 3 of the report.

RESOLVED:

That the write-off of the amounts detailed in the exempt appendix to Report No: CAB/SE/18/006, be approved, as follows:

Exempt Appendix 1: Overpayment of Housing Benefit totalling £8,313.84.

427. Exclusion of Press and Public

See minute 428 below.

428. Exempt Appendix: Revenues Collection Performance and Write-Offs (paras 1 and 2)

The Cabinet considered Exempt Appendix 1 to Report No: CAB/SE/18/006 under Agenda Item 9, however no reference was made to specific detail and therefore this item was not held in private session.

The meeting concluded at 6.47 pm

Signed by:

Chairman

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Cabinet** held on
Tuesday 6 February 2018 at 5.00 pm in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman Sara Mildmay-White (Deputy Leader) (in the Chair)

Carol Bull
Robert Everitt
Ian Houlder

Alaric Pugh
Joanna Rayner

By Invitation:

Sarah Broughton

Chairman of the Performance and Audit
Scrutiny Committee

Diane Hind

Chairman of the Overview and Scrutiny
Committee

In attendance:

John Burns
Mary Evans

Susan Glossop
Clive Pollington

429. **Apologies for Absence**

Apologies for absence were received from Councillors John Griffiths and Peter Stevens.

430. **Minutes**

The minutes of the meetings held on 14 November 2017 and 5 December 2017 were confirmed as correct records and signed by the Chairman.

431. **Open Forum**

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

432. **Public Participation**

There were no members of the public in attendance.

433. Report of the Overview and Scrutiny Committee: 10 January 2018

The Cabinet received and noted Report No: CAB/SE/18/007, which informed the Cabinet of the following substantive items discussed by the Overview and Scrutiny Committee on 10 January 2018:

- (1) Annual Presentation by the Cabinet Member for Leisure and Culture;
- (2) Decisions Plan: January to May 2018; and
- (3) Work Programme Update.

Councillor Diane Hind, Chairman of the Overview and Scrutiny (O&S) Committee, drew relevant issues to the attention of Cabinet.

434. Recommendation of the Performance and Audit Scrutiny Committee: 31 January 2018 Treasury Management Report 2017-2018 and Investment Activity (1 April to 31 December 2017)

The Cabinet considered Report No: CAB/SE/18/008, which sought approval for the Treasury Management Report 2017/2018 and received an update on investment activity covering the period 1 April to 31 December 2017.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Cabinet, including an explanation of the updated Treasury Management Report 2017/2018 and a summary of the investment activities for the third quarter of 2017/2018 that had previously been considered by the Treasury Management Sub-Committee and Performance and Audit Scrutiny Committee.

The Cabinet concurred with the Committees' examination of this report and was supportive of recommending approval to Council of the updated Treasury Management Report 2017/2018 for the period 1 April 2017 to 31 December 2017.

RECOMMENDED TO COUNCIL:

That the Treasury Management Report 2017-2018 for the period 1 April 2017 to 31 December 2017, attached at Appendix 1 to Report No: TMS/SE/18/001, be approved.

435. Recommendations of the Performance and Audit Scrutiny Committee: 31 January 2018 - Treasury Management Policy Statement and Investment Strategy 2018-2019 and Code of Practice

The Cabinet considered Report No: CAB/SE/18/009, which sought approval for the annual Treasury Management Policy Statement and Investment Strategy 2018/2019 and Code of Practice.

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management required that, prior to the start of the financial year, Council formally approved an Annual Treasury Management and Investment Strategy, setting out the Council's treasury management policy and strategy statements for the forthcoming year.

The proposed Treasury Management Policy Statement and Investment Strategy 2018/2019, was attached as Appendix 1 to Report No: TMS/SE/18/002.

In December 2017, CIPFA issued an updated Treasury Management in the Public Services Code of Practice and Cross-Sectional Guidance Note, which had been incorporated into the new 2018/2019 Strategy.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Cabinet, including highlighting the main changes to the proposed Strategy and the Code of Practice, as summarised in paragraph 1.3.2 of the report.

The Cabinet supported these changes accordingly, as set out in its recommendations to Council below.

RECOMMENDED TO COUNCIL:

That:

- (1) the Updated (December 2017) Treasury Management in the Public Services Code of Practice and Cross-Sectional Guidance Notes, be adopted;**
- (2) the Treasury Management Policy Statement and Investment Strategy 2018-2019, as set out in Appendix 1 to Report No: TMS/SE/18/002, be approved; and**
- (3) the Treasury Management Code of Practice 2018-2019, as set out in Appendix 2 to Report No: TMS/SE/18/002, be approved.**

436. **Recommendations of the Performance and Audit Scrutiny Committee: 31 January 2018 - Delivering a Sustainable Medium Term Financial Strategy 2018-2021**

The Cabinet considered Report No: CAB/SE/18/010 , which presented an updated position regarding budget proposals, which subject to approval, were intended to be included for securing a balanced budget for 2018/2019.

On 5 December 2017, the Cabinet considered the recommendations of the Performance and Audit Scrutiny Committee regarding proposals for securing a balanced budget for 2018/2019 and up to 2020/2021 (see Cabinet minute no. 409).

The position had now been updated to include proposals over and above those previously approved by Cabinet, and Councillor Ian Houlder, Portfolio Holder for Resources and Performance drew attention to those, as set out in Table 2 of paragraph 1.1.7.

The Finance Team were commended for their work in progressing the securing of a balanced budget for 2018/2019, particularly given the financial challenges facing the Council, as summarised in paragraph 1.1.1. Councillor Sarah Broughton, Chairman of the Performance and Audit Scrutiny

Committee was also thanked for her Committee's scrutiny of the budget proposals and the Cabinet supported its recommendations.

Councillor Houlder, and the Assistant Director (Resources and Performance) duly responded to questions raised.

RESOLVED:

That:

- (1) the budget assumptions (outlined in Appendix A to Report No: PAS/SE/18/005) and timetable (at paragraph 7.1), along with the progress made to date on delivering a balanced budget for 2018/2019 and sustainable budget in the medium term, be noted; and
- (2) the proposals, as detailed in Section 6 and Table 2 at paragraph 6.1 of Report No: PAS/SE/18/005, be included in securing a balanced budget for 2018/2019.

437. Budget and Council Tax Setting 2018/2019 and Medium Term Financial Strategy 2018-2022

The Cabinet considered Report No: CAB/SE/18/011, which presented the proposals for Budget and Council Tax Setting in 2018/2019 and the Medium Term Financial Strategy 2018-2022.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance drew relevant issues to the attention of the Cabinet, including that Report No: CAB/SE/18/011 provided details of the Council's proposed revenue and capital budgets for 2018/2019 and in the medium term, and the Cabinet was required to consider the 2018/2019 budget for the authority and recommend to Council the level of council tax required to help fund this budget.

In light of the significant transformation in the funding of local services, the Council continued to face considerable financial challenges in the short, medium and longer term. Changes included reductions in Government grant funding, including the removal of the Revenue Support Grant; more business rates being retained locally (and the uncertainty around how that was going to work); plus the introduction, and then reduction of New Homes Bonus. Further details and the implications of these particular matters were detailed in the report.

Alongside these reductions, was the lowest bank base rate for years therefore the Council's income from interest was significantly reduced, together with the Council experiencing an increased demand in some services, such as support and advice relating to housing options and homelessness. Council tax increases had been capped at 3% (previously 2%) but this local tax raised only one fifth of the Council's income for local services. National policy encouraged councils to grow their local, and therefore UK, economy by supporting business, investment and housing to bring in income. Bridging the gap between income and demand was the single biggest challenge facing local government across the country.

St Edmundsbury Borough Council had been working in partnership with Forest Heath District Council (the West Suffolk councils) since 2010 and had saved in excess of £4 million annually through sharing services. The Councils were continuing this savings and transformation theme through the creation of a new single Council from April 2019, with a further £800,000 of savings and efficiencies planned.

The West Suffolk Councils had recognised and taken a proactive investment role, not only to meet the challenges brought by funding for councils, but also importantly to manage growth and ensure prosperity for the local communities. It was therefore imperative that the income received now was maintained and that the strategic investment projects were delivered, particularly as moving into 2018/2019, further reliance was held upon their delivery to secure sustainable budgets in the medium and longer term. Section 1.1.5 and 1.1.6 provided further detail on this within the context of meeting the priorities of the West Suffolk Strategic Framework and the new Overarching West Suffolk Growth Investment Strategy (proposed to be adopted by Council on 20 February 2018).

Section 1.2 of the report provided details of the Council's total formula grant for 2018/2019 (which included Revenue Support Grant (RSG) and Baseline Funding from retained business rates - before growth) which was £2.689m. The reduction in RSG to zero in 2019/2020 had been confirmed. This section also provided an explanation of the Business Rates Retention scheme, including the offer for the Borough Council to participate in the Suffolk Business Rates pilot scheme for 100% business rates retention in 2018/2019. Based on the proposal submitted, the West Suffolk Councils were looking to receive a one-off benefit in 2018/2019 of approximately £2.6m.

Further to the above regarding supporting the delivery of ambitious current and future projects, Section 1.7 of the report provided details of skills and capacity challenges faced by the West Suffolk Councils. Recognition had been given to a requirement to increase capacity, primarily regarding delivery of the Councils' growth agenda, and skills where needed to ensure the recognised income challenges were overcome. A recommendation for the creation of capacity through making appropriate additions to the West Suffolk Councils' staffing establishment in order to support their priorities was therefore considered.

Having acknowledged the issues highlighted above, the Cabinet noted the position summarised in Sections 1.4 to 1.13 of the report for securing a balanced budget for 2018/2019 and over the medium term to 2021/2022, which was based on an assumption of a 0% increase in council tax for 2018/2019. This was in line with the approved business case for the creation of a new single Council for West Suffolk. The level of Band D council tax for 2018/2019 would be set at £182.16; and it was noted that the level of council tax beyond 2019 would be set in accordance with the annual budget process for the relevant financial year.

Given the financial challenges facing the Council, as detailed above and together with the increased cost of inflation and changes required to some budget assumptions including pay inflation, the Cabinet commended staff and Members for showing dedication and commitment in making the Council more

efficient in delivering the necessary savings and generating income whilst continuing to maintain the delivery of excellent services.

RECOMMENDED TO COUNCIL:

That:

- (1) the revenue and capital budget for 2018-2022 contained in Attachment A, and as detailed in Appendices 1-5 of Attachment D, Attachment E and F, as all attached to Report No: CAB/SE/18/011, be approved;**
- (2) having taken into account the conclusions of the Assistant Director (Resources and Performance) report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D, Appendix 5) and all other information contained in Report No: CAB/SE/18/011, Cabinet recommends a 0% increase in council tax for 2018/2019, which is in line with the approved business case for the creation of a single council for West Suffolk. The level of Band D council tax for 2018/2019 therefore be set at £182.16. (Note: the level of council tax beyond 2018/2019 will be set in accordance with the annual budget process for the relevant financial year);**
- (3) the Assistant Director (Resources and Performance), in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2017/2018 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.9.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year;**
- (4) acceptance of the offer for St Edmundsbury Borough Council to participate in the Business Rate Pilot for 2018/2019, as set out in paragraphs 1.2.7-1.2.9 of Report No: CAB/SE/18/011; and**
- (5) approval is given to the Assistant Director (HR, Legal and Democratic Services), in consultation with the relevant service Assistant Director, to determine the establishment and the employment arrangements to deliver the West Suffolk Councils' priorities within agreed budgets and the principles of the MTFS, as set out in paragraphs 1.7.1 to 1.7.7 of Report No: CAB/SE/18/011.**

438. Overarching West Suffolk Growth Investment Strategy, Governance and Delegation

The Cabinet considered Report No: CAB/SE/18/012, which sought approval for a new Overarching West Suffolk Growth Investment Strategy, together with associated governance arrangements and delegation proposals.

The principles for the Overarching Growth Investment Strategy flowed from the Strategic Framework 2018 – 2020, which were scrutinised by the St Edmundsbury Borough Council (SEBC) and Forest Heath District Council (FHDC) Overview and Scrutiny Committees on 8 and 9 November 2017, and further to incorporation of appropriate amendments, the principles were approved by both SEBC and FHDC Cabinets at a joint meeting on 14 November 2017.

Having approved a set of principles by which to develop the Overarching Growth Investment Strategy, this had now been produced and was attached to the report, together with an Executive Summary as Attachment A. The Strategy aimed to support the vision and objectives in the recently adopted West Suffolk Strategic Framework 2018-2020 and set out how the West Suffolk Councils (FHDC and SEBC) would invest to achieve these strategic priorities contained in the Framework.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Cabinet, including that the Strategy included opportunities in four key areas (housing, business, infrastructure and inclusive growth) for investment in Growth across West Suffolk; not all of which the Councils had a role or could deliver. As such, the document would also act as a window to channel and focus energies and activities of external stakeholders and investors.

Members noted that additional investment opportunities would continue to be presented to the Councils from external stakeholders. The development of an assessment framework/guidance would be completed over the coming months to be available for proposals (both internal and externally) to be considered, taking into account various elements required as summarised in paragraphs 1.6 to 1.8 of the report.

The proposed approaches to investing in growth and associated governance arrangements, together with proposed delegation thresholds to authorise applicable funding commitments from the previously approved capital and revenue Growth Investment Fund were provided in the report. The delegations, as set out in the table at paragraph 6.4 had been proposed to allow decisions to be made more quickly and efficiently to enable opportunities to be seized, whilst ensuring decisions remained in accordance with the Strategy, and were subject to safeguards to ensure a democratic process was undertaken so the Council did not take unnecessary risks with public funds. It was noted that the proposed delegation thresholds applied to all investments with the exception of property and land acquisition, which would be guided by the emerging West Suffolk Councils' Asset Management Strategy.

Councillor Pugh commended the Assistant Director (Growth), her team and other officers across the organisation for the significant amount of work that had contributed to the formulation of the Growth Investment Strategy. He considered it symbolised the transformation of local government and epitomised the exemplary forward thinking approach of the West Suffolk Councils towards investment in growth.

The Cabinet supported Councillor Pugh's sentiments and were satisfied that the delegation thresholds were acceptable. Members recognised that in order to promote economic growth that benefitted communities, the West Suffolk Councils needed to consider the investment role they could play to i) shape local places, while also ii) ensuring their own financial self-sufficiency, in order to safeguard the provision of support and services for West Suffolk's communities now and for future generations. Members considered this had been successfully captured in the Strategy.

RECOMMENDED TO COUNCIL:

- (1) The Overarching West Suffolk Growth Investment Strategy, as attached at Appendix A to Report No: CAB/SE/18/012, be approved;**
- (2) subject to the safeguards set out within Report No: CAB/SE/18/012, as detailed in Table 1 at paragraph 6.4, decisions on expenditure made from the previously approved capital and revenue Growth Investment Fund, be agreed as follows:**
 - (a) in accordance with Section 1.3 (b) of the Cabinet Procedure Rules contained within Part 4 of the Constitution which allows the Leader to amend the delegations to individual Cabinet Members, the relevant Portfolio Holder and Leader, in consultation with the statutory officers, be authorised to make decisions of up to £0.5m expenditure;**
 - (b) Cabinet be authorised to make decisions of up to £2m expenditure; and**
 - (c) Council shall make decisions where the expenditure is anticipated to exceed £2m.**
- (3) The Monitoring Officer shall make the necessary amendments to the Cabinet's scheme of delegation in accordance with her existing delegation, and be authorised to make other amendments to the Constitution as a consequence of (2) above.**

439. Decisions Plan: 27 February 2018 to May 2018

The Cabinet considered Report No: CAB/SE/18/013, which was the executive Decisions Plan covering the period 27 February 2017 to 31 May 2018.

