

Cabinet



Forest Heath
District Council

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|--|---|--------------------------|-------------------------|--------------|------------|-----------------|---------------------------|---------------|---------------------|--------------|--------------------------|----------------|---------------------|
| Title: | Agenda | | | | | | | | | | | | |
| Date: | Tuesday 3 April 2018 | | | | | | | | | | | | |
| Time: | 6.00 pm | | | | | | | | | | | | |
| Venue: | Council Chamber District Offices College Heath Road Mildenhall | | | | | | | | | | | | |
| Membership: | <p>Leader James Waters</p> <p>Deputy Leader Robin Millar</p> <table> <tr> <td><u>Councillor</u></td><td><u>Portfolio</u></td></tr> <tr> <td>David Bowman</td><td>Operations</td></tr> <tr> <td>Stephen Edwards</td><td>Resources and Performance</td></tr> <tr> <td>Andy Drummond</td><td>Leisure and Culture</td></tr> <tr> <td>Robin Millar</td><td>Families and Communities</td></tr> <tr> <td>Lance Stanbury</td><td>Planning and Growth</td></tr> </table> | <u>Councillor</u> | <u>Portfolio</u> | David Bowman | Operations | Stephen Edwards | Resources and Performance | Andy Drummond | Leisure and Culture | Robin Millar | Families and Communities | Lance Stanbury | Planning and Growth |
| <u>Councillor</u> | <u>Portfolio</u> | | | | | | | | | | | | |
| David Bowman | Operations | | | | | | | | | | | | |
| Stephen Edwards | Resources and Performance | | | | | | | | | | | | |
| Andy Drummond | Leisure and Culture | | | | | | | | | | | | |
| Robin Millar | Families and Communities | | | | | | | | | | | | |
| Lance Stanbury | Planning and Growth | | | | | | | | | | | | |
| Interests – Declaration and Restriction on Participation: | Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest. | | | | | | | | | | | | |
| Quorum: | Three Members | | | | | | | | | | | | |
| Committee administrator: | Sharon Turner Democratic Services Officer (Cabinet) Tel: 01638 719237 Email: sharon.turner@westsuffolk.gov.uk | | | | | | | | | | | | |

Public Information



Forest Heath

District Council

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

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

1 - 20

To approve as a correct record the minutes of the Cabinet meetings held on 9 January 2018 and 13 February 2018 (attached).

Part 1 - Public

3. Open Forum

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

4. Public Participation

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

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

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

**5. Report of the Overview and Scrutiny Committee:
8 March 2018**

21 - 26

Report No: **CAB/FH/18/020**

Chairman of the Committee: Simon Cole Lead Officer: Christine Brain

**6. Recommendations of the Overview and Scrutiny
Committee: 8 March 2018 - West Suffolk Information
Framework**

27 - 30

Report No: **CAB/FH/18/021**

Portfolio Holder: Stephen Edwards
Chairman of Committee: Simon Cole

Lead Officer: Rachael Mann

- 7. Recommendations of the Overview and Scrutiny Committee: 8 March 2018 - Lettings Policy** **31 - 34**
Report No: **CAB/FH/18/022**
Portfolio Holder: Sara Mildmay-White, West Suffolk Lead for Housing
Chairman of Committee: Simon Cole Lead Officer: Davina Howes
- 8. Tackling Rogue Landlords: Civil Sanctions Policy** **35 - 58**
Report No: **CAB/FH/18/023**
Portfolio Holder: Sara Mildmay-White, West Suffolk Lead for Housing
Lead Officer: Andrew Newman
- 9. Workforce Strategy 2018-2020** **59 - 78**
Report No: **CAB/FH/18/024**
Portfolio Holder: Stephen Edwards Lead Officer: Wendy Canham
- 10. Decisions Plan: April 2018 to May 2018** **79 - 92**
Report No: **CAB/FH/18/025**
To consider the most recently published version of the Cabinet's Decisions Plan

Portfolio Holder: James Waters Lead Officer: Ian Gallin
- 11. Revenues Collection Performance and Write-Offs** **93 - 96**
Report No: **CAB/FH/18/026**
Portfolio Holder: Stephen Edwards Lead Officer: Rachael Mann
- 12. Exclusion of the 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

