

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 24 October 2017 at **6.00 pm** in the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman Robin Millar

Andy Drummond

Stephen Edwards

By Invitation:

Louis Busuttill

(Chairman of the Performance and
Audit Scrutiny Committee)

Simon Cole

(Chairman of the Overview and
Scrutiny Committee)

In Attendance:

Brian Harvey

363. Apologies for Absence

Apologies for absence were received from Councillors David Bowman, Lance Stanbury and James Waters.

364. Minutes

The minutes of the meetings held on 12 September 2017 and 27 September 2017 were unanimously confirmed as a correct record and signed by the Chairman.

365. Open Forum

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

366. Public Participation

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

**367. Report of the Overview and Scrutiny Committee: 14 September 2017
(Report No: CAB/FH/17/047)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following items discussed by the Committee on 14 September 2017 and also drew relevant issues to the attention of the Cabinet:

- (1) Annual Presentation by the Cabinet Member of Planning and Growth.
- (2) Work Programme Update.

CAB.FH.24.10.2017

It was proposed, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/047, being the report of the Overview and Scrutiny Committee, be noted.

368. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 26 September 2017 (Report No: CAB/FH/17/048)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which informed the Cabinet of the following items discussed by the Joint Committee on 26 September 2017 and also drew relevant issues to the attention of the Cabinet:

- (1) Highlight Report and Balance Scorecard.
- (2) Finance Report.
- (3) Joint Committee Quoracy.
- (4) ARP Strategic Priorities.
- (5) Welfare Reform Update.

It was proposed, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/048, being the report of the Anglia Revenues and Benefits Partnership Joint Committee, be noted.

369. Report of the Performance and Audit Scrutiny Committee: 21 September 2017 (Report No: CAB/FH/17/049)

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee, presented this report which informed the Cabinet of the following items which had been discussed by the Committee on 21 September 2017 and also drew relevant issues to the attention of the Cabinet:

- (1) Ernst and Young – Presentation of 2016-2017 ISA 260 Annual Results Report to those Charged with Governance.
- (2) West Suffolk Local Code of Corporate Governance.
- (3) West Suffolk Annual Governance Statement 2016-2017.
- (4) 2016-2017 Annual Statement of Accounts.
- (5) Annual Corporate and Environmental Statement 2016-2017.
- (6) Work Programme Update.

It was proposed, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/049, being the report of the Performance and Audit Scrutiny Committee, be noted.

370. **Recommendations of Performance and Audit Scrutiny Committee: 21 September 2017 - West Suffolk Local Code of Corporate Governance (Report No: CAB/FH/17/050)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval for the West Suffolk Local Code of Corporate Governance.

In 2016, the Chartered Institute of Public Finance and Accountancy (CIPFA/Solace) updated their guidance, which strongly advocated the production of local Codes of Corporate Governance by local authorities so that they could review and account for their own individual arrangements to effectively discharge their functions and demonstrate their own compliance with good practice.

In light of this, Forest Heath District and St Edmundsbury Borough Councils (the West Suffolk Councils) had taken the opportunity to review their Code which was last produced jointly in 2013.

It was proposed, duly seconded and with the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (20 December 2017)

That, the West Suffolk Local Code of Corporate Governance, attached as Appendix A to Report No: PAS/FH/17/025, be approved.

371. **Report of the West Suffolk Joint Growth Steering Group: 9 October 2017 (Report No: CAB/FH/17/051)**

On behalf of Councillor Lance Stanbury, Portfolio Holder for Planning and Growth, the Service Manager (Economic Development and Growth) presented this report, which informed the Cabinet of the following items discussed by the Steering Group on 9 October 2017 and also drew relevant issues to the attention of the Cabinet:

- (1) Growth Priorities – Evidence Base.
- (2) Future Housing Delivery Options.
- (3) Planning Technical Guidance Note: Minimum Space Standards.
- (4) Response to Hargrave Neighbourhood Plan: Pre-Submission Version 2017-2031 (*The recommendations from this item have been referred for consideration to the St Edmundsbury Borough Council Cabinet only*)
- (5) Work Programme 2017/2018 and Terms of Reference.