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 5.30 pm

Signed by:

Chairman

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Report of the Performance and Audit Scrutiny Committee: 31 January 2018	
Report No:	CAB/SE/18/017	
Report to and date:	Cabinet	27 March 2018
Portfolio holder:	Councillor Ian Houlder Portfolio Holder for Resources and Performance Tel: 07970 729435 Email: ian.houlder@stedsbc.gov.uk	
Chairman of the Committee:	Councillor Sarah Broughton Performance and Audit Scrutiny Committee Tel: 01284 787327 Email: sarah.broughton@stedsbc.gov.uk	
Lead Officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: Christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 31 January 2018, the Performance and Audit Scrutiny Committee held an informal joint meeting with Members of Forest Heath's Performance and Audit Scrutiny Committee, and <u>considered the first three items jointly:</u></p> <ol style="list-style-type: none"> (1) Balanced Scorecards and Quarter Three Performance Report 2017-2018; (2) West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2017; (3) Work Programme Update; (4) Financial Performance Report (Revenue and Capital) Quarter 3 – 2017-2018; 	

	<p>(5) Delivering a Sustainable Medium Term Financial Strategy 2018-2021;</p> <p>(6) Ernst and Young – Certification of Claims and Returns Annual Report 2016-2017;</p> <p>(7) Ernst and Young – External Audit Plan and Fees 2017-2018;</p> <p>(8) Decision Relating to Complaint to Local Government Ombudsman;</p> <p>(9) Treasury Management Report 2017-2018 - Investment Activity 1 April to 31 December 2017; and</p> <p>(10) Annual Treasury Management and Investment Strategy Statements 2018-2019 and Treasury Management Code of Practice.</p> <p>Reports on Items (5), (9) and (10) above were considered by Cabinet on 6 February 2018.</p>
Recommendation:	It is <u>RECOMMENDED</u> that Report No: CAB/SE/18/017, being the report of the Performance and Audit Scrutiny Committee, be noted.
Key Decision:	No, it is not a Key Decision - <input checked="" type="checkbox"/> Report for information only.
Consultation:	<ul style="list-style-type: none"> See reports listed in Section 2 below.
Alternative option(s):	<ul style="list-style-type: none"> See reports listed in Section 2 below.
Implications:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> Please see background papers.
Risk/opportunity assessment:	Please see background papers.
Ward(s) affected:	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 Balanced Scorecards and Quarter 3 Performance Report 2017-2018 (Report No: PAS/SE/18/001)

1.1.1 The Committee received and **noted** Report No: PAS/SE/18/001, which set out the West Suffolk Balanced Scorecards being used to measure the Council's performance for 2017-2018 and an overview of performance against those indicators for the third quarter of 2017-2018. The five balanced scorecards (attached at Appendices A to E to Report No: PAS/SE/18/001) were linked to the Assistant Director's Service areas, which presented Quarter 3 2017-2018 performance.

1.1.2 Most indicators reported performance against an agreed target using a traffic light system with additional commentary provided for performance indicators below optimum performance.

1.1.3 Members considered the report and each appendix in detail and asked questions to which comprehensive responses were provided. In particular discussions were held on:

- Appendix B, (Families and Communities): "*household numbers in bed and breakfast*" and sought clarification on the distinction made between bed and breakfast and temporary accommodation.
- Appendix E (Operations): blue bin recycling and the impact on China not accepting certain types of recyclable material, to which officers provided a comprehensive response.

1.1.4 No issues were required to be brought to the attention of Cabinet.

1.2 West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2017 (Report No: PAS/SE/18/002)

1.2.1 The Committee received and **noted** the third quarterly risk register monitoring report in respect of the West Suffolk Strategic Risk Register. The Register was updated regularly by the Risk Management Group and at its recent meeting in December 2017 the Group reviewed the target risk, the risk level where the Council aimed to be, and agreed a current risk assessment. These assessments formed the revised West Suffolk Strategic Risk Register (Appendix 1 to Report No: PAS/SE/18/002).

1.2.2 Some individual controls or actions had been updated and those that were not ongoing and had been completed by December 2017 had been removed from the register.

1.2.2 There had been no new risks or major amendments made to any existing risks since the Strategic Risk Register was last reported to the Committee. Also no existing risks had been closed since the Register was last reported to the Committee.

1.2.3 Members scrutinised the report and asked questions. In particular discussions were held on "Risk WS8(c) – Failure to deliver housing

agenda". Officers provided an explanation on the national challenges being faced in providing housing in the area.

1.2.4 No issues were required to be brought to the attention of Cabinet.

1.3 **Work Programme Update (Report No: PAS/SE/18/003)**

1.3.1 The Committee received and **noted** its Work Programme which provided items scheduled to be presented to the Committee during 2018-2019, subject to the inclusion of the following reports to its forward work programme:

- 1) Accounting Policies – 31 May 2018; and
- 2) Building Control – Improvement Plan (Follow-Up Report) – November 2018.

1.4 **Financial Performance Report (Revenue and Capital) Quarter 3 – 2017/2018 (Report No: PAS/SE/18/004)**

1.4.1 The Committee received and **noted** the third quarterly monitoring report which informed Members of the forecasted outturn position for 2017-2018.

1.4.2 Attached at Appendices A and B to the report were details of the Council's revenue performance and year end forecasted outturn position. The current forecast position for the year end was expected to be a benefit of £174,000 to the Council's General Fund, which equated to just 0.23% of the Council's gross expenditure. Explanations of the main year end forecast over / (under) spends were set out in the report at paragraph 1.2.3. Appendix C to the report set out the Council's capital financial position for the first nine months of 2017-2018, which showed expenditure of £12,785,000. Finally, a summary of earmarked reserves was attached at Appendix D, along with the forecast year end position for 2017-2018.

1.4.3 The Resources Team would continue to work with Budget Holders to monitor capital spend and project progress closely for the remainder of the financial year and an updated position would be presented to the Committee on a quarterly basis.

1.4.4 Members scrutinised the report in detail, and asked a number of questions to which officers duly responded. In particular discussions were held on Appendix C. In particular clarification was sought on a number of items listed in the capital budget, and questioned whether it was exclusive to assets owned by the council, to which responses were provided.

1.5 **Ernst and Young – Certification of Claims and Returns Annual Report 2016-2017 (Report No: PAS/SE/18/006)**

1.5.1 The Committee received and **noted** a report from the Council's external auditor, Ernst and Young (EY), which updated Members on the outcome of the annual audit of grant claims, as detailed in their Annual

Certification of Claims and Returns Annual Report for 2016/2017
(Appendix A).

1.5.2 Mark Hodgson (Associate Partner) from EY attended the meeting and presented this report, which summarised the results of the certification work which had been undertaken as part of the annual audit of grant claims to government departments and also set out the fee for carrying out this work. He drew relevant details from the report to Members' attention and explained the one claim relating to the Housing Benefits Subsidy Claim. The Public Sector Audit Appointments Limited (PSAA) determined a scale fee each year for the audit of claims and returns. For 2016-2017 the indicative scale fee for the audit of the Housing Benefits subsidy claim was £22,583 and the actual fee would be unchanged from this level. For 2017-2018, the indicative scale fee had been set at £24,722.

1.5.3 EY had made no recommendations to Members as a result of the audit.

1.6 **Ernst and Young – External Audit Plan and Fees 2017-2018 (Report No: PAS/SE/18/007)**

1.6.1 The Committee received and **noted** a further report from EY, which provided the basis to review EY's proposed audit approach and scope for the 2017-2018 audit, along with the planned fees to complete the work, as set out in the Audit Plan attached at Appendix A to the report.

1.6.2 Mark Hodgson from EY presented this report, which summarised EY's assessment of the key risks which drive the development of an effective audit for the Council, and outlined their planned audit strategy in response to those risks. EY aimed to issue its audit opinion to Members by July 2018. He also drew Members' attention to the financial statement risks; the level of materiality set; the value for money conclusion; EY's audit process and strategy; and the planned fee for 2017-2018 (£68,489) set out on page 29 of Appendix A.

1.7 **Decision Relating to Complaint to Local Government Ombudsman (Report No: PAS/SE/18/008)**

1.7.1 The Committee received the above report which set out a complaint which had been referred to the Local Government Ombudsman in relation to the Local Planning Authority failing to notify Mr X about two planning applications and failing to keep Mr X updated on some of the actions it was taking. Members were informed that to date, Mr X had not taken up the offer of the compensation payment.

1.7.2 The Committee asked questions in relation to the complex history of the complaint; and remedies which had been put in place, to which responses were provided.

- 1.7.3 There being no decision required, the Committee **noted** the action taken by the Assistant Director (Planning and Regulatory Services) to remedy the findings of the Local Government Ombudsman (LGO) and the recommended payment of £400.00 in recognition of the uncertainty and outrage caused to him and his family.

2. Background Papers

- 2.1.1 Report No: [PAS/SE/18/001](#) and [Appendix A](#); [Appendix B](#); [Appendix C](#); [Appendix D](#); [Appendix E](#) to the Performance and Audit Scrutiny Committee: Balanced Scorecards and Quarter 3 Performance Report 2017-2018
- 2.1.2 Report No: [PAS/SE/18/002](#) and [Appendix 1](#) to the Performance and Audit Scrutiny Committee: West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2017
- 2.1.3 Report No: [PAS/SE/18/003](#) to the Performance and Audit Scrutiny Committee: Work Programme Update
- 2.1.4 Report No: [PAS/SE/18/004](#) and [Appendix A](#); [Appendix B](#); [Appendix C](#); [Appendix D](#) to the Performance and Audit Scrutiny Committee: Financial Performance Report (Revenue and Capital) Quarter 3 – 2017-2018
- 2.1.5 Report No: [PAS/SE/18/006](#) and [Appendix A](#) to the Performance and Audit Scrutiny Committee: Ernst and Young – Certification of Claims and Returns Annual Report 2016-2017
- 2.1.6 Report No: [PAS/SE/18/007](#) and [Appendix A](#) to the Performance and Audit Scrutiny Committee: Ernst and Young – External Audit Plan and Fees 2017-2018
- 2.1.7 Report No: [PAS/SE/18/008](#) to the Performance and Audit Scrutiny Committee: Decision Relating to Complaint to Local Government Ombudsman

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Report of the Overview and Scrutiny Committee: 7 March 2018	
Report No:	CAB/SE/18/018	
Report to and date:	Cabinet	27 March 2018
Chairman of the Committee:	Councillor Diane Hind Chairman of the Overview and Scrutiny Committee Tel: 01284 706542 Email: diane.hind@stedsbc.gov.uk	
Lead Officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>On 7 March 2018, the Overview and Scrutiny Committee considered the following items:</p> <ul style="list-style-type: none"> (1) Barley Homes Group Limited Annual Report 2018 (2) Lettings Policy (3) Car Parking Update (4) Annual Presentation by the Cabinet Member for Resources and Performance (5) West Suffolk Information Framework – Report from the Joint Task and Finish Group (6) Decisions Plan: March to May 2018; and (7) Work Programme Update. <p>Separate reports are included on this Cabinet agenda for Items (2) and (5) above.</p>	

Recommendation:	The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/SE/18/018, 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 Barley Homes Group Limited Annual Report 2018 (Report No: OAS/SE/18/004)

1.1.1 The Committee received Report No: OAS/SE/18/004, which provided the opportunity for Members to note the Barley Homes' Annual Report 2018 and the Shareholder Advisory Group's view and recommendations, and to provide any additional comments to inform the preparation of Barley Homes' next Business Plan.

1.1.2 Attached at Appendix A was the Annual Report of Barley Homes (Group) Limited, which presented the position from a Barley Homes perspective, and the covering report provided the perspective from both FHDC and SEBC's viewpoint, as joint owners (shareholders) of Barley Homes. The covering report also included information on the current progress made against the agreed Barley Homes Business Plan; key challenges and achievements; and a number of recommendations on the way forward, which the Overview and Scrutiny were asked to consider.

1.1.3 The Committee strongly expressed their concerns regarding the deliverability of the Barley Homes five-year business plan, given one of the four initial development sites has been removed from the business plan, (Wamil Court, Mildenhall), because Suffolk County Council (SCC), a shareholder in Barley Homes took a decision to sell the site on the open market, securing a higher price. Although the property was offered to Barley Homes, the offer they were able to make based on the assessed future development was not acceptable to SCC. It was concerned that if SCC has done this once, what was stopping them from doing it again?

Some Members also felt the cost of the work carried out by Barley Homes (approximately £6,500) in assessing and progressing Wamil Court, Mildenhall should be paid back by SCC from the sale proceeds it achieved on the sale of the land. Officers noted the emotion around the sale of the Mildenhall site, which is understandable, and would progress the principle question of the £6,500 being recouped.

1.1.4 The SCC Assistant Director (Strategic Finance) and Head of Procurement, explained in detail the history behind Wamil Court, Mildenhall, which went back to the original business plan and the Care UK's contract for the renewal of the care home, and the need for SCC to maximise the cash receipt for the site when Care UK returned it back to SCC in 2014. Following concerns raised about the sale of the site by the West Suffolk partners, SCC has taken stock of the situation and is now looking at what it wanted as a partner of Barley Homes and stated that SCC is now more open minded to the bigger picture and not just focusing on maximising profits and land receipt sales. All partners are now looking at the original assumption in the original business plan when Barley Homes was established, as these were considered to be too restrictive, and it has become apparent that further work was required with Barley Homes to establish new assumptions and greater flexibilities.

1.15 The Committee questioned whether the Council would have gone ahead

with the joint venture in the first place with just three sites, and whether Barley Homes would still be able to deliver the homes originally set out in the first business plan, and sought reassurances from SCC that they would not sell their other two sites on the open market, without first giving Barley Homes the opportunity to buy the site first. In responses, the SCC Assistant Director informed the Committee that SCC wanted houses to be built on the two sites it owned, and would offer the sites to Barley Homes in the first instance. However, if the sites were not viable for Barley Homes, SCC would consider selling the sites to another buyer.

- 1.1.6 It was reported that Barley Homes is currently working hard to progress the three remaining sites to ensure they worked and delivered against the timeline set out in Appendix A. Officers reiterated that all council leaders were fully committed and wanted Barley Homes to be a success. It was explained that conditions in the housing market had changed since the original business plan was prepared, and given the desires to maintain schemes that were policy compliant, a revised business plan would be brought forward that still achieved a profitable outcome for the business.
- 1.1.7 Discussions were also held on how Members were kept informed about Barley Homes, the financial figures set out in Appendix 2 of the Annual Report, the appointment of non-executive directors, the Westfield site in Haverhill and parking issues at Castle Hill, Haverhill to which responses were provided.
- 1.1.8 In summing up the meeting, the Chairman of the Committee stated that Members had concerns about Barley Homes and about the delivery of housing going forward and suggested the revised business plan be brought back to the Committee in July/September 2018 to enable Members to further assess progress.
- 1.1.9 The Committee **RESOLVED:** That
- 1) The Annual Report 2018 for Barley Homes (Group) Limited, attached as Appendix A to Report No: OAS/SE/18/04, and the progress made to date be **noted**.
 - 2) The Barley Homes Shareholder Advisory Group's views and recommendations set out in Report No: OAS/SE/18/004, to address the current challenges, be **noted**.
 - 3) The Barley Homes Revised Business Plan be referred back to the Committee in July/September 2018, along with the full year end set of accounts to enable the Committee to assess further progress being made.
- 1.2 **Car Parking Update (Report No: OAS/SE/18/006)**
- 1.2.1 The Committee received and **noted** Report No: OAS/SE/18/006, which provided Members with an update of the car parking service across 2017, off-street parking outcomes and work priorities.

- 1.2.2 The report included information on transactions and usage, issue of fines, car park improvements (credit card enabled pay machines and RingGo cashless payments, electric charging points, Park Mark, Disabled Parking Accreditation and Vinery Road car park), planning for future car parking provision, Civic Parking Enforcement and future work streams.
- 1.2.3 The Committee asked a number of questions to which comprehensive responses were provided. In particular, discussions were held on the drop in transactions made in 2017 compared to 2016 and the reasons behind the drop; what the cost was to the council in using RingGo compared to other parking providers, electric charging points and data usage; discounted weekly tickets sold; the actual budget spend for 2016-2017 and the various areas where surplus funds were spent, to which comprehensive responses were provided.
- 1.3 **Annual Presentation by the Cabinet Member for Resources and Performance (Report No: OAS/SE/18/007)**
- 1.3.1 The Cabinet Member for Resources and Performance, Councillor Ian Houlder was invited back to give an annual update on his portfolio. Report No: OAS/SE/18/007 set out the focus for the annual update.
- 1.3.2 Prior to the meeting taking place, the Cabinet Member was provided with some key questions from Scrutiny Members on what they would like included in the update, and responses were set out the report.
- 1.3.3 The Cabinet Member thanked the Committee for the invitation to address them on progress made within his Portfolio since March 2017.
- 1.3.4 The Committee asked a number of follow-up questions relating to procurement, which included the preferred list of suppliers and how local/small businesses could get onto the councils list of suppliers; what percentage of suppliers were renewed; and whether procurement rules applied when employing consultants, to which comprehensive responses were provided.
- 1.3.5 Other areas discussed was the purpose of the Workforce Strategy 2018-2020. It was confirmed that the Council was increasing its workforce, and continuing to develop its staff through the comprehensive training programme, that would be reflected in the strategy.
- 1.3.6 There being no decision required, the Committee **noted** the annual update.
- 1.4 **Decisions Plan: March to May 2018 (Report No: OAS/SE/18/009)**
- 1.4.1 The Committee received Report No: OAS/SE/18/009, which requested that Members peruse the Cabinet Decisions Plan for the period March 2018 to May 2018, for which it would like further information on or might benefit from the Committee's involvement.
- 1.4.2 The Committee asked questions on the "*Leisure Investment Fund: Consideration of Business Case for Investment in Haverhill Leisure Centre*",

to which a response was provided.

1.4.3 The Committee requested further information on progress with the Western Way Development Programme, including how the expansion of West Suffolk College might impact on education in other parts of St Edmundsbury. It was agreed a written response would be provided.

1.4.4 The Committee also requested whether it would be possible for it to consider the Haverhill Research Park report, prior to it being considered by Cabinet, as it was reported that local Members had not yet been consulted on a proposed way forward. Officers agreed to look into the timetabling of this item through the democratic process.