- 13. Exempt Appendices 1, 2 and 3 : Revenues Collection Performance and Write-Offs (paras 1 and 2)** **97 - 102**
Exempt Appendices 1, 2 and 3 to Report No: **CAB/FH/18/026**
Portfolio Holder: Stephen Edwards 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 1092, 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



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)

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|--------------------|---------------|
| 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:

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|------------------------|---|
| Sarah Broughton (SEBC) | Chairman of SEBC's Performance and Audit Scrutiny Committee |
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| Louis Busuttil (FHDC) | Chairman of FHDC's Performance and Audit Scrutiny Committee |
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In attendance:

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| Susan Glossop (SEBC) | David Nettleton (SEBC) |
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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.

Extraordinary Cabinet



Forest Heath
District Council

Minutes of an extraordinary meeting of the **Cabinet** held on
Tuesday 9 January 2018 at 6.47 pm in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU

Present: **Councillors**

Chairman James Waters (Leader of the Council)

Vice Chairman Robin Millar (Deputy Leader of the Council)

David Bowman
Andy Drummond

Stephen Edwards
Lance Stanbury

By Invitation:

Louis Busuttil

(Chairman of the Performance and
Audit Scrutiny Committee)

397. **Apologies for Absence**

There were no apologies for absence.

398. **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).

No other non-Cabinet Members in attendance wished to speak on Items 6. to 8.

399. **Public Participation**

This item had already been considered during the informal discussions in relations 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 8.

400. **Tackling Rogue Landlords: Civil Sanctions Policy (Report No: CAB/FH/18/001)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/001, it was proposed, seconded and with the vote being unanimous, it was

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.

401. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017 (Report No: CAB/FH/18/002)

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/002, it was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/18/002, being the report of the Anglia Revenues and Benefits Partnership Joint Committee, be noted.

402. Report of the Performance and Audit Scrutiny Committee: 29 November 2017 (Report No: CAB/FH/18/003)

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee presented this report which informed the Cabinet of the following substantive items discussed by the 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.
- (10) Mid-year Treasury Management Report and Investment Activity (April to September 2017).

Councillor Busuttil drew relevant issues to the attention of the Cabinet, including that the Committee's recommendations relating to Items (9) and (10) above had been considered and approved by the Cabinet at its meeting on 12 December 2017. Councillor Busuttil also wished to commend the work of the Finance Team in achieving an unqualified opinion from the External Auditors on the Council's financial statements.

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

RESOLVED:

That the contents of Report No: CAB/FH/18/003, being the report of the Performance and Audit Scrutiny Committee, be noted.

403. Mildenhall Hub (Report No: CAB/FH/18/004)

The Cabinet received this report which provided an update on progress with the Mildenhall Hub project from the Council's perspective, as the project moved into its delivery stage, since receiving planning consent in November 2017. Based on the current timetable (as outlined in paragraph 1.5 of the report), the project was due for completion in early 2020.

In terms of funding and costs, even though there had been changes to the project over the last year, there was not a need, at this time, to amend the Council's agreed financial business case from February 2017. The projected net position was a small revenue surplus (essentially a break-even position) from a total capital budget of £22m.

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

RESOLVED:

That the progress in delivering the Mildenhall Hub project and the new projected timetable, as outlined in Report No: CAB/FH/18/004, be noted.

404. Review and Appointment of the Cabinet's Working Groups/Joint Panels and Other Groups (Report No: CAB/FH/18/005)

The Cabinet considered this report which provided an interim review of the Cabinet's Working Group, Joint Panels and Other Groups.

As the Cabinet's Local Plan Working Group 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 Group, 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 the Future Governance Steering Group.

Relevant issues were drawn to the attention of the Cabinet, including that approval of the majority of the recommendations meant no changes would be made to the existing arrangements.

However, it was being recommended that the West Suffolk Joint Growth Steering Group be replaced by the Growth and Innovation Group for the reasons set out in paragraphs 1.3.2 to 1.3.8 of the report. It was also being recommended that the ToR 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 a defined membership, Table 1 contained in each Appendix, the existing membership for the various bodies and it was proposed these be re-appointed.