It was proposed, duly seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/051, being the report of the West Suffolk Joint Growth Steering Group, be noted.

372. **First Year Review of Performance of the Council's Solar Farm and Future of its Wholly Owned Company Greenheath Energy Ltd (Report No: CAB/FH/17/052)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance presented this report which reported on performance since the purchase of Toggam Solar Farm in July 2016.

The Portfolio Holder explained that in relation to the first year performance, overall, the site had outperformed the modelled performance data for this period. This had resulted in a net benefit of £308,000 (compared to a predicted £300,000 net benefit) to be reinvested into the delivery of much valued district wide services.

As a standalone company, Greenheath Energy Ltd, would be subject to the small company exemption from an external audit, as whilst they had the intercompany asset balance, their turnover was less than £10m and they had less than 10 employees (they had no employees). Therefore, to allow Greenheath Energy to continue to be entitled to the small company audit exemption and in line with the Directors' proposals and having consulted with the Council's Section 151 Officer and Monitoring Officer, it was proposed that the Council, as the shareholder, agreed to the small company audit exemption being applied and the Council to give financial guarantee over Greenheath Energy Ltd and its liabilities.

The solar farm now sat within the direct control of the Council, Greenheath Energy Ltd was not actively trading. Legal advice had been sought on the options for Greenheath Energy Ltd and, therefore, based on the advice received and the work undertaken to ensure that there were no residual liabilities sitting within the company, the Directors recommended that they applied to strike off the company on the shareholders' behalf, once the intercompany loan had been removed and any residual proceeds, assets or liabilities were transferred to the Council.

It was proposed, duly seconded and with the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (20 December 2017)

That:-

1. The first year review of performance of the Council's Solar Farm be noted.
2. Forest Heath District Council, as the shareholder of Greenheath Energy Ltd, agree to the small company audit exemption being applied and the Council to give financial guarantee over Greenheath Energy Ltd.
3. Forest Heath District Council, as the shareholder of Greenheath Energy Ltd, support the Directors to apply to strike off Greenheath Energy Ltd on their behalf.

373. Norfolk and Suffolk Economic Strategy (Report No: CAB/FH/17/053)

On behalf of Councillor Lance Stanbury, Portfolio Holder for Planning and Growth, the Service Manager (Economic Development and Growth) presented this report which sought endorsement of the New Anglia Local Enterprise Partnership's (NALEP) Norfolk and Suffolk Economic Strategy.

Local authorities, businesses, universities and college had been working together with NALEP to develop a new economic strategy for Norfolk and Suffolk, the final version of which was attached as Appendix A to Report No: CAB/FH/17/053. It provided a clear and comprehensive framework for the next steps towards delivery.

Section 3 of the report provided details regarding the implications the content of the Strategy would specifically have on West Suffolk. Paragraphs 3.5 to 3.27 explained the contribution West Suffolk could make to achieving the aims and also what impact those aims would have.

It was proposed, duly seconded and with the vote being unanimous, it was

RESOLVED:

That:-

1. The Norfolk and Suffolk Economic Strategy be endorsed, as contained in Appendix A to Report No: CAB/FH/17/053, as guidance to support the strategy for growth in West Suffolk.
2. The next steps to the delivery of outcomes for West Suffolk communities be agreed, as set out in Section 3 of Report No: CAB/FH/17/053.

374. Decisions Plan: October 2017 to May 2018 [Updated] (Report No: CAB/FH/17/054)

The Cabinet considered Report No: CAB/FH/17/054, which was the Cabinet Decisions Plan covering the period October 2017 to May 2018. This version of the Decisions Plan had been updated since it was last presented to Cabinet on 12 September 2017.

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

The Meeting concluded at 6.30 pm

Signed by:

Chairman