1.5 **Work Programme Update (Report No: OAS/SE/18/010)**

1.5.1 The Committee received and **noted** Report No: OAS/SE/18/010, which updated Members on the current status of its rolling work programme of items for scrutiny during 2018-2019 (Appendix 1).

1.5.2 The Committee noted that the Portfolio Holder for Families and Communities would be attending its meeting on 18 April 2018, and identified in advance a number of questions they would like the Portfolio Holder to cover in his annual update.

1.5.3 The Committee also noted the additional item for inclusion in its forward work programme on the Barley Homes Revised Business Plan for July/September 2018.

2. **Background Papers**

2.1.1 Report No: [OAS/SE/18/004](#) and [Appendix A](#) to the Overview and Scrutiny Committee: Barley Homes Group Limited Annual Report 2018

2.1.2 Report No: [OAS/SE/18/006](#) to the Overview and Scrutiny Committee: Car Parking Update

2.1.3 Report No: [OAS/SE/18/007](#) to the Overview and Scrutiny Committee: Annual Presentation by the Cabinet Member for Resources and Performance

2.1.4 Report No: [OAS/SE/18/009](#) and [Appendix 1](#) to the Overview and Scrutiny Committee: Decisions Plan: March to May 2018

2.1.5 Report No: [OAS/SE/18/010](#) to the Overview and Scrutiny Committee: Work Programme Update

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Recommendations of the Overview and Scrutiny Committee: 7 March 2018 – West Suffolk Information Framework	
Report No:	CAB/SE/18/019	
Report to and date:	Cabinet	27 March 2018
Portfolio holders:	Councillor Ian Houlder Portfolio Holder Resources and Performance Tel: 07970 729435 Email: ian.houlder@stedsbc.gov.uk	
Chairman of the Committee:	Councillor Diane Hind Chairman of the Overview and Scrutiny Committee Tel: 01284 706542 Email: diane.hind@stedsbc.gov.uk	
Lead Officer:	Rachael Mann Assistant Director (Resources and Performance) Tel: 01284 751245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	On 7 March 2018, the Overview and Scrutiny Committee considered Report No: OAS/SE/18/008 and Appendix A , which asked Members to review the work of the Overview and Scrutiny Joint Task and Finish Groups work on a proposed West Suffolk Information Framework.	
Recommendation:	It is <u>RECOMMENDED</u> that, the draft West Suffolk Information Framework, attached as Appendix A to Report No: OAS/SE/18/008, be approved.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

<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"> • See Report No: OAS/SE/18/008 	
Alternative option(s):		<ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 	
Implications:			
<p>Are there any financial implications? <i>If yes, please give details</i></p>		<p>Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 </p>	
<p>Are there any staffing implications? <i>If yes, please give details</i></p>		<p>Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 </p>	
<p>Are there any ICT implications? <i>If yes, please give details</i></p>		<p>Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 </p>	
<p>Are there any legal and/or policy implications? <i>If yes, please give details</i></p>		<p>Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 </p>	
<p>Are there any equality implications? <i>If yes, please give details</i></p>		<p>Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Report No: OAS/SE/18/008 </p>	
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 Report No: OAS/SE/18/008			
Ward(s) affected:		All	
<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>		<p>West Suffolk Strategic Plan 2018-2020 https://www.westsuffolk.gov.uk/Council/Policies Strategies and Plans/upload/StrategicFramework2018-20.pdf</p> <p>Overview and Scrutiny Committee Report No: OAS/SE/18/008 and Appendix A</p>	
Documents attached:		None	

1. Key issues and reasons for recommendations

1.1 Key Issues

- 1.1.1 The Committee received Report No: OAS/SE/18/008, which sought input into the draft West Suffolk Information Framework (Appendix A) following the work of the Overview and Scrutiny Joint Task and Finish Group. The framework is a first for West Suffolk Councils', and represents a revised approach to data and the way we use it.
- 1.1.2 The Framework provides a high level summary of our current position, and proposes an approach that seeks to maximise our data assets through aligning data across West Suffolk Councils' and its partners to improve the services provided across the Councils.
- 1.1.3 The vision is to use information to its maximum potential in West Suffolk, in order to improve services and create better outcomes for our residents, customers, visitors, businesses, partners and communities.

Our key principles are:

- To understand our Data as an asset – improving our information asset management;
 - To improve the quality and security of our information assets;
 - To use data and intelligence to support decision-making;
 - To digitize our information systems that support service delivery;
 - To support integrated working between partners (providing 'joined up' information around the individual / resident / business);
 - To positively encourage Customer access and transactions – through a digital by design approach (whilst continuing to support our less able residents and service users);
 - To encouraging greater staff and councillor engagement with our information systems (through improved design);
 - To present our information effectively (in a way that supports 'transparency')
- 1.1.4 The aim of the Framework document is to provide councillors, staff, partners and interested members of the public with an overview of the Councils' direction of travel and its intent with regards to data and information, and is not therefore a delivery document. The content is therefore necessarily high-level and focused on principles and approaches, with the detail and business as usual activities being fleshed out in individual plans, strategies and service-specific business plans. It is also acknowledged that we will need to engage with our Parish Councils in some aspects of this work – recognising their importance in the process.
- 1.1.5 It is recognised that this is a significant project with significant benefits, and will take some time to realise – this Framework however is our first step on our journey. Knowing what data we have available across the region (and how reliable this is) will help shape more detailed next steps, and determine next decisions. This is therefore the start of a journey, with much more detail to come following a data audit and data mapping exercise. This, alongside key pilot projects will then allow us to identify priority areas that can deliver

real outcomes for next stage data sharing projects to focus on. This in turn will help (on a case by case basis) to identify any additional budget needed to achieve outcomes, with individual business cases to be reviewed by the ICT Programme Board).

- 1.1.6 The Committee noted that the document will be proof-read, formatted and designed, including the addition of photographs (where applicable), in advance of final publication.
- 1.1.7 The Committee considered the draft West Suffolk Information Framework document and questioned whether it will be compliant with regards to the General Data Protection Regulations, to which a response was provided.
- 1.1.8 The Overview and Scrutiny Committee has put forward a recommendation as set out on page one of this report.

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Recommendations of the Overview and Scrutiny Committee: 7 March 2018 – Lettings Policy	
Report No:	CAB/SE/18/020	
Report to and date:	Cabinet	27 March 2018
Portfolio holders:	Councillor Sara Mildmay-White Portfolio Holder for Housing Tel: 01359 270580 Email: sara.mildmay-white@stedsbc.gov.uk	
Chairman of the Committee:	Councillor Diane Hind Chairman of the Overview and Scrutiny Committee Tel: 01284 706542 Email: diane.hind@stedsbc.gov.uk	
Lead Officer:	Davina Howes Assistant Director (Families and Communities) Tel: 01284 757070 Email: Davina.howes@westsuffolk.gov.uk	
Purpose of report:	On 7 March 2018, the Overview and Scrutiny Committee considered Report No: OAS/SE/18/005 and Appendix 1 , which set out proposed revisions to the Lettings Policy. These revisions were required as a result of recent case law and to ensure that the Lettings Policy is compliant with the requirements of the Homelessness Reduction Act 2017 which comes into force on 3 April 2018.	
Recommendation:	It is <u>RECOMMENDED</u> that the revised Lettings Policy, attached at Appendix 1 to Report No: OAS/SE/18/005, be approved.	

Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<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>			
Consultation:		• See Report No: OAS/SE/18/005	
Alternative option(s):		• See Report No: OAS/SE/18/005	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/SE/18/005	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/SE/18/005	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/SE/18/005	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/SE/18/005	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/SE/18/005	
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 Report No: OAS/SE/18/005			
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Overview and Scrutiny Committee Report No: OAS/SE/18/005 and Appendix 1	
Documents attached:		None	

1. Key issues and reasons for recommendations

1.1 Key Issues

- 1.1.1 The Committee received Report No: OAS/SE/18/005, which set out proposed revisions to the Lettings Policy. Revisions were required as a result of recent case law and to ensure that the Lettings Policy was compliant with the requirements of the Homelessness Reduction Act 2017 which comes into force on 3 April 2018.
- 1.1.2 Attached at Appendix 1 to the report was the revised Lettings Policy, which included the proposed changes, and these were also summarised in paragraph 1.1.8 of the covering report, as follows:

Lettings Policy section	Summary of change
1.5 – equal opportunities and diversity	Section updated to refer to Equality Act 2010.
3.4.1 d local connection	Connection to the local area Change of relevant legislation sections applicable.
3.4.1 k special circumstances	This relates to proposed changes to allow applicants in one of the reasonable preference groups, but with none of the local connection reasons listed, to be considered.
4.6 b Current Supported Housing Resident	Proposed change to remove the requirement to demonstrate that an applicant needs to demonstrate that their housing need is for social housing.
4.6 g Homeless Households	Change of relevant legislation sections applicable.
4.7 – Band b – high medical needs	Included a new category for those who are owed a prevention or relief duty. These new duties have been introduced under the Homelessness Reduction Act.
4.7 f Band B Homeless Prevention	Changes to current wording to give preference whilst we look to prevent or relieve homelessness. This will apply to those applicants actively working with us for a period of 56 days.
4.8 – Band c – medium needs	In section D, new criteria introduced to reflect the new prevention and relief duties.

Lettings Policy section	Summary of change
4.8 Other homelessness	<p>Changes to existing wording:</p> <p>d) Other homelessness. Applicants who are homeless or threatened with homelessness and are:</p> <p>a) Intentionally homeless. b) Homeless or threatened with homelessness but not in priority need. c) Owed a main homelessness duty by a local authority that is not a partnership organisation in the sub-region.</p>
5.2	<p>Removing paragraph: Where a person is threatened with homelessness within a period of more than 28 days, the Council will work with the applicant to try and prevent their homelessness. Those persons, who appear likely to have a priority need in the event of a homelessness application being made, will be placed in Band B whilst the prevention measures are being pursued.</p>
5.10 – Direct Lets	<p>Additional reason added in order to have the option to make a direct let offer to an applicant owed the “relief” duty.</p>
8.2 – Data protection	<p>Remove this if no changes are made.</p>

- 1.1.3 A four week consultation has been carried out with registered providers operating across the sub-region.
- 1.1.4 The Committee considered the revised Lettings Policy and asked a number of questions to which officers provided responses.
- 1.1.5 The Overview and Scrutiny Committee has put forward a recommendation as set out on page one of this report.

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Tackling Rogue Landlords: Civil Sanctions Policy	
Report No:	CAB/SE/18/021	
Report to and date:	Cabinet	27 March 2018
Portfolio holder:	Sara Mildmay-White Portfolio Holder for Housing Tel: 01359 270580 Email: sara.mildmay-white@stedsbc.gov.uk	
Lead officer:	Andrew Newman Service Manager (Housing Standards) Tel: 01638 719276 Email: andrew.newman@westsuffolk.gov.uk	
Purpose of report:	To seek endorsement of the Civil Sanctions Policy to enable the West Suffolk councils (Forest Heath District and St Edmundsbury Borough) to make use of the new powers to tackle the small number of rogue landlords in West Suffolk and improve the wellbeing of tenants. The report: <ul style="list-style-type: none"> • Summarises the results of the consultation • Provides the draft policy which is requested to be adopted, together with requesting the necessary delegations be recommended for approval by full Council. 	
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <p>(1) The Housing Standards – Civil Sanctions Policy contained in Appendix A to Report No: CAB/SE/18/021, which describes the new measures and sanctions which will support existing enforcement work and pro-active inspection programmes, be adopted;</p> <p>(2) Subject to the approval of full Council, new delegations regarding the enforcement powers be incorporated into the Scheme of Delegation, contained in Part 3 of the Constitution, to enable these sanctions to be enforced.</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>	
<p>Consultation:</p>	<ul style="list-style-type: none"> • See section 5 below
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • The West Suffolk councils could choose not to recommend for approval but would not then be able to make use of the new legislation and sanctions. The approval of a policy is favourable in that it enables the small number of rogue landlords to be tackled and the interests of tenants and compliant landlords to be protected.
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Income received from a civil penalty is retained by the Council and can only be used toward the statutory functions in relation to the enforcement of standards in the private rented sector. Any income generated is unpredictable based on the nature of enforcement action. The number of fines issued per annum is likely to be low but will target the worst offenders.</p>
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>It is envisaged that the policy implementation can be funded through existing budgets. When the policy is approved and implemented, the investigation and enforcement will be carried out by staff in the existing establishment.</p>
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Section 126 of The Housing and Planning Act 2016 allows financial Penalties to be imposed as an alternative to prosecution for certain offences as set in Schedule 9 of the Act. A policy is required to enable the Council to implement the provisions in the legislation, along with the necessary delegation under the constitution.</p>

<p>Are there any equality implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>There are no issues arising from the Government's EQIA. A screening EQIA has been completed (Appendix B) which has identified potential positive impacts on those with protected equality characteristics arising from this proposal.</p>	
<p>Risk/opportunity assessment:</p>		<p><i>(potential hazards or opportunities affecting corporate, service or project objectives)</i></p>	
<p>Risk area</p>	<p>Inherent level of risk (before controls)</p>	<p>Controls</p>	<p>Residual risk (after controls)</p>
<p>There are no major risks. Failure to agree the civil penalties and have an appropriate policy in place means the Council will be unable to issue civil penalties.</p>			
<p>Ward(s) affected:</p>		<p>All Ward/s</p>	
<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>		<p>Cabinet Report No: CAB/SE/18/001 9 January 2018 Report considered prior to engagement.</p>	
<p>Documents attached:</p>		<p>Appendix A-The draft Civil Sanctions Policy Appendix B – EQIA screening</p>	

1. Introduction and purpose

- 1.1 This report requests that Cabinet approves the policy to allow the use of new enforcement options, available under the Housing and Planning Act 2016, to help us tackle rogue Landlords in the private rented sector.

2. Background

- 2.1 The Public Health and Housing team work under a wide range of legislation to prevent harm to health, improve quality of life and increase the number of suitable homes in West Suffolk. The existing legal provisions allow the team to take a graduated approach to enforcement from informal action to formal action, including enforcement notices and licencing for Houses of Multiple Occupation (HMOs).
- 2.2 Alongside the HMO licencing regime for the higher risk HMOs, we currently have risk based inspection programmes for the smaller HMOs, and flats above shops to ensure this accommodation is safe. A variety of private sector housing areas are covered including:
- Housing Standards
 - Houses in Multiple Occupation-Risk based inspections
 - Houses in Multiple Occupation-Licensing
 - Breaches of landlord obligations
 - Empty Homes
 - Public Health
 - Caravan Sites
 - Nuisance
 - Anti-social Behaviour (ASB)
- 2.3 We are currently protecting tenants from being exposed to risk through unsafe housing conditions with inspections, advice and enforcement, where landlords do not cooperate, to ensure that housing meets the required standards. We use a performance measure for bringing properties up to standard. If necessary and in accordance with our existing enforcement policy, we will prosecute landlords that fail to comply with formal enforcement actions such as improvement notices and licencing breaches.
- 2.4 Identifying private rented landlords will be enhanced with the new extended licencing of smaller HMOs, an extension of the existing mandatory requirement. These HMOs will be entered into our existing programme of inspections. Single occupied properties will be identified with access to tenant deposit scheme records. Proactive actions also include flats above businesses which the service is currently undertaking.
- 2.5 Much of the work we do is to support vulnerable people, where we work closely with partner services and organisations around the needs of the individual and their home, and to protect the wider community.
- 2.6 A staged approach is taken to enforcement wherever possible to ensure solutions are initially sought through advice, co-operation and agreement. Tenants have an important role to play at the outset in terms of knowing their rights and engaging positively with their landlords. However, where this is not

successful there will be cases where formal action is necessary and this may ultimately lead to prosecution or other summary action. Public Health and Housing are committed to a tiered and proportionate approach to enforcement, consistent with our enforcement policies (these policies are due to be reviewed to create a single overarching enforcement policy).

- 2.7 West Suffolk have mainly excellent landlords who provide decent, well maintained homes and we are keen to work with and support them. There are, however, a small number of rogue and irresponsible landlords who knowingly rent out accommodation that is unlicensed, substandard and/or unsafe and for whom the current sanctions are not a sufficient deterrent.

3. Reason for new legislation

- 3.1 One of the provisions of new legislation, the Housing and Planning Act 2016, is to help regulate the worst unsafe properties and landlords in the private rented sector.
- 3.2 The new legislation provides a streamlined alternative to prosecution, albeit with same level of evidence and an appeals process in place, which is designed to deal with cash for rent landlords working outside of the law. There are only a small minority of these landlords operating in West Suffolk.
- 3.3 The Act provides Local Housing Authorities with the option of civil penalty fines, rent repayment orders and banning orders for non-compliance with certain Housing Act 2004 offences. This is an alternative to taking a prosecution for the very worst landlords.

4. Policy implications

- 4.1 A new policy is required by the legislation for us to make use of the new enforcement sanctions.
- 4.2 It will detail how we wish to continue our existing work and preventative approach to improve housing standards in the sector, working with compliant landlords and enforcing against the very worst landlords.
- 4.3 A fine structure is included, with a level of fines expected to be set on a graduated basis depending on the severity of non-compliance with the offences.
- 4.4 Any income from fines will be used to continue meeting our wider strategic housing priorities.