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

RESOLVED:

That:-

1. The Local Plan Working Group continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/FH/18/005.
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 of Report No: CAB/FH/18/005.
3. The Future Governance Steering Group continues to operate, in accordance with the amended Terms of Reference contained in Appendix C of Report No: CAB/FH/18/005.
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 of Report No: CAB/FH/18/005; 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 of Report No: CAB/FH/18/005.
5.
 - (a) The Cabinet's existing informal Working Group be retained as indicated in Section 1.4.2 of Report No: CAB/FH/18/005; 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) Forest Heath District Council's membership (including substitutes) of the Local Plan Working Group, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel, West Suffolk Joint Staff Consultative Panel and Joint Member Development Group, as set out in Table 1 of Appendices A, C, D, E and F respectively of Report No: CAB/FH/18/005, 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/FH/18/005.

The Meeting concluded at 6.50 pm

Signed by:

Chairman

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Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 13 February 2018 at 6.00 pm at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters
Vice Chairman Robin Millar

David Bowman
Andy Drummond

Stephen Edwards
Lance Stanbury

By Invitation:

Louis Busuttil

(Chairman of the Performance and
Audit Scrutiny Committee)

Simon Cole

(Chairman of the Overview and
Scrutiny Committee)

Ruth Bowman

(Vice Chairman of the Overview and
Scrutiny Committee)

In Attendance:

Victor Lukaniuk
David Palmer

405. **Apologies for Absence**

There were no apologies for absence.

406. **Minutes**

The minutes of the meetings held on 14 November 2017 and 12 December 2017 were unanimously confirmed as a correct record and signed by the Chairman.

407. **Open Forum**

The following non-Cabinet Member in attendance wished to speak under this item:

(a) Brandon Country Park (Report No: CAB/FH/18/012)

Councillor Victor Lukaniuk referred to this item which was due for consideration by the Cabinet and expressed his support for Forest Heath District Council acquiring the freehold of Brandon Country Park. Councillor Lukaniuk did also request for consideration to be given for the involvement of the Brandon West Ward Members on any

Management Committee which may be established for the operation of Park.

408. Public Participation

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

409. Report of the Overview and Scrutiny Committee: 11 January 2018 (Report No: CAB/FH/18/007)

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committees, presented this report which informed the Cabinet of the following substantive items discussed by the Committee on 11 January 2018:

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

Councillor Cole drew relevant issues to the attention of the Cabinet.

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

RESOLVED:

That the contents of Report No: CAB/FH/18/007, being the report of the Overview and Scrutiny Committee, be noted.

410. Report of the Performance and Audit Scrutiny Committee: 31 January 2018 (Report No: CAB/FH/18/008)

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee, presented this report which informed the Cabinet of the following substantive items discussed by the Committee on 31 January 2018:

- (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) Ernst and young – Certification of Claims and Returns Annual Report 2016-2017.
- (5) Ernst and Young – External Audit Plan and Fees 2017-2018.
- (6) Financial Performance Report (Revenue and Capital) Quarter 3 – 2016-2017.
- (7) Delivering a Sustainable Medium Term Financial Strategy 2018-2021.
- (8) Treasury Management Report 2017-2018 – Investment Activity (April to December 2017).
- (9) Treasury Management Policy Statement and Investment Strategy 2018-2019 and Treasury Management Code of Practice.
- (10) Decision Relating to Complaint to Local Government Ombudsman.

Councillor Busuttill drew relevant issues to the attention of the Cabinet, including that separate reports in connection with Items (7), (8) and (9) above, were also included within this Cabinet agenda.

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

RESOLVED:

That the contents of Report No: CAB/FH/18/008, being the report of the Performance and Audit Scrutiny Committee, be noted.

411. Recommendations of the Performance and Audit Scrutiny Committee: 31 January 2018 - Treasury Management Report 2017-2018 - Investment Activity (April to December 2017) (Report No: CAB/FH/18/009)

The Cabinet received this report 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.

Relevant issues were drawn to the attention of the 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 Performance and Audit Scrutiny Committee.