5. Consultation

- 5.1 There was no specific requirement to consult on the proposals. The overarching policy guidance from Government has been based on an extensive consultation exercise with National Landlords Associations.
- 5.2 However, it was beneficial to engage on the proposals to be covered by the new policy locally with landlords, tenants and interest groups including neighbouring councils and the Landlords Association. This is consistent with our desire to work closely with landlords and other stakeholders to achieve an effective and

proportionate approach. The consultation was designed to inform the wider public of the work of the team and the proposed implementation of new powers.

5.3 Consultation and engagement has taken place which included a workshop session for key stakeholders, contributing to other housing events taking place during the consultation period, and an online survey on the councils' website. Key stakeholders were contacted directly and signposted to the survey which will also be open to the public. The responses have been considered in terms of the draft policy and may inform the future service.

5.4 Responses received from the consultation found:

- 90% of respondents agreed with the proposed matrix of penalties for deciding the level of fine with no other considerations. There were some suggestions for increasing the level of fines which included landlords that have failed to pay taxes, and landlords of unregistered properties.
- Respondents would like to be better informed of enforcement action taken by the Council.
- Respondents would like a mechanism for reporting rogue landlords in the district/borough.
- Some suggestions were made but implementation of these ideas are beyond the scope of the Council so these have not been included.

6. Status and development of the policy

6.1 The Council is asked to adopt the policy, with enforcement procedures/sanctions from April 2018 following approval sought for the new delegations by full Council. This has enabled us to develop our approach with partners and ensure effective working practices. In the interim, existing powers and practices will continue to be used to regulate serious conditions and non-compliance in the sector.

6.2 The development of the policy was regarded as an opportunity to engage positively with landlords and other stakeholders to build on the good work being undertaken by the vast majority of landlords to comply with housing standards and rent properties out that are safe and hazard free.

6.3 The focus of policy development is on tackling and dealing with the very worst landlords, and deterring any bad landlords from starting to operate in the area, whilst working with those that wish to grow the sector in terms of much needed better quality housing.

7. Summary

7.1 The new powers contained within the policy will provide a useful set of enforcement tools to supplement the current regulatory work of the service to protect tenants from living in unsafe conditions, and potentially vulnerable people being exploited.

7.2 It will support other legislation being brought in to protect residents and regulate the private rented sector.

- 7.3 The development, with stakeholders, and consultation of the policy has provided an opportunity to promote the service we offer and the most effective way to enforce this new legislation. We were able to promote our preventative and reactive regulatory agendas, and better landlords saw that we want to work with them, not only to achieve compliance, but to deliver a sector that provides adequate supply of decent homes.

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Housing Standards Civil Sanctions Policy

April 2018

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Rent Repayment Orders and Civil Penalties Policy under the Housing and Planning Act 2016

Introduction

The Public Health and Housing team work under a wide range of legislation to prevent harm to health, improve quality of life and increase the number of suitable homes in West Suffolk. The existing legal provisions allow us to take a graduated approach to enforcement from informal action to formal action, including enforcement notices and licencing for Houses in Multiple Occupation (HMOs).

We are currently protecting tenants from being exposed to risk through unsafe housing conditions with inspections, advice and enforcement in instances when landlords do not cooperate and ensure that housing meets the required standards. One of our objectives is in bringing properties up to standard. When necessary we will prosecute landlords that fail to comply with enforcement actions such as improvement notices and licencing breaches.

Alongside the HMO licencing regime for the higher risk HMOs, we currently have risk based inspection programmes for the smaller HMOs, and flats above shops to ensure this accommodation is safe.

We cover a variety of private sector housing areas including:

- Housing Standards
- Houses in Multiple Occupation-Risk based inspections
- Houses in Multiple Occupation-Licensing
- Breaches of landlord obligations
- Empty Homes
- Public Health
- Caravan Sites
- Nuisance
- Anti-social Behaviour (ASB)
-

Much of the work we do is to support vulnerable people, where we work closely with partner services and organisations around the needs of the individual and their home, and to protect the wider community.

We make a fundamental contribution to the West Suffolk Council's priorities, which are:

- Homes for our communities
- Resilient families and communities that are healthy and active
- Increased opportunities of economic growth.
- In particular, as part of the West Suffolk Housing Strategy, we improve standards and safety in housing thereby increasing the numbers of suitable homes.
- Where appropriate we will take enforcement action to achieve compliance with a statutory requirement.

A staged approach is taken to enforcement wherever possible to ensure solutions are initially sought through advice, co-operation and agreement. However, where this is not successful there will be cases where formal action is necessary and this may ultimately lead to prosecution or other summary action.

Prosecution incurs a real cost to the council. Fines are usually small and these are not allocated to the local authority.

The Housing and Planning Act 2016 provides Local Housing Authorities an alternative enforcement option for non-compliance with certain Housing Act 2004 offences rather than taking a prosecution in Court. Although the burden of evidence will be the same for a civil penalty as it is for a prosecution, prosecutions can be both time consuming and expensive. The provisions do not replace the option for prosecution, and it is expected that a prosecution would still be taken in the most serious of cases or for repeat offenders.

The new penalty charges offer us a cost efficient alternative to prosecutions where this is appropriate. Any funding **received from fines** (this is paid to the Council not central government) is used to support housing **enforcement part of our public protection work**.

The Council will maintain a tiered approach to enforcement in line with our enforcement policy. Most landlords are responsible and maintain homes to legal standard and/or respond positively to advice when necessary. Therefore the number of fines issued per annum is likely to be low but will target the worst offending.

The purpose of this policy is to set out the framework within which decisions will normally be made with regard to issuing Civil Penalties and to applying for a Rent Repayment Order in relevant cases. This policy may be departed from where the circumstances so justify. Each case will be dealt with on its own merits, having regard to its particular circumstances. This policy is supplementary to the Council's overarching Enforcement Policy.

1. Civil Penalties

1.1. Evidence

Where evidence is obtained that an offence has been committed which falls within the powers to issue financial penalty notices (i.e. civil penalty notices) within the Housing and Planning Act 2016, Council officers will consider whether this is an appropriate alternative to prosecution through the Courts.

1.2. Offences

The following offences under the Housing Act 2004 can be considered for civil penalty:

Failure to comply with an Improvement Notice (section 30)

Offences in relation to licensing of Houses in Multiple Occupation (section 72)

Offences in relation to licensing of houses under Part 3 of the Housing Act 2004 (section 95)

Offences of contravention of an overcrowding notice (section 139)

Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234).

1.3. Maximum fine

The maximum fine that can be currently issued through a civil penalty is £30,000. This is for each offence or non-compliance. The Authority must have regard to any guidance issued by the Secretary of State (see the Government document 'Civil penalties under the Housing and Planning Act 2016 – Guidance for Local Housing Authorities' Civil Penalties Guidance)

1.4. Appeal

An appeal against the issue of a civil penalty is heard by the First-tier Tribunal. Civil penalties will therefore be pursued only where sufficient evidence is obtained to demonstrate to the Tribunal 'beyond reasonable doubt' that a relevant offence has been committed. Officers shall have regard to the Crown Prosecution Service Code for Crown Prosecutors in order to establish whether there is likely to be sufficient evidence to secure a conviction and therefore to establish the necessary burden of proof to the Tribunal.

1.5. Powers and duties

Council officers are granted powers and duties to deliver proportionate and targeted enforcement. It is vital that regulatory resource is used consistently and to best effect by ensuring that resources are targeted on addressing the highest risks. Therefore, the power to issue civil penalty will be pursued where it is considered the most appropriate course of action.

1.6. Prosecution

Where the offence is of the highest severity, or where the landlord has previous convictions or a poor track record of compliance, prosecution may be considered the most suitable course of action to enable a Court to examine the circumstances and make the most appropriate decision. Civil penalties should normally be pursued for all clear breaches of the relevant legislation, provided that the conditions below exist. See Appendix

Appendix 1

2. Banning Orders

The use of banning orders is designed to prevent rogue landlords and/or property agents from letting property for a fixed period of time, from holding an HMO licence or from making a prohibited disposal of property.

The Banning order must be made for a minimum of 12 months. A Banning Order can be made by a first Tier Tribunal if a person is convicted of a Banning Order Offence which will be specified in Regulations

2.1. Breach of a banning order

Breach of a banning order is an offence, a person being guilty on summary conviction may face a fine and/or imprisonment for a period of up to 51 weeks. The Authority will have a Statutory Duty to enter data on a National Database of Rogue Landlords.

3. Rent Repayment Orders (RRO's)

A Rent Repayment Order is defined in section 40(2) of the Housing and Planning Act 2016 as an order requiring the landlord under a tenancy of housing to –

- repay an amount of rent paid by a tenant, or
- Pay a local housing authority an amount in respect of a relevant award of universal credit paid (to any person) in respect of rent under the tenancy.

NB. The reference to universal credit or a relevant award of universal credit includes housing benefit under Part 7 of the Social Security Contributions and Benefits Act 1992 pending its abolition. The Council as the local housing authority has a duty under section 48 of the Housing and Planning Act 2016 to consider applying to the First-tier Tribunal ('the Tribunal') for a Rent Repayment Order in cases where an offence from the list below has been committed.

3.1. Offences for which a Rent Repayment Order (RRO) can be obtained:-

- Failure to comply with an Improvement Notice, contrary to section 30(1) of the Housing Act 2004 (served under the Housing Act 2004)
- Failure to comply with a Prohibition Order etc., contrary to section 32(1) of the Housing Act 2004 (served under the Housing Act 2004)
- Being a person having control of or managing a house in multiple occupation (HMO) which is required to be licensed under Part 2 of the Housing Act 2004 but which is not so licensed, contrary to section 72(1) of the Housing Act 2004
- Being a person having control of or managing a house which is required to be licensed under Part 3 of the Housing Act 2004 but is not so licensed, contrary to section 95(1) of the Housing Act 2004
- Using violence to secure entry to a property, contrary to Section 6(1) of the Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property, contrary to section 1(2), (3) or (3A) of the Protection from Eviction Act 1977
- Breach of a banning order made under section 21 of the Housing and Planning Act 2016 (not yet in force but scheduled to be 1 October 2017)

The offences under the Housing Act 2004 must relate to hazards within occupied premises and not common parts only. The offence must have been committed on or after 6th April 2017. A RRO can be applied for whether or not the landlord has been convicted.

3.2. Evidence of commission

Where there has been a conviction, a certificate of conviction will suffice to establish commission of the specified offence. In the absence of a conviction, the Tribunal will need to be satisfied beyond reasonable doubt that the landlord committed the specified offence. Officers shall have regard to the Crown Prosecution Service Code for Crown Prosecutors in order to establish whether there is likely to be sufficient evidence to secure a conviction and therefore to establish the necessary burden of proof to the Tribunal.

3.3. Statutory Guidance

In deciding whether to apply for a RRO, the Council must under section 41(4) of that Act have regard to any guidance issued by the Secretary of State (see the Government document 'Rent Repayment orders under the Housing and Planning Act 2016 – Guidance for Local Housing Authorities' - Rent Repayment Orders Guidance).

3.4. Assistance

Council officers may offer advice to tenants who are eligible to claim a RRO in respect of rent paid themselves but in such cases, the tenant will usually be referred direct to Citizens Advice Bureau or other appropriate bodies for further support.

3.5. Considerations for decision as to whether to apply for a RRO

Council officers are granted powers and duties to deliver proportionate and targeted enforcement. It is vital that regulatory resource is used consistently and to best effect by ensuring that resources are targeted on addressing the highest risks.

The objective of an application for a Rent Repayment Order is not only to issue a sanction as a consequence of non-compliance with the law, but also to deter the offender and others in a similar position from repeat offences.

If a conviction for an offence has been obtained then it is normally expected that a Rent Repayment Order will be pursued where the Council have paid housing benefit, or the housing element of Universal Credit. The Tribunal must, in these cases, order that the maximum amount (12 months) of rent be repaid in these circumstances. For details of whether to pursue a RRO and the amount of rent to reclaim see 3.6 below

3.6. Appendix

Appendix 1 Civil Penalties

1.1. Factors to be considered when deciding whether to pursue a civil penalty

.	Factor
1.	Does the seriousness of the offence suggest that a prosecution is appropriate? Is there a suggestion that a banning order may be appropriate? Does the landlord have a history of previous convictions?
2.	Is there sufficient evidence to prove 'beyond reasonable doubt' that a relevant offence has been committed? Is the evidence reliable? Is there no credible defence?
3.	Is it in the public interest to proceed to apply for a civil penalty? (consider the level of harm that has been caused)
4.	Is pursuing a civil penalty proportionate to the offence?

Where two or more civil penalties are issued, the details of the landlord shall be submitted to be included on the database of rogue landlords. Officers shall consider the Ministry Of Housing, Communities and Local Government guidance document in determining the level of fine. The matrix below gives an indication of the level of fine which should be imposed.

The guidance makes it clear that a civil penalty should not be a lesser alternative to prosecution and that the fine should ensure a real economic impact on the offender for not complying with their responsibilities.

1.2. Decision on level of fine for Civil Penalties

The three steps below shall be used to determine the level of fine to issue.

Step One

A decision shall be made, by first considering the culpability factors below.

Serious breach of legislation	<u>Very High</u>
History of failing to comply with legislation	<u>High</u>
An act or omission that a reasonable person would not commit	Medium
Effort was made to comply but was insufficient	Medium
Minor failings due to an isolated incident	Low

The harm factors should then be considered and given a category below. Consideration to be given to the likelihood of actual harm occurring due to the breach, and the severity of that harm.

Serious adverse effect on individual or high risk of adverse effect. Includes vulnerable people	Cat 1
Adverse effect, lesser than above. Medium risk of adverse effect, or low risk but of serious effect. Tenant seriously misled	Cat 2
Low risk of an adverse effect.	Low cat 2

Step Two

The Standard Scale (Criminal Justice Act 1982) has been used as reference and converted below to provide a point scale within the range of the civil penalty.

1. £1-£500
2. £501 - £1000
3. £ 1001-£2500
4. £2501 - £7000
5. £7001 - 17000
6. £17001-£30000

The table below indicates the level at which the fine should be imposed by considering culpability and harm

Culpability	Harm Cat 1	Harm Cat 2	Harm Low cat 2
Very high	6	5	4
High	5	4	3
Medium	4	3	2
Low	3	2	1

The following factors shall be considered, along with any other relevant information, which may be used to justify an upward or downward adjustment.

Factors increasing seriousness

Statutory aggravating factors

- Previous convictions, having regard to a) the nature of the offences to which the conviction relates and its relevance to the current offence; and b) the time that has been elapsed since the conviction
- Offence committed whilst on bail

Other aggravating factors include (this is not an exhaustive list):

- Motivated by financial gain
- Deliberate concealment of illegal nature of activity
- Established evidence of wider/community impact
- Obstruction of justice
- Record of providing substandard accommodation
- Refusal of free advice

Factors reducing seriousness or reflecting personal mitigation (this is not an exhaustive list):

- No previous convictions or no relevant/recent convictions
- Steps voluntarily taken to remedy problem
- High level of co-operation with the investigation, beyond that which will always be expected
- Good record of maintaining property/member of Accreditation scheme
- Self-reporting, co-operation and acceptance of responsibility - Good character

Obtaining financial information

- The Council shall submit a request to the offender, to provide any financial information that they feel shall influence their ability to pay a high fine. This will be taken into consideration if it appears reliable. If no information is provided then the Council will consider any information known to them regarding the offender, consider this when making a decision regarding the level of fine.

Step Three

Review the penalty. Ensure that it meets, in a fair and proportionate way, the objectives of punishment, deterrence and the removal of gain derived through the commission of the offence; it should not be cheaper to offend than to take the appropriate precautions.

Step Four

Legal Services to review the case as a whole before, where appropriate, any notice of intent is issued and any final notice relating to a civil penalty is given by, or on behalf of, the authorised officer.

Step Five

Ensure a written record of delegated decision is made.

Step Six

Where a civil penalty remains outstanding, consider what enforcement action is appropriate, having regard to the Council's Enforcement Policy.

Appendix 2 Rent repayment Orders

The questions shall be considered in the matrix below. These should be followed to help determine whether to pursue a RRO and the amount of rent to reclaim:

	Factor	Yes or No
1.	Has the offender been prosecuted and convicted of a relevant offence in Court?	If yes, make an RRO application. If no go to step 2.
2.	Has evidence been obtained from ARP/Benefits to confirm that Housing Benefit has been paid by ARP over the 12 months?	If no – no case for RRO. If yes, proceed to step 3.
3.	Is there sufficient evidence to prove 'beyond reasonable doubt' that a relevant offence has been committed? Is the evidence reliable? Is there no credible defense?	If no – case closed, do not pursue. If yes, proceed to step 4.
4.	Is it in the public interest to proceed to apply for an RRO? (consider the level of harm that has been caused)	If no – case closed, do not pursue. If yes, proceed to step5.
5.	Is pursuing an RRO proportionate to the offence?	If no – case closed, do not pursue. If yes, proceed to step 6.
6.	Does the offender have any previous convictions?	If yes – proceed to RRO. If no, proceed to step 7.
7.	Where no previous offence – is the issuing of a RRO likely to deter from future offences?	If yes – proceed to RRO. If no, consider closing and not pursuing.
8.	<u>RRO</u> Would the issuing of a RRO cause substantial hardship to the offender, and are there mitigating circumstances to suggest the LA should not proceed?	If Yes, complete notes to justify reason not to pursue. If no, proceed to RRO application
9.	Are there any other factors that would indicate the Council should not proceed with the issuing of the RRO	If Yes, complete notes to justify reason not to pursue. If no, proceed to RRO application

If the conclusion is yes to pursue RRO, then the amount to be reclaimed should be determined by considering the factors in the table below.

If the offender has already been convicted of the offence, then the amount shall automatically be determined as 12 months rental income.

If no conviction has been obtained, but the decision has been made to pursue RRO, the factors in the table below should be considered to determine a sum.

The amount of rent to be repaid cannot exceed the amount actually collected. Where the tenant is in receipt of Universal Credit, the formula provided in the Ministry of Housing, Communities and Local Government guidance in relation to RRO's shall be followed.

3.1. Factors to influence amount of RRO

1.	Punishment of the offender – the RRO should have a real economic impact on the offender and demonstrate consequences of non-compliance with their responsibilities. Consider the conduct of landlord and tenant, financial circumstances of landlord and whether landlord has previous convictions
2.	Deter the offender from repeating the offence – level of RRO must be high enough to deter offender from repeating
3.	Dissuade others from committing similar offences – RRO will be in the public domain. Robust and proportionate use is likely to help others comply with their responsibilities.
4.	Remove any financial benefits that the offender may have obtained as a result of the offence – landlord should be losing the benefits that he has accrued whilst not complying with their responsibilities
5.	Are there any other factors the Council considers should be taken into account?

Consideration of the above points will determine whether the full amount of rent should be reclaimed or whether there are mitigating circumstances, this will depend on the severity of the offence and whether this justifies 12 months of non-payment of rent.

If there are mitigating circumstances, then a deduction should be applied from the full 12 months. The amount payable under a RRO is recoverable as a debt.

Equality Screening Form

Question	Response
Q1) Name of the strategy, policy, programme or project being assessed.	Tackling Rogue Landlords: Civil Sanctions Policy
Q2) In no more than five lines and using Plain English, summarise the purpose of the policy or proposal, and its desired outcomes.	The Civil Sanctions Policy is designed to ensure transparency, consistency and fairness in how and when civil penalties are imposed. It will play a significant role in helping the Council to create a level playing field for all landlords by dealing robustly with criminal, rogue and irresponsible landlords.
Q3) Who should benefit from the proposal and in what way?	The proposal will benefit tenants by providing making further sanctions available to enable local authorities to tackle rogue landlords.
Q4 Is there any evidence or reason to believe that in relation to this proposal, there may be a difference in: <ul style="list-style-type: none"> • Levels of participation • Uptake by different groups • Needs or experiences of different groups • Priorities • Other areas? 	There are currently no datasets that provide full coverage of the characteristics of landlords and tenants in West Suffolk. However the Department for Communities and Local Government has carried out an impact assessment on these new powers.
Q5) Using the evidence listed above, fill in the table below to highlight the groups you think this policy or proposal has the potential to impact upon: <p>(i) Is there any potential for negative impact? Yes or No</p> <p>(ii) Are there opportunities for positive impact or to promote equality of opportunity?</p>	The policy has the potential to impact on positively on tenants that are experiencing the negative consequences of rogue landlords and are often in a vulnerable situation.
Q6) Considering your answers to questions 1-5, do you believe a Full Equality Impact Assessment is needed?	No
Q7) Considering our duty to proactively tackle disadvantage and promote equality of opportunity, list the actions required.	

Impacts Table				
	Is there potential for negative impact? YES or NO	Are there opportunities for positive impact? YES or NO	If YES, please provide details of the impact below	
			Positive Impact	Negative Impact
All groups or society generally	No	Yes	Benefit to tenants	
Age - Older or younger people	No	Yes	Benefit to tenants	
Disability - People with a disability	No	Yes	Benefit to tenants	
Sex - Women or men	No	Yes	Benefit to tenants	
Pregnancy or maternity - including expectant or new parents i.e. pregnancy and maternity	No	Yes	Benefit to tenants	
Marriage and civil partnership – including same sex couples	No	Yes	Benefit to tenants	
Race - People who are black or from a minority ethnic background (BME)	No	Yes	Benefit to tenants	
Religion - People with a religion or belief (or who choose not to have a religion or belief)	No	Yes	Benefit to tenants	
Sexual Orientation - People who are lesbian, gay or bisexual (LGB) or in a Civil Partnership	No	Yes	Benefit to tenants	
Gender Reassignment - People who are transitioning from one gender to another	No	Yes	Benefit to tenants	
<i>Families and those with parenting or caring responsibilities (The Families Test)</i>	No	Yes	Benefit to tenants	
<i>Individuals on low income</i>	No	Yes	Benefit to tenants	
<i>Those suffering rural isolation</i>	No	Yes	Benefit to tenants	
<i>Those who do not have English as a first language</i>	No	Yes	Benefit to tenants	

Action Plan				
Equality group/ characteristic	Action/milestone	Responsibility (Project manager or partner organisation)	Achievement date	Monitoring arrangements

This Screening Level EqIA was completed by:

Name: Belinda Bryan

Job Title: Policy Business Partner

Date: 21/11/2017

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Workforce Strategy 2018-2020	
Report No:	CAB/SE/18/022	
Report to and date:	Cabinet	27 March 2018
Portfolio holder:	Councillor Ian Houlder Portfolio Holder for Resources and Performance Tel: 07970 729435 Email: ian.houlder@stedsbc.gov.uk	
Lead officer:	Wendy Canham Service Manager (Human Resources & Organisational Development) Tel: 01284 757006 Email: wendy.canham@westsuffolk.gov.uk	
Purpose of report:	The West Suffolk councils have an agreed Strategic Plan and Medium Term Financial Strategy to support its delivery. This Workforce Strategy sets out our vision for our people and identifies the areas we need to focus on to achieve our ambitions. It looks at the composition of the workforce and the current skills set and the skills needed for future. It identifies how we will continue to recruit and develop our workforce and work with our communities to make sure that we have the right people, the right skills and the right behaviours. This strategy aims to enable us to be a confident, co-operative and high performing organisation in every aspect of our work addressing the needs of our customers and our communities.	
Recommendation:	It is <u>RECOMMENDED</u> that the Workforce Strategy as contained in Appendix 1 to Report No: CAB/SE/18/022, be approved.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

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.

Consultation:		<ul style="list-style-type: none"> Leadership Team, Unison 	
Alternative option(s):		<ul style="list-style-type: none"> Not to produce a Workforce Strategy; however, the vision and direction for our people would not necessarily be clearly identified, nor would the areas we need to focus on to achieve our ambitions and priorities set out in the West Suffolk Strategic Plan for addressing the needs of our customers and our communities be clearly acknowledged. 	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> To be delivered within existing budgets 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> The Strategy has been written to provide equality of opportunity in employment and aspires to achieving some diversity in the workforce. 	
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)
Poor employment relations	Medium through times of change	Clear strategy supports staff in dealing with challenge and change	Low
Lack of appropriate skills development and understanding of new ways of working to deliver strategic plan		Strategy identifies skill development as a key priority for workforce development. Clarity to managers on the required approach to the workforce.	Low
Ward(s) affected:		N/A	
Background papers:		None	
Documents attached:		Appendix 1: Workforce Strategy	

1. Key issues and reasons for recommendation(s)

- 1.1 The Workforce Strategy, as attached as Appendix 1, sets out the necessary actions to support, develop and achieve the priorities of both Forest Heath and St Edmundsbury, by identifying the outcomes, and how we will achieve them, that will enable us to deliver the West Suffolk Strategic Framework 2018-2020.
- 1.2 This strategy recognises that we are facing significant change and challenge, when it is more important than ever to make sure that we have the right people, the right skills and behaviours, and people who are able to perform their role well in uncertain times.
- 1.3 The strategy seeks to articulate the commitment and responsibility we have to make sure we enable the delivery of great services to our communities, together with a clear approach to the workforce that everyone understands. Once approved, a workforce development plan will be put in place to make sure that we deliver the actions described in the strategy.

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Workforce Strategy 2018 – 2020

Introduction

The Workforce Strategy sets out our vision for our people and identifies the areas we need to focus on to achieve our ambitions in the next critical two year period. It seeks to create the best conditions to influence capacity, capability, cost, culture and customer service; thus increasing productivity and effectiveness.

It needs to look at the composition of the workforce and the current skills set but also to look beyond today and consider the skills sets needed for the future in order to ensure our people are resilient and resourceful and able to meet the challenges ahead.

To inform our Strategy moving forward it is important to consider the bigger picture in terms of local government whilst ensuring it “fits” within the West Suffolk aspirations, as detailed in the councils’ own Strategic Plan.

The strategy encompasses workforce planning but is less about rigid forecasting and more about having the flexibility to be able to evolve and morph into a continuum of change.

What have we achieved?

The Workforce Strategy 2014 – 2016 focused on the development of our workforce, post shared services, and the changing landscape of working in a much more collaborative way with partners than ever before. Joined up working was key to the strategy and still is a big driver for a refocused workforce strategy for the future.

Whilst our corporate priorities remain we need to be very clear whether we achieved the ambition we identified, whether they remain fit for the future and what needs to be strengthened in the strategy in order to meet the future and beyond, as far as the local government horizon stretches.

The strategy focused on 5 key areas:-

1. Skills and behaviours

- To have visionary and ambitious managers and leaders who can develop, motivate and lead our workforce to deliver our services effectively in challenging times.
- To further develop our teams so that in providing our services they can demonstrate flexibility, innovation, decision making and at all times excellent customer service.

- To create a culture of innovation and challenge, underpinned by an appropriate approach to risk and entrepreneurial activity.
- To foster commercial behaviours that support of our values and priorities

2. Recruitment and Retention

- To recruit and retain a workforce with the skills and values we need, promote jobs and careers as an employer of choice, and identify, develop and motivate talent.
- To develop and maintain a diverse and inclusive workforce, actively challenging and addressing accessibility barriers and issues.

3. Pay, Reward and Recognition

- To provide good and flexible reward packages within the current financial constraints and ensure fairness across all groups of employees.
- We will recognise great work and ideas; whilst dealing with poorly performing employees fairly, supportively and robustly.

4. Wellbeing and Engagement

- To be an organisation where risks are managed sensibly and proportionately to ensure the levels of accidents and incidents of ill-health are as low as possible.
- We will actively promote and manage wellbeing including effective and active employee engagement.
- Build resilience and energy among our staff and partners to enable change and deliver our priorities.

5. Performance and Change

- To be a partnership that is able to transform quickly and effectively, is agile and flexible in approach, working across boundaries and collaboratively with colleagues and partner organisations across Suffolk and the East of England.
- To be a highly productive organisation, focussed on achievement that values and engages with employees and has a culture that is collaborative, innovative, inclusive and creative.

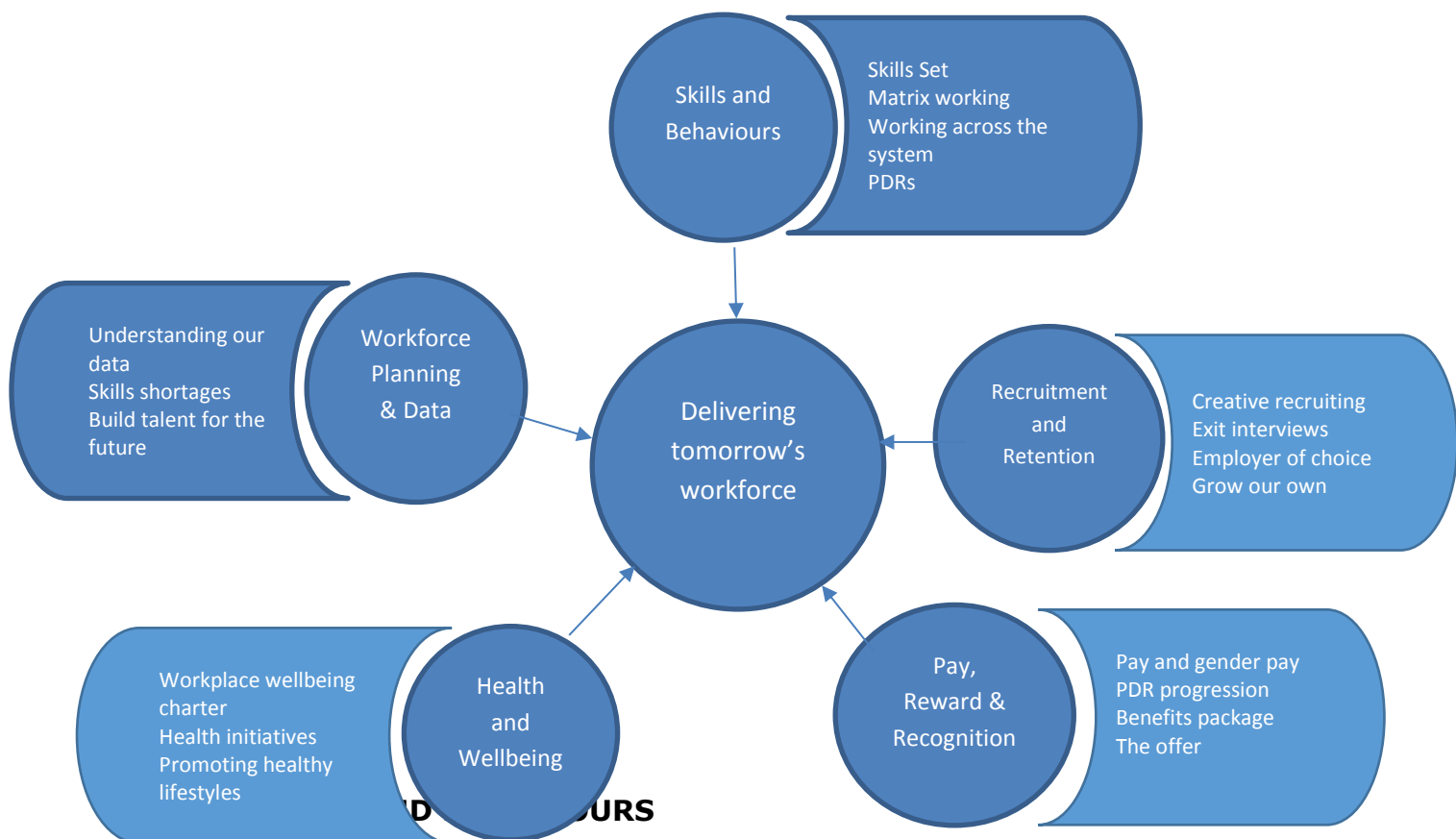
Moving forward it is clear that many of those key areas are themes which will always remain the foundation of the workforce strategy. It is also clear that we have made significant progress in delivering these commitments. **(See Appendix A below)**

Workforce strategy priorities for 2018-2020

We have a national reputation of transforming local government to meet the challenges faced by councils and their communities. The creation of a new single Council for West Suffolk is one of the ways the authorities are meeting these challenges which includes reduced funding and increased demand and expectations on council services. The new council will continue and improve upon the principles of investing in growth to create financial and social benefits as well as meeting strategic aims for the area. This will see changing the ways the council, a political and democratic organisation works with public and private sector partners to drive and meet strategic aims such as health and wellbeing.

In order to move forward into the next phase of our development we need to reposition as well as redefine our key workforce strategy areas in order to achieve and deliver in the future, leading up to and taking us into a Single Council, focussing on:-

1. Skills and behaviours
2. Recruitment and retention
3. Pay, reward and recognition
4. Health and wellbeing
5. Workforce planning and data



What do we want to achieve?

We need to continue to train, develop and grow our workforce in multi disciplinary settings to ensure our staff have the skills for their role and able to work across the organisation. We need to focus on transferable skill sets as well as on professional and technical skills.

We need to continue to develop our teams to have the skills and behaviours to deliver services innovatively and with creativity and flexibility ensuring our staff are fully engaged at all levels.

We need our leaders to manage through emotional intelligence centred on people focus and balanced with fair, consistent and appropriate approaches. Most importantly we need our leaders to know their people.

It is the norm to work across professional boundaries and geographical boundaries, working with partners and organisations. We need to continue to develop opportunities for our staff to learn and grow and support those opportunities when they arise. We need our staff to show leadership, taking responsibility and ownership in their areas of work.

Why is this a priority?

Our ability to lead and manage through a changing agenda, with our focus on a wide range of challenging projects is essential. It is critical that our learning and development programme continues to focus on skills which are responsive to the needs and demands on our staff.

What is the current position?