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

RECOMMENDED TO COUNCIL: (21 February 2018)

That the Third Quarter Treasury Management Report 2017-2018, attached at Appendix 1 to Report No: PAS/FH/18/008, be approved.

412. Recommendations of the Performance and Audit Scrutiny Committee: 31 January 2018 - Annual Treasury Management and Investment Strategy 2018/2019 and Treasury Management Code of Practice (Report No: CAB/FH/18/010)

The Cabinet received this report 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. These documents were attached as Appendix 1 to the report.

In December 2017, CIPFA had 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. The main changes to the Strategy and the Code of Practice were outlined in paragraph

1.2.1 of the report. The Treasury Management Code of Practice (attached as Appendix 3) had been updated accordingly to reflect these proposed changes.

The Performance and Audit Committee had also been provided with information on the interest rate projections, counterparty ratings (Appendix 2) and the list of approved organisations for investment and lending criteria and limits (Appendix 4).

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

RECOMMENDED TO COUNCIL: (21 February 2018)

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 and 2 to Report No: PAS/FH/18/009, be approved.
3. The Treasury Management Code of Practice 2018-2019, as set out in Appendix 3 and 4 to Report No: PAS/FH/18/009, be approved.

413. Recommendations of the Performance and Audit Scrutiny Committee: 31 January 2018 - Delivering a Sustainable Medium Term Financial Strategy 2018-2021 (Report No: CAB/FH/18/011)

The Cabinet received this report 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.

Report No: PAS/FH/18/007 had provided the Performance and Audit Scrutiny Committee with information on the future budget pressures and challenges; budget gap and budget assumptions; methodology for securing a balanced budget 2018/2021; budget proposals for 2018-2021 and the proposed budget timetable.

Paragraph 5 (Table 2) of Report No: PAS/FH/18/007 had also asked the Committee to supported and recommended to Cabinet, the inclusion of further proposals/changes in order to progress securing a balanced budget for 2018/2019 (the detail of which was outlined in paragraph 1.1.7 of the Cabinet report).

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

RESOLVED:

That:-

1. The budget assumptions (outlined in Appendix A to Report No: PAS/FH/18/007) and timetable (at 6.1), along with the progress made to date on delivering a balanced budget for 2018-2019 and sustainable budget in the medium term; be noted.
2. The proposals, as detailed in Section 5 and Table 2 at paragraph 5.1 of Report No: PAS/FH/18/007, be included in securing a balanced budget for 2018-2019.

414. Brandon Country Park (Report No: CAB/FH/18/012)

(Councillor Robin Millar declared a local non pecuniary interest in this item, being a Suffolk County Councillor and remained in the meeting during the discussion and voting thereon)

Councillor David Bowman, Portfolio Holder for Operations, presented this report which explained that Suffolk County Council (SCC) had reviewed its activities and would like to transfer Brandon Country Park to Forest Heath District Council (FHDC), on the basis that the West Suffolk Parks Team already managed a large portfolio of sites across both Forest Heath and St Edmundsbury and was, therefore, able to realise economy of scale savings that could be realised were the facility to be managed by that Team. Suffolk County Council also wanted to see continued use of the site as a Country Park, so this transfer would be a good fit.

The details of the proposed transfer were set out in Section 3 of the report. However, following recent negotiations between the two Councils, the agreed position was as follows:

- SCC to transfer the park and the gate lodge to FHDC for £1.
- SCC to also provide a one-off payment of £25,000 to assist FHDC during the initial year of operation.
- FHDC to provide a 10 year strategic management plan which met SCC's requirements.
- The freehold transfer to be subject to a protective covenant which would ensure that the facility remained a public asset for the benefit of the people of Suffolk.

It was also being proposed for the target transfer date to be set for 1 April 2018.

The Cabinet Members expressed their support for this proposed transfer, which presented an opportunity for the operation of this asset to be delivered at a local level. However, it was also acknowledged that there would still be a requirement to review the operation of the Park to secure the right balance between the offer to the public and ensuring it was run in a cost-effective manner.