- Non contributory offer of training for talented staff
- Comprehensive offer of a range of corporate training options for all staff
- Secondment opportunities across the Suffolk system and beyond (Suffolk Joint Secondment Policy)
- Staff working across the system – encouraged and enabled
- Performance review and pay progression based on achievements and behaviours

Where do we need to be?

- Maximise learning opportunities within the Suffolk system as well as through matrix working and project teams
- Be a key player/lead on Suffolk Joint People Strategy and the L&D agenda
- Develop talent management through succession planning, coaching, mentoring and training interventions
- Effective use of PDR outcomes to inform the L&D focus of West Suffolk
- Ensure our PDR scheme reflects the changes in values and expectations since its introduction in 2014
- Encourage staff to fully engage across the organisation in a way that is multi functional and well received and adds value to the work of others
- Confidence in engaging with others and valuing other service input
- Our leaders need to know their people and know how best to support and develop them, individually and collectively; giving and putting in the time to lead and direct

What actions will help us to respond to these needs?

- Realign the PDR scheme in terms of the expectations and reflect on what they looked like in 2014 and what is needed to deliver the vision for the future.
- Produce a future skills matrix/profile, mapping current skills against this, allowing us to assess how to move forward with training programmes and initiatives.
- Develop career pathways to map required skills and identify future knowledge, behaviour and skills
- Develop a suite of compulsory training for Leaders in terms of a basic level of management skills, mental health awareness, equality training etc
- Collaboratively work with the L&D Suffolk system to play a lead and influential role in influencing the future learning opportunities for 21st century public servants
- Actively influence in appropriate networks across the Suffolk system and wider.
- Increase skills and opportunities through matrix working, secondment and shadowing opportunities both internally and externally
- Take full advantage of the apprenticeship levy to train our future talent; celebrate apprentice success
- Widen the non contributory offer of training to "Rising" performers

RECRUITMENT AND RETENTION

What do we want to achieve?

We need to continue to source, recruit and retain the best people with the right skills at the right time deliver our vision. We need to seek to be reflective of our communities, at all levels of our councils. We need to ensure we support our staff at the start of their employment to the end, from appointment to retirement, ensuring we met their needs balanced with the operational needs.

Why is this a priority?

It is vital that we provide resources in the most cost effective way and be creative and innovative in our approach to recruitment. We must look at retention in order to retain as many of our high performing and rising performers but also to retain the workforce to ensure stability, whilst responding to healthy turnover in order to bring new skills and new ideas to complement our councils' workforce.

What is the current position?

- Turnover is a healthy 9.1% which offers both stability and opportunity in a measured and controlled way
- Advert to offer of employment is 23 days
- Successful probation is currently at 97%
- A creative approach to recruiting, use of social media, an increased online presence and promoting our employer brand
- Average age of employees is 44 years old
- A Disability Confident employer

Where do we need to be?

- An employer of choice driven by our staff and our communities
- Turnover to remain no greater than 12%
- Appropriate use of agency and consultancy workers
- Ability to recruit speciality posts
- Develop a leadership framework that will enable all staff to develop the skills and techniques needed to take the organisation forward
- To develop more creative opportunities to access people with the skills, behaviours and values we need
- Have an increasingly flexible and agile workforce

- Support our employees in their work and personal life, supporting flexible work, flexible hours, caring responsibilities, volunteering opportunities etc

What actions will help us to respond to these needs?

- Creative recruiting to include effective use of recruitment methods to target specific applicants for hard to recruit positions; increased use of social media for advertising
- Modernise recruitment web pages to promote our status as an employer of choice, the way we work and improve the applicant journey – particularly promote flexible and agile working to meet both work and personal life styles – tell our story, what is it like to work here
- Consider different models of recruitment and employment engagement
- Expand the exit interview and monitor staff reasons for leaving
- Continue to use agency/consultancy workers only where there is a particular need
- Get a better of understanding of what attracts people to work here, why they like working for us and why they stay
- Develop and promote more career pathways, secondments, job shadowing and learning and development opportunities
- Positively discourage long working hours culture and promote output coupled with healthy work life balance
- Agree a set of parameters around acceptable levels of meetings and emails
- Focus on developing meaningful employee engagement initiatives such as staff focus groups

PAY, REWARD AND RECOGNITION

What do we want to achieve?

We need to be able to recruit and retain a diverse range of people and pay, reward and recognition is a fundamental part of our offer to our staff. We will continue to consider options to enhance our reward package for employees where possible and within the financial constraints of the budget. We will continue to recognise and reward performance to help improve morale and motivation. We need to develop and promote affordable pay and reward strategies balanced with the employer of choice vision.

Why is this a priority?

We need to be competitive in our offer in order to recruit and retain our workforce. Working with Unison we will develop approaches to pay and reward and ensure consistency in application. We need to be creative in our offer – not all reward is about pay. We need to be clear that our benefits are wider than those we see as the “norm” and be able to promote our approach to flexible working and work life balance values.

What is the current position?

We struggle to recruit at the bottom of our pay grades forcing our starting pay levels up and compromising our principles of appointing on the first 2 points of the grade. Our median salaries are adrift of the national local government median salaries. However, our gender pay position is very balanced.

Where do we need to be?

- Widen our approach to rewards and benefits using salary sacrifice and employee benefit schemes where appropriate
- Know our offer
- Continue to work in partnership with Unison in the development of new approaches to the workforce.
- Recognising our staff who continue to be the constant factor in performance
- Ensure that any future payline changes do not compromise our gender pay position

What actions will help us to respond to these needs?

- Promote and celebrate our non financial benefits such as flexible and work life balance policies to both our staff and our future employees, through internal communications and our recruitment process
- Continue to ensure our pay line is fit for purpose
- Provide a clear understanding within our workforce of the value of our employment benefits offer
- Continue to work with Reward Gateway in order to promote the West Suffolk We Save benefits and increase engagement and show case “good news savings” through staff experiences
- Gender pay check any future pay proposals

HEALTH AND WELLBEING

What do we want to achieve?

A fit and healthy workforce who are able to deliver the services supported through the commitment and the framework of the Suffolk Workplace Wellbeing Charter. We want a workforce who feel supported and valued and know how to access support during varying periods of the lives. We want our staff to know and believe they matter.

Why is this a priority?

Putting health and wellbeing at the heart of our offer strongly correlates with our desire to be an employer of choice and an organisation our staff are proud to work for. Keeping our staff healthy is the key to delivering our aspirations.

What is the current position?

- Sickness is at a manageable level of 6.1 days per person
- Long term absence is managed exceptionally well, with all options considered for the benefit of the employee and employer
- Excellent occupational health service
- Attained recognition of excellence and achievement in the Suffolk Workplace Wellbeing Charter
- Strong people policies focused on health and wellbeing including delivery of health and wellbeing initiatives
- A Mindful Employer
- Signed up to Time to Change initiative

Where do we need to be?

- Astutely recognise health issues and address them, with Leaders playing a key role in this
- Continue reduction in sickness
- Proactive in preventative measures and health education
- Ensuring we support our staff to be resilient and manage personal stress and good mental health
- Be recognised as an employer who continues to support health and wellbeing

What actions will help us to respond to these needs?

- Work with OneLife to deliver health initiatives accessible to all of the workforce, during the course of each year, in line with the Suffolk Workplace Wellbeing Charter recommendations, in order to maintain and support a health workforce
- Focus these initiatives on the areas of promoting healthy activity, eating and lifestyles choices and enable us to achieve excellence in those areas of the Charter
- Ensure our policies and practices reflect the changing requirements of new ways and styles of working and service delivery, in terms of flexible working and work life balance and positively promote this
- Provide initiatives that support the building of resilience and wellbeing and the ability to take responsibility for our own health, recognising the opportunities to do so
- Join in and promote national initiatives such as Workplace Challenge, Stoptober, Mental Health at Work Week, etc

WORKFORCE PLANNING and DATA

What do we want to achieve?

We want a workforce that reflects the right people, with the right skills, with the right potential to develop in order to deliver our vision. We need our Leaders to have access to valuable workforce data and to understand their data in order that this may inform strategies to plan for the future.

Why is this a priority?

Understanding our workforce data and being able to plan on skills shortages, turnover and succession planning are essential in order that we are equipped to deliver for today but also for tomorrow and beyond.

What is the current position?

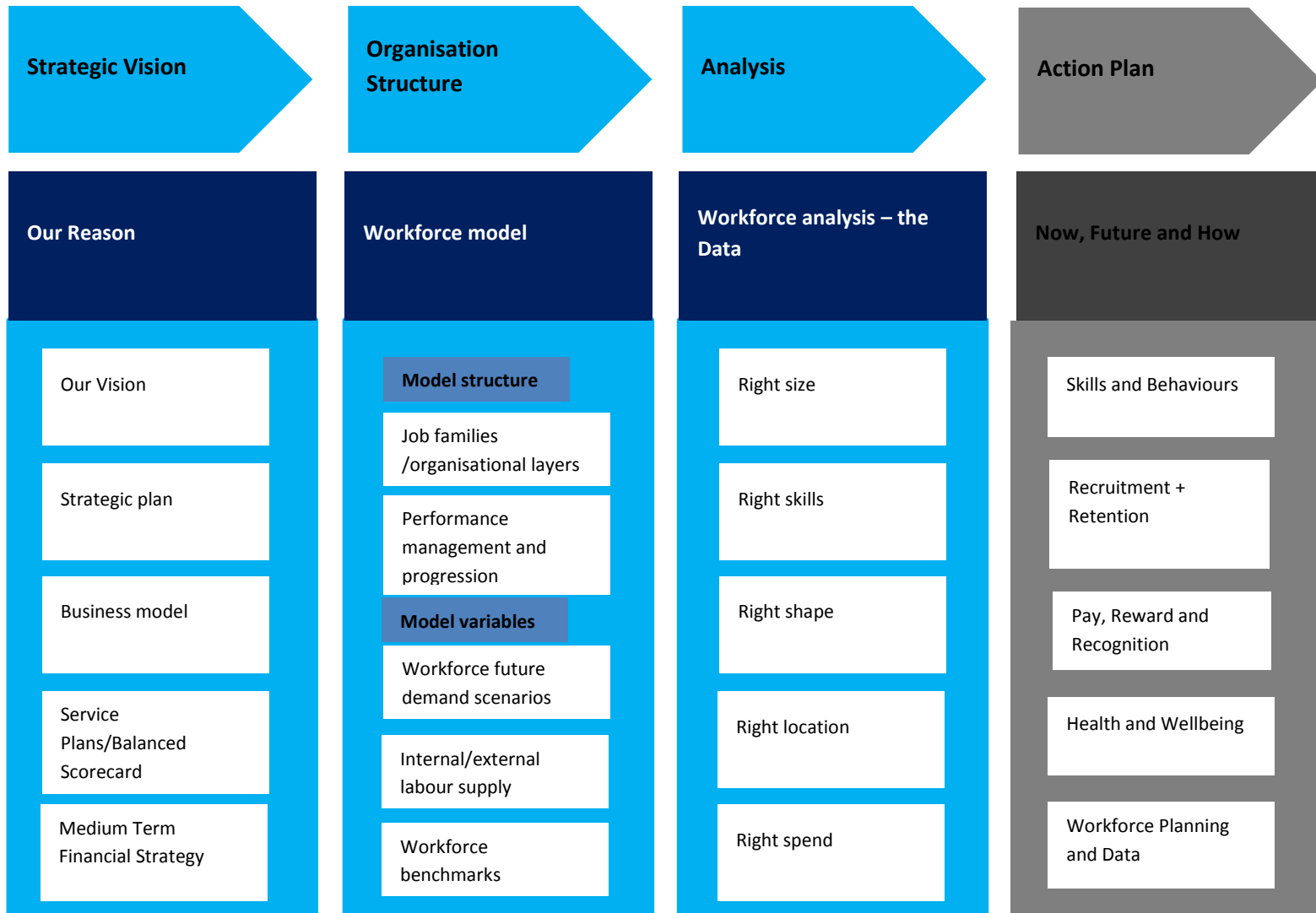
We are reactive in terms of skills needs and vacancy management. We have an aging workforce in some key areas and run the risk of losing key people. We have access to base line data in terms of workforce composition in general such as male/female/age/part-time/full-time/disability/sickness but we need to consider if we are producing the right data to be equipped to forward plan.

Where do we need to be?

- Better analysis of the workforce data not only in services but as an organisation as a whole
- We need to have some agreed metrics and benchmarking across the organisation and across professions
- We need to understand our current position but we need to also understand where we are moving to in short, medium and where possible long term
- Have career pathways for all professional roles and maximise the apprentice levy opportunities
- We need to ensure that knowledge retained by key people is shared amongst teams in succession planning – knowledge is only power if it is shared

What actions will help us to respond to these needs?

- Maximise job remits to provide for job enrichment and job satisfaction
- Positively encourage and seek opportunities for our staff to work within their band but outside their job to enable a stretch of skills and abilities
- Consider job rotation/job shadowing opportunities within the councils
- Produce relevant headline data, on a quarterly basis, to enable service managers to plan individually and understand where there service fits with the organisation
- Deliver a yearly workshop with service managers on detailed data
- Have detailed career pathway plans for all roles within the councils



WORKFORCE STRATEGY MODEL

Examples of actions and outcomes

Skills and behaviours

- Secondment opportunities offered to potential future leaders enabling promotion
- Extensive learning and development programme available for all staff with 572 learners attending training/development events during April 2017 – December 2017 for example
- 28 staff working towards accredited professional qualifications
- Increase in staff completing ILM levels 3 and 5 qualification in mentoring and leadership and management.

Recruitment and retention

- A robust vacancy management process
- Created a range of opportunities for young people to join the councils through interns, graduate scheme and apprenticeships – 80% success rate of apprentices being offered employment with the councils, 6% of the total current work force started as an apprentice
- Development of career pathways for internal promotion and external recruitment
- Key player in the launch of the Suffolk planning apprentice scheme
- Low staff turnover currently at 8.85%
- Time taken to recruit 22.8 days from advert to offer

Pay, reward and recognition

- Widened the employee benefits offered by West Suffolk We Save and promote the benefits to increase membership and opportunities for our employees
- Consistent and modified approach to reward through the performance review scheme to include both financial reward and development opportunities for high performing staff.
- Ensured our pay and reward packages are fair and inclusive of our workforce.

Wellbeing and Engagement

- Four new policies introduced – Mental Health at Work, Mediation, Mentoring and Workplace Wellbeing Strategy
- NHS health checks introduced and excellent participation with remedial action plans for some individuals to improve health and wellbeing
- Initiatives such as mental health at work week, Workplace Challenge, Health Eating rolled out.
- 112 members of staff, including 48 managers attending mental health training interventions
- Sign up to Time to Change Employer pledge
- Sickness at lowest rate for 2 years at 6.16 days per person
- Awarded Suffolk Workplace Wellbeing Charter

Performance and Change

- Decrease in formal performance management
- Increase in coaching and mentoring
- Effective shared service delivery
- Increase in participation in people management skills training such as mental health awareness, dealing with difficult conversations, 21st century managers, coaching conversations, dealing with distressed situations.



St Edmundsbury
BOROUGH COUNCIL

St Edmundsbury Borough Council

CAB/SE/18/023

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 March 2018 to 31 May 2018

Publication Date: 22 February 2018

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. This Plan also includes Cabinet decisions expected beyond 31 May 2018.

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

Members of the public may wish to:

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

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk or via 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
27/03/18 (NEW) Page 86	Workforce Strategy 2018-2020 The Cabinet will be asked to approve the Workforce Strategy 2018-2020, which has been produced jointly with Forest Heath District Council.	Not applicable	(D)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Karen Points Assistant Director (HR, Legal and Democratic Services) 01284 757015 Wendy Canham Service Manager (Human Resources and Organisational Development) 01284 757006	All Wards	Report to Cabinet, including Workforce Strategy 2018-2020
27/03/18 (NEW)	Barley Homes (Group) Ltd Annual Report 2018 The Cabinet may be asked to consider recommendations of the Overview and Scrutiny Committee following its scrutiny of Barley Homes' Annual Report 2018.	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613	All Wards	Recommendations of the Overview and Scrutiny Committee to Cabinet.
27/03/18 (Deferred from 27/06/17)	Leisure Investment Fund: Consideration of business case for investment in Haverhill Leisure Centre	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

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
	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.							
27/03/18 (Deferred from 06/04/18)	Suffolk Business Park: Loan to Churchmanor The Cabinet will be asked to consider and recommend to Council, a proposal received from Churchmanor Estates Company for infrastructure for Suffolk Business Park. The proposal is for a £2.5 million revolving infrastructure loan facility.	Possible Exempt Appendix: Paragraph 3	(R) – Council 24/04/18	Cabinet/ Council	Alaric Pugh Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Andrea Mayley Service Manager (Economic Development and Growth) 01284 757343	All Wards	Report to Cabinet with possible exempt appendix and recommendations to Council.
27/03/18 (Deferred from 01/11/16)	West Suffolk Information Framework The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny	Not applicable	(D)	Cabinet	Ian Houlder Resources and Performance 01284 810074	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	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
Page 88	Committee in respect of seeking approval of a West Suffolk Information Framework, which has been jointly produced with Forest Heath District Council. A supporting ICT Strategy will be developed later which will propose a Technology approach and architecture to support the Information Framework.					Kevin Taylor Service Manager (ICT) 01284 757230		
27/03/18 (Deferred from 14/11/17)	<p>West Suffolk Councils' Lettings Policy</p> <p>The Cabinet will be asked to consider and approve the revised West Suffolk councils' Lettings Policy (based on the joint policy agreed by the Cambridge Housing Sub-Regional Partnership). This will also be considered by Forest Heath District Council's Cabinet.</p> <p>The draft Strategy will have previously been considered by the FHDC</p>	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report and draft Lettings Policy 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
	and SEBC Overview and Scrutiny Committees.							
27/03/18 (Deferred from 27/02/18)	<p>West Suffolk Civil Sanctions Policy Under the Housing and Planning Act 2016, local authorities have been given new powers to impose civil sanctions as an alternative to prosecution for certain housing offences. The Cabinet will be asked to consider and approve a new civil sanctions policy following an engagement exercise in order to implement these new powers. The Cabinet will also be asked to recommend to Council approval of new delegations to officers so that they can use the new powers. This policy has been jointly produced with Forest Heath District Council.</p>	Not applicable	<p>(D) in part, for approval of new policy.</p> <p>Recommendations to Council (24/04/18) for providing new delegated powers to officers.</p>	Cabinet/ Council	<p>Alaric Pugh Planning and Growth 07930 460899</p> <p>Sara Mildmay-White Housing 01359 270580</p>	<p>David Collinson Assistant Director (Planning) 01284 757306</p> <p>Andrew Newman Service Manager (Housing Standards) 01638 719276</p>	All Wards	Report to Cabinet, with recommendations to Council, where applicable.

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
27/03/18	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.
27/03/18	Jacqueline Close Development Brief Item removed at present time. To be reinstated later in 2018.							
17/04/18 (NEW) (Deferred from 06/02/18)	17-18 Cornhill, Bury St Edmunds (former Post Office building) The Cabinet will be asked to consider a business case for a preferred option for the future use of 17-18 Cornhill, Bury St Edmunds	Exempt Appendices: Paragraph 3	(R) – Council 24/04/18	Cabinet/ Council	Alaric Pugh Planning and Growth 07930 460899	Julie Baird Assistant Director (Growth) 01284 757613 Sabrina Pfuetzenreuter-Cross Principal Growth Officer 01284 757113	All Wards	Report to Cabinet with exempt appendices and recommendations to Council
17/04/18 (NEW)	Haverhill Research Park The Cabinet will be asked to consider a proposed vision for Haverhill	Not applicable	(D)	Cabinet	Alaric Pugh, Planning and Growth 07930 460899	Andrea Mayley Service Manager (Economic Development and	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
	Research Park in terms of how its development (influenced by the Borough Council) will support the local economy and local people in the context of the Council's own strategies and policies.					Growth) 01284 757343		
22/05/18 (Deferred from 28/03/17)	Western Way Development Programme The Cabinet will receive a programme update paper, including recommendations to Council, in relation to the Western Way Development Programme. A separate proposal (which integrates with this paper) regarding the potential investment in renewable energy schemes may also be considered at this time.	Possible Exempt Appendices: Paragraph 3	(R) – Council 12/06/18	Cabinet/ Council	Alaric Pugh Planning and Growth 07930 460899	Rachael Mann Assistant Director (Resources and Performance) 01638 719295 Lisa Grove Service Manager (Customer Services) 01638 719320 Peter Gudde Service Manager (Environmental Health) 01284 757042 (renewable energy scheme element)	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
22/05/18	St Andrew's Car Park Development Site The Cabinet will be asked to consider and recommend to Council, proposals for a vision for St Andrews Street North and its vicinity, which includes the provision of additional parking.	Possible Exempt Appendices: Paragraph 3	(R) – Council 12/06/18	Cabinet/ Council	Peter Stevens Operations 01787 280284	Mark Walsh Assistant Director (Operations) 01284 757300 Darren Dixon Service Manager (Property) 01284 757413	All Wards	Report to Cabinet with possible exempt appendices and recommendations to Council.
22/05/18 (Deferred from 06/02/18) (Joint meeting with FHDC's Cabinet)	Street Vending and Trading Policy The Cabinet will be asked to consider a revised street vending and trading policy. Consultation will take place with the Licensing and Regulatory Committee on the proposed content of the policy.	Not applicable	(D)	Cabinet	Alaric Pugh Planning and Growth 07930 460899	Peter Gudde Service Manager (Environmental Health) 01284 757042	All Wards	Report to Cabinet with revised policy.
22/05/18 (Joint meeting)	Housing Ten Unit Threshold The Cabinet will be asked to approve reverting back to applying approved	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613	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
with FHDC's Cabinet) Page 93	affordable housing policies CS5 (St Edmundsbury Borough Council) and CS9 (Forest Heath District Council) (as applicable) in relation to developments of less than ten units and not applying the written Ministerial Statement which removes the requirement to provide any affordable housing on developments of less than ten units.					Simon Phelan Service Manager (Strategic Housing) 01638 719440		
22/05/18 (Joint meeting with FHDC's Cabinet)	Custom and Self Build Interim Policy Statement The Cabinet will be asked to agree an Interim Policy Statement which will be used to assess whether or not an application for self/custom build should be granted planning permission and how the West Suffolk Councils (Forest Heath and St	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613 Simon Phelan Service Manager (Strategic Housing) 01638 719440	All Wards	Report to Cabinet, including interim Policy Statement.

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
	Edmundsbury) plan to meet the self/custom build demand in West Suffolk.							
26/06/18 <i>(Joint meeting with FHDC's Cabinet)</i>	<p>Review of West Suffolk's Housing Strategy West Suffolk's Housing Strategy 2014 is due to be reviewed in 2018. Through the review of the Housing Strategy, the opportunity to reflect priorities, actions and projects set out in the recently adopted West Suffolk Strategic Framework 2018-2020 will be taken. Furthermore, there are a number of additional duties and fundamental changes to housing legislation that will be reflected in the Housing Strategy.</p> <p>The draft Strategy will have previously been considered by the FHDC and SEBC Overview and</p>	Not applicable	(R) – Council 17/07/18	Cabinet/ Council	Sara Mildmay-White Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070 David Collinson Assistant Director (Planning) 01284 757306 Julie Baird Assistant Director (Growth) 01284 757613	All Wards	Report to Cabinet with draft Strategy, overview of existing Housing Strategy review and results of consultation.

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
	Scrutiny Committees.							
26/06/18 (Deferred from 27/03/18) (Joint meeting with FHDC's Cabinet)	Review of West Suffolk's Homelessness Strategy The Homelessness Act 2002 requires all councils to review and produce a new homelessness strategy at least every five years. A review of the existing strategy is due in 2018. In addition to this, the Homelessness Reduction Act 2017 comes into force in April 2018 and there are a number of fundamental changes to legislation and additional duties that will need to be reflected in a new Homelessness Strategy for West Suffolk, which the Cabinet will be asked to consider and adopt. The draft Strategy will have previously been	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report to Cabinet with draft policy, overview of the existing Homelessness Strategy review and results of the consultation.

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
	considered by the FHDC and SEBC Overview and Scrutiny Committees.							
26/06/18 <i>(Joint meeting with FHDC's Cabinet)</i>	West Suffolk Joint Tenancy Strategy The Localism Act (2011) introduced a duty for Local Authorities to produce a Tenancy Strategy. The Strategy outlines both the West Suffolk Councils' (Forest Heath and St Edmundsbury) and Registered Providers' approach to issues which affect tenants living in West Suffolk, including the management and allocation of affordable housing.	Not applicable	(D)	Cabinet	Sara Mildmay-White Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613 Simon Phelan Service Manager (Strategic Housing) 01638 719440	All Wards	Report to Cabinet, including Tenancy Strategy
26/06/18 <i>(Joint meeting with FHDC's Cabinet)</i>	West Suffolk Joint Affordable Housing Supplementary Planning Document The Affordable Housing supplementary planning document (SPD) provides additional guidance to	Not applicable	(R) – Council 17/07/18	Cabinet/ Council	Sara Mildmay-White Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613 Simon Phelan Service Manager (Strategic	All Wards	Report to Cabinet, including Supplementary Planning Document

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 97	Core Strategy Policies CS5 (St Edmundsbury Borough Council) and CS9 (Forest Heath District Council) 'Affordable Housing' to ensure that applicants and developers have a clear understanding of affordable housing requirements when considering submission of a planning application. The Cabinet will be asked to recommend to Council approval of this SPD.					Housing) 01638 719440		
26/06/18 <i>(Joint meeting with FHDC's Cabinet)</i>	West Suffolk Annual Report 2017/2018 Following scrutiny by the Overview and Scrutiny Committee, the Cabinet will be asked to consider the West Suffolk Annual Report 2017/2018, 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.

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

- 8659824
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 Carol Bull Councillor Robert Everitt Councillor Ian Houlder	Portfolio Holder for Future Governance 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 Paul Claussen	Cllr David Ambrose-Smith	Cllr Chris Seaton	Cllr Stephen Edwards	Cllr Richard Kerry	Cllr Ian Houlder	Cllr Bruce Provan
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 Sam Chapman-Allen	Cllr Lis Every	Cllr John Clark	Cllr James Waters	Cllr Stuart Lawson	Cllr Sara Mildmay-White	Cllr Mark Bee
Cllr William Nunn	Cllr Julia Huffer	Cllr Will Sutton	Cllr David Bowman	Cllr Ray Herring	Cllr Robert Everitt	Cllr Chris Punt

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Haverhill Leisure Centre Investment	
Report No:	CAB/SE/18/024	
Report to and date:	Cabinet	27 March 2018
Portfolio holder:	Councillor Jo Rayner Portfolio Holder for Leisure and Culture Tel: 07872 456836 Email: joanna.rayner@stedsbc.gov.uk	
Lead officer:	Jill Korwin Director Tel: 01284 757252 Email: Jill.Korwin@westsuffolk.gov.uk	
Purpose of report:	To approve capital spend on Haverhill Leisure Centre.	
Recommendation:	It is <u>RECOMMENDED</u> that Cabinet approves capital spending of £1,443,000 from the Strategic Investment Fund that was approved by Council in December 2016 (Report No: COU/SE/16/021) and a further £25,984 from the Strategic Priorities and Medium Term Financial Strategy reserve to deliver the improvements to Haverhill Leisure Centre outlined in Report No: CAB/SE/18/024.	
Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.)	<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>(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>	

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.

Consultation:		Consultation has taken place with Ward Members and their advice has been referenced in this report. If this investment is agreed, consultation will take place with affected user groups. Consultation has taken place with the Samuel Ward Academy Trust.	
Alternative option(s):		To not invest in the leisure centre would mean an opportunity to reduce the management fee is missed. To design an alternative scheme for leisure centre improvement – but note, this scheme has been designed on the advice of leisure industry experts.	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Agreeing the spend from the original fund	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Legal a new lease will be issued to Abbeycroft; legal agreement with Samuel Ward Academy Trust to protect Council investment and community access	
Are there any equality implications? If yes, please give details		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)
Disruption to existing sports hall users could create complaints and media interest.	Medium	Effective early engagement. And alternative space identified Abbeycroft will start talking to those users at an early stage to manage expectations. Giving clubs a good period of time to prepare for changes is important	Low
The plan assumes that the schools can accommodate the existing usage at the sports hall but this	Medium	Initial conversations have been very positive with the Trust, Negotiation continues and SWAT	Low

cannot be confirmed until they agree.		have agreed to develop a strategic community use agreement with the Councils for their sites.	
Discovering asbestos following survey	low	£10,000 has been set aside in the budget in order to mitigate this risk	low
Ward(s) affected:		Haverhill North South East and West	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		West Suffolk sports facilities assessment carried out by 4Global. CAB/SE/16/055 Investing in leisure in west Suffolk Associated cabinet report	
Documents attached:		Appendices 1a and 1b: Outline plans Exempt Appendix 2: net revenue benefit Appendix 3: Promoting physical activity framework evaluation	

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 Full Council approved the development of a Leisure Investment Fund in November 2016 with the aim to provide capital, to invest in the Council's leisure facilities to reduce the management fee provided to Abbeycroft Leisure accordingly. Council specifically agreed (CAB/SE/16/055):
"the creation of a strategic investment fund of £5m, funded from the strategic priorities and medium term financial strategy reserve, across West Suffolk (£3.5m FHDC and £1.5m SEBC) with delegated authority given to Cabinet (for sums of £500,000 or more), and delegation to the Portfolio Holder for Leisure and Culture, in conjunction with a Director and the Head of Resources and Performance (for sums of less than £500,000), to draw down from this fund in accordance with the principles set out in Report No: CAB/SE/16/055;
- 1.1.2 In April 2017, the council also agreed to enter into a new partnership with Abbeycroft Leisure with a schedule of management fee reductions in part based upon an option to redevelop Haverhill Leisure Centre.
- 1.1.3 In June 2017, under the delegation mentioned above, it was agreed to invest £57,000 in order to progress the design of the project. Alliance Leisure, a leisure facility developer specialising in the provision of local authority, education and leisure trust facilities, were commissioned to prepare plans to a cost certainty phase using a procurement framework. That has brought the benefit of not only confirming the final cost of the works but also identifying any issues that could impact on the delivery of the project.

1.2 The proposal

- 1.2.1 Surveys and design work have been undertaken to inform a number of improvements to the centre. Whilst the design reflects current trends in the leisure market, the space will be adaptable to enable refits in the future as trends will inevitably change. This scheme proposes the following improvements to Haverhill Leisure Centre:
- Open up the reception and relocate café and kitchen area to ground floor, opening the space to current sports hall
 - Reconfigure the current sports hall to include:
 - New soft play area
 - New climbing zone (Hangfast)
 - Retain 1 court that can also be used for Parkour
 - Create a new wellness space on the ground floor with treatment rooms and studio space
 - Relocate the Gym/ Fitness suite to the first floor including new male and female changing rooms
 - Make improvements to studios 1 and 2 on the first floor allowing them to be opened up to be used as one large space.
 - Convert existing Health Suite to office space.
 - Make improvements to Samuel Ward Academy sports hall floor to allow for displaced users of the current sports hall space.¹

¹ A communications strategy plan has been developed for displaced users

- 1.2.2 The design has taken into account the potential for future use of the larger site given it is currently part of a Haverhill One Public Estate (OPE) project with ONE Haverhill which includes the aspiration to investigate a health and leisure hub for the town.
- 1.2.3 A financial evaluation of the scheme has been conducted and is outlined in this paper. In addition, the scheme will deliver against the principles of the Council's Promoting Physical Activity Framework by encouraging a wider range of users to use the facilities.
- 1.2.4 The outline plans for the centre are show included at Appendix 1.

2. Proposed timeline

2.1 Key dates from the project plan are shown below:

Task	Start	End	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Procurement	05/04/18	05/04/18									
Detailed design	06/04/18	17/05/18									
Draft contract	06/04/18	19/04/18									
Building contract	20/04/18	26/04/18									
Start on site	25/05/18										
Site works	25/05/18	22/12/18									
Handover	21/12/18										

3. Cost certainty findings

- 3.1 Alliance Leisure presented their initial findings and proposals to Abbeycroft and council officers in October 2017. That initial scheme was considerably over budget at £1.8m and Alliance Leisure worked with Abbeycroft to further value engineer the project to bring it in on budget.
- 3.2 The final scheme is 1.7% over budget at a total cost of £1,525,984. However, there is cost certainty and any overspend on this amount will be Alliance Leisure's liability and not the Council's responsibility (with the exception of any issues arising from the asbestos survey). In addition to this investment, Abbeycroft Leisure have agreed to invest a further £200,000 of their own reserves to bring the project to reality and meet customer expectations. This includes upgrading fitness equipment, improving the systems for admission into the centre and the supporting IT infrastructure, refurbishing the squash courts and general redecoration and furniture upgrade.
- 3.3 Cost certainty is supported by detailed build cost plans, full technical drawing sets and specifications.

4. How this relates to Management fee reduction

- 4.1 An independent feasibility study into the proposed development has been undertaken and a summary of the anticipated net revenue benefit over a five year period has been produced. The savings the project will deliver are

included in Exempt Appendix 2. This shows an indicative return on investment to the council at maturity of 7.69% and is aligned with the ambition to reduce the management fee to zero in line with Abbeycroft Leisure's original management fee proposal.

Year	Management Fee	Management Fee Reduction	Accumulative Saving	Investment Yield
2018/2019	£146,757	£25,243		
2019/2020	£117,406	£29,352		
2020/2021	£80,716	£36,689	£36,689	2.4%
2021/2022	£33,865	£46,851	£83,540	5.47%
2022/2023	£0	£33,865	£117,405	7.69%

4.2 Gross benefit from the Haverhill investment exceeds the reduction in management fee as some return will go back to Abbeycroft in return for the investment they are making. However, the Partnership Agreement includes an annual review of financial performance based upon an open book approach. This provides the Council with the opportunity to review the management fee reduction plan again once this scheme is up and running.

4.3 Given the size and scale of the project, Abbeycroft Leisure are working with contractors to understand the phasing of the project. This development will mean there is a short term revenue reduction that Abbeycroft Leisure will have to manage during the construction of the project whilst also absorbing the indicative management fee reductions.

5. Partnership with Samuel Ward Academy Trust

5.1 In order to increase access to facilities in Haverhill, this project includes a proposal to invest in the Sports Hall at Samuel Ward Academy in the town. That hall is an eight court sports hall but currently is not widely used by the general public. One of the reasons for this is the poor quality of the sports floor. The project proposes an upgrade to the flooring to four of the courts (the hall is split in two by nets and wire barriers). This upgrade will mean that it can enjoy wider use by community groups and a greater variety of sports can be played in the hall. Importantly for this project, it will provide an alternative facility for those clubs that will be impacted by the loss of court capacity at Haverhill Leisure Centre. As a result of this upgrade, it is important to note that overall there will be an increase in courts that can be used in the town. Subject to approval of this investment, consultation will be undertaken with users who will be displaced to this centre, either on a temporary basis whilst works are being undertaken, or on a permanent basis.

5.2 In order to protect the Council's investment and ensure that access to the community will be protected, a legal agreement will be in place with Samuel Ward Academy Trust. Advice on the form and content of such an agreement has been obtained from Sport England.

6. Facility Needs Assessment, and Sports and Physical Activity Framework Evaluation

- 6.1 The Facility Needs Assessment for the Borough of St Edmundsbury indicates that generally there is a good supply of sports halls to meet both existing and future demand. However, it does identify that Haverhill Leisure Centre is operating at 100% capacity at peak times and therefore the Council should examine how they could consider the supply of sports hall provision in the longer term.
- 6.2 In addition to the above, the Council should also consider the age of the current leisure centre provision and understand if the centre should be rebuilt. In light of the most recent major refurbishment in 2008 and the views of our Property Services team, it is considered unlikely that the centre needs to be rebuilt. There is, however, a need to refresh the facility mix and modernise aspects to stay ahead of consumer trends.
- 6.3 This investment proposal will assist with both of the issues highlighted above in the following way:
- (a) Investment in a local school's sports hall and development of a community use agreement will increase the access to sports hall provision by three courts. In the longer term, the development of leisure provision at the school could be further enhanced at a later date to create a facility mix similar to that of Skyliner Sports Centre in Bury St Edmunds.
 - (b) The refurbishment of Haverhill leisure centre will enable the facility to continue to meet consumer demand and offer a far broader range of activities for the local community and surrounding area.
- 6.4 Overall this proposal broadens the leisure offer whilst continuing to meet the need for traditional sporting activity.
- 6.5 The proposal has also been examined in the context of the sports and physical activity framework and identifies whether the council should support such a proposal. The proposal sits within the 'Enable' stream of the framework which is an organisation that provides opportunities for sport and physical activity and is looking to expand. A summary of that evaluation is included at Appendix 3.

7. Recommendation

- 7.1 It is recommended that Cabinet approves capital funding of £1,443,000 from the Strategic Investment Fund that was recommended by Cabinet to Council for approval (Report No: CAB/SE/16/055 refers) and a further £25,984 from Strategic Priorities and Medium Term Financial Strategy Reserve to deliver this scheme.

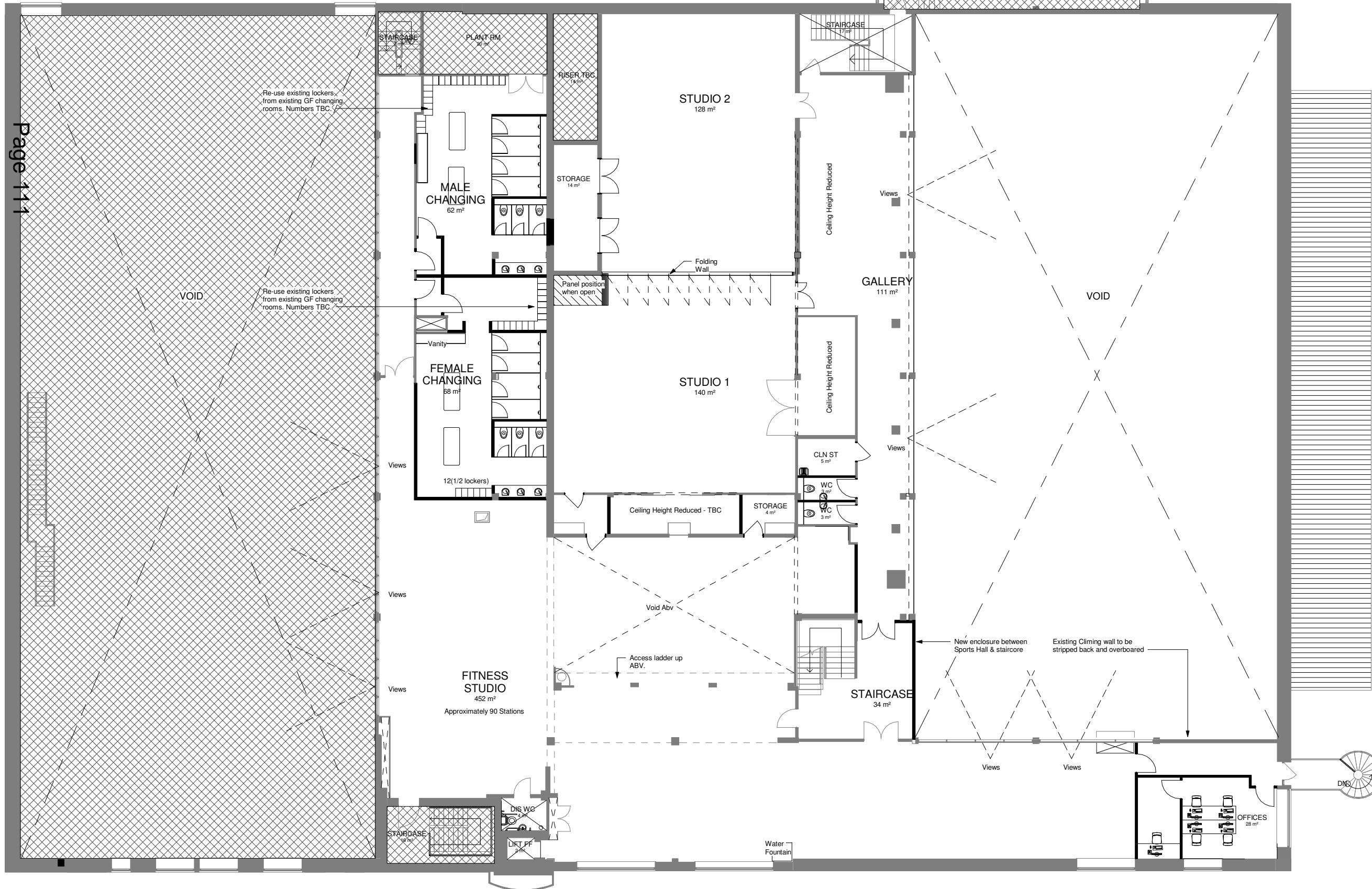
Proposed First Floor

1 : 100

- New Walls
- Existing Walls
- Acoustic Lining
- No works to these areas



Scale 1:100
0 1 2 3 5m



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Appendix 1a

- | No. | Note |
|-----|--|
| 1 | All dimensions to be verified on site by GENERAL CONTRACTOR and any fix or setting out or preparing stop drawings. |
| 2 | Drawings not to be scaled. Work to figured dimensions only |
| 3 | © copyright SAUNDERS BOSTON LIMITED. All rights reserved. This drawing remains the property of SAUNDERS BOSTON LIMITED at all times and may not be reproduced or copied in whole or in part without their prior written consent. |
| 4 | This drawing and related specifications are for use only in the stated location. |
| 5 | This drawing is to be read in conjunction with all other Consultants drawings and specifications. |
| 6 | Drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative |

Room Schedule First Floor		
Name	Area	Occupancy
WC	3 m²	N/A
FEMALE CHANGING	68 m²	10
GALLERY	111 m²	N/A
STAIRCASE	34 m²	N/A
STAIRCASE	16 m²	N/A
STAIRCASE	17 m²	N/A
DIS WC	4 m²	N/A
STAIRCASE	7 m²	N/A
FITNESS STUDIO	452 m²	90
STORAGE	14 m²	N/A
SQUASH COURT 2	61 m²	10
SQUASH COURT 1	63 m²	10
CORRIDOR	27 m²	N/A
STUDIO 2	128 m²	35
STUDIO 1	140 m²	35
WC	3 m²	N/A
CLN ST	5 m²	N/A
LIFT FF	2 m²	N/A
CHNG CORRIDOR	28 m²	N/A
STORAGE	4 m²	N/A
OFFICES	28 m²	5
ST	12 m²	
RISER TBC	14 m²	
PLANT RM	20 m²	N/A
MALE CHANGING	62 m²	10
1321 m²		

B	Amended layout - client comments	05/09/17		
A	Adjusted changing layout	22/09/17		
1	Cost Certainty Issue	26/10/17		
No.	Revision	Date	Chk	Auth

COST CERTAINTY

Saunders Boston ARCHITECTS

Eastern Gate House, 119 Newmarket Road, Cambridge CB5 8HA
T 01223 367733 E office@saundersboston.co.uk

Client Alliance Leisure	
Job Haverhill Leisure Centre	
Drawing Proposed First Floor Plan	
Scales 1 : 100 @A1	Date 25/08/17
SBA Project Code 1524	Revision T1
project 1524	originator zone level type role number -SBA-XX-01-DR-A-12

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Proposed Ground Floor

1 : 100

- New Walls
- Existing Walls
- Acoustic Lining
- No works to these areas
- * Access Control



Scale 1:100
0 1 2 3 5m



Appendix 1b

- | No. | Note |
|-----|--|
| 1 | All dimensions to be verified on site by GENERAL CONTRACTOR and any fit or setting out or preparing shop drawings. |
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| 5 | This drawing is to be read in conjunction with all other Consultants drawings and specifications. |
| 6 | Drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative |

Room Schedule Ground Floor		
Name	Area	Occupancy
KITCHEN	21 m ²	2
ELECTRICAL	11 m ²	N/A
OFFICE	11 m ²	2
MOTOR RM	3 m ²	N/A
LIFT GF	2 m ²	N/A
STAIRCASE	17 m ²	N/A
WC	3 m ²	N/A
ESCAPE STAIRCASE	7 m ²	N/A
Staircase	38 m ²	N/A
PLANT	53 m ²	N/A
PLANT	49 m ²	N/A
Village Change	107 m ²	N/A
Refurbished WC	22 m ²	N/A
STAIRCASE	9 m ²	N/A
CIRCULATION	94 m ²	N/A
ELECTRICAL	2 m ²	N/A
SPIN STUDIO	73 m ²	25
SPORT HALL STORAGE	113 m ²	N/A
LEISURE	635 m ²	200
WC	3 m ²	N/A
D. WC	4 m ²	N/A
TREATMENT 6	19 m ²	2
TREATMENT 3	18 m ²	2
TREATMENT 2	18 m ²	2
TREATMENT 1	18 m ²	2
TREATMENT 5	19 m ²	2
TREATMENT 4	19 m ²	2
STUDIO 3	36 m ²	15
STUDIO 1	54 m ²	15
STUDIO 2	34 m ²	7
RELAX	65 m ²	20
CORRIDOR	13 m ²	N/A
WELLNESS SUITE	88 m ²	30
CHEM ST	6 m ²	N/A
D. WC	4 m ²	N/A
ST	1 m ²	N/A
D. WC	4 m ²	N/A
MAINTENANCE OFFICE	9 m ²	2
HOT DESK OFFICE	23 m ²	4
STORE	3 m ²	N/A
STAFF ROOM	15 m ²	10
TRAINING ROOM	9 m ²	4
SERVERY	19 m ²	2
TREATMENT 7	22 m ²	2
ST	3 m ²	N/A
D. WC	3 m ²	N/A
LEARNER POOL	95 m ²	Existing
MAIN POOL	316 m ²	Existing
CAFE	174 m ²	60
	2383 m ²	

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No.	Revision	Date	Auth
B	Amendments following VE	16/10/17	
A	Adjustment to Soft Play & Climb - TBC with suppliers	03/10/17	
1	Cost Certainty Issue	26/10/17	
	Revision		

COST CERTAINTY

Saunders Boston ARCHITECTS

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T 01223 367733 E office@saundersboston.co.uk

Client: Alliance Leisure

Job: HAVERHILL LEISURE CENTRE

Drawing: Proposed Ground Floor Plan

Scales: 1 : 100 @A1 Date: 25/08/17

SBA Project Code: 1524 Drawing Status Code: Revision: T1

project: 1524 originator zone level type role number: -SBA-XX-GF-DR-A-11

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Outcome	Response
<p><i>Social and community</i></p> <ul style="list-style-type: none"> • create an environment that provides the opportunity for physical activity for all; • encourage personal responsibility for wellbeing through education and the development of life skills and healthy habits; • improve the quality of life and the health and wellbeing of all our communities; • ensure that physical activity is inclusive by understanding and addressing barriers to participation; • maximise use of local assets including sharing assets where appropriate; and • make connections between different communities through shared activities. 	<p>The range of facilities on offer will enable the council to provide a far greater opportunity for residents to engage in physical activity across a broader age range.</p> <p>The addition of the wellbeing facility enables a more educational approach and enables stakeholders and alternative providers to operate within the leisure facilities and refer into a far broader range of activity and encourages the sharing of an asset.</p>
<p><i>Economic</i></p> <ul style="list-style-type: none"> • ensure we are financially efficient and responsible in a changing financial environment, in line with the councils' Medium-Term Financial Strategy; • understand how our impact on health and wellbeing will financially benefit the whole public sector; • target our financial support and subsidies to improve outcomes that support our strategic priorities; and • create wider value for money. 	<p>The proposal enables the council to achieve its vision in terms of the reduction in the management fee paid to Abbeycroft Leisure. The project also has the potential to produce resources that could be targeted at programmes and initiatives that support those who are currently inactive.</p>
Outcome	Response
<p><i>Personal experience</i></p> <ul style="list-style-type: none"> • provide opportunities for physical activity that are accessible, inclusive, welcoming, nurturing and convenient; • acknowledge that there are a range of motivations to participating in physical activity and that some people want to be 	<p>The proposal aims to provide real choice to local residents enabling them to engage in a far broader range of activity within St Edmundsbury.</p>

<p>competitive, whilst others don't; and</p> <ul style="list-style-type: none"> • support the provision of facilities (including shared facilities) and opportunities in locations that encourage participation and keep active people active. 	<p>The range/choice of services and facilities also enable people to initiate and maintain their motivation to stay active for longer, which provides a better chance of success to create behaviour change in the longer term.</p>
<p><i>Health and wellbeing</i></p> <ul style="list-style-type: none"> • promote initiatives that will support the Suffolk Health and Wellbeing Strategy; • focus on activity to address preventable health issues by creating local opportunities that address local health needs, using the health data at Appendix A of the 'West Suffolk: promoting physical activity' framework; • ensure that active people remain active and that more people become active; and • encourage natural exercise as a part of daily lives and acknowledge that this may not include traditional sport. 	<p>The programmes/initiatives operating from the proposed facilities, combined with those in the broader community, create a platform to promote the need to lead a healthier lifestyle.</p> <p>The creation of the wellbeing facility within the leisure centre creates a facility where health agencies can create partnerships with physical activity specialists to further develop programmes, referral routes and opportunities that address the conditions highlighted in the local needs assessment</p>

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/SE/18/025	
Report to and date:	Cabinet	27 March 2018
Portfolio holder:	Ian Houlder Portfolio Holder for Resources and Performance Tel: 07970 729435 Email: ian.houlder@stedsbc.gov.uk	
Lead officer:	Rachael Mann Assistant Director (Resources and Performance) Tel: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	To consider the current revenue collection performance and to consider writing off outstanding debts, as detailed in the exempt appendices.	
Recommendation:	<p>The write-off of the amounts detailed in the exempt appendix to Report No: CAB/SE/18/025, be approved, as follows:</p> <p>(1) Exempt Appendix 1: Council Tax totalling £19,340.13</p> <p>(2) Exempt Appendix 2 : Business Rates totalling £128,925.73</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>(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>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: Council Tax
totalling £19,340.13

Exempt Appendix 2: Business Rates
totalling £128,925.73

1. Key issues and reasons for recommendation(s)

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

2. Alternative options

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

3. Financial implications and collection performance

- 3.1 Provision is made in the accounts for non-recovery but the total amounts to be written off are as follows with full details shown in Exempt Appendices 1 and 2.
- 3.2 As at 28 February 2018, 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 £48 million per annum. The collection rate as at 28 February 2018 was 95.23% against a profile of 94.77%.
- 3.3 As at 28 February 2018, 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 £58.6 million per annum. The collection rate as at 28 February 2018 was 96.60% against a profile target of 96.90%.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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