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

RESOLVED:

That subject to successful negotiations:

1. A transfer of the freehold of Brandon Country Park from Suffolk County Council to Forest Heath District Council for the nominal sum of £1, be approved.
2. Forest Heath District Council operates Brandon Country Park consistent with the management of other parks in West Suffolk.
3. The estimated 2018/19 revenue budget position for the park outlined in paragraph 3.4 and Appendix 2 of Report No: CAB/FH/18/012 and the potential costs thereafter, be noted.

415. **Budget and Council Tax Setting 2018/2019 and Medium Term Financial Strategy 2018-2022 (Report No: CAB/FH/18/013)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which set out the proposals for the Budget and Council Tax Setting in 2018/2019 and the Medium Term Financial Strategy 2018-2022. The Cabinet was required to consider the 2018/2019 budget for the authority and to 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 continue to face considerable financial challenges in the short, medium and longer term. Changed 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 reduction of the 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, so the Council's income from interest was significantly reduced. In addition, there was an increased demand for some services, such as support and advice relating to housing options and homelessness. Council Tax increases had been capped at 3% (previously 2%) or £5 whichever was the greatest, but this local tax raised just a fifth of the Council's income for local services. National policy encouraged councils to grow their local 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.

Forest Heath District Council had been working in partnership with St Edmundsbury Borough Council (the West Suffolk Councils) since 2010 and had saved in excess of £4m annually through sharing services and were continuing this savings and transformation journey 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 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. Paragraphs 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 21 February 2018).

Section 1.2 of the report provided details of the Council's total formula grant for 2018/2019 (including Revenue Support Grant (RSG) and Baseline Funding from retained Business Rates – before growth) was £2.387m. 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 District 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.

Section 1.7 of the report provided details of skills and capacity changes 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 that the strategic investment projects could be delivered. 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 also considered.

Having acknowledged these issues 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 3.5% (increase of £4.95) 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 £147.33. It was noted that the level of council tax for 2018/2019 would be set in accordance with the annual budget process for the relevant financial year.

Given the financial challenges facing the Council, the Portfolio Holder commended staff and Members for their commitment in being able to secure a balanced budget for 2018/2019 and over the medium term to 2021/2022.

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

RECOMMENDED TO COUNCIL: (21 February 2018)

That:-

1. The revenue and capital budget for 2018-2022 attached at Attachment A and as detailed in Attachment D, Appendices 1-5, Attachment E and F, as all attached to Report No: CAB/FH/18/013, 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/FH/18/013, Cabinet recommends a 3.5% 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 £147.33 (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 Forest Heath District 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/FH/18/013.
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 Councils' priorities within agreed budgets and the principles of the MTFS, as set out in paragraphs 1.7 to 1.7.7 of Report No: CAB/FH/18/013.

416. **Overarching West Suffolk Growth Investment Strategy, Governance and Delegation (Report No: CAB/FH/18/014)**

Councillor Lance Stanbury, Portfolio Holder for Planning and Growth, presented this report 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.

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.

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.

The Cabinet expressed their support to this Strategy. However some concerns were also raised with regard to the wording used within the Strategy, in that it contained various grammatical errors, was contradictory and poorly constructed in some aspects, which in turn had made it difficult to read and fully understand. These concerns were acknowledged by Officers and would be addressed, prior to the publication of the final version of the Strategy.

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

RECOMMENDED TO COUNCIL: (21 February 2018)

That:-

1. The Overarching West Suffolk Growth Investment Strategy, as attached at Appendix A to Report No: CAB/FH/18/014, be approved.
2. Subject to the safeguards set out within Report No: CAB/FH/18/014, 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.
 - (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.

417. Decisions Plan: 27 February 2018 to May 2018

The Cabinet considered Report No: CAB/FH/18/015, which was the Cabinet's Decisions Plan covering the period 27 February 2018 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 6.40 pm

Signed by:

Chairman

Cabinet



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|-----------------------------------|--|---------------|
| Title of Report: | Report of the Overview and Scrutiny Committee: 8 March 2018 | |
| Report No: | CAB/FH/18/020 | |
| Report to and date: | Cabinet | 3 April 20018 |
| Chairman of the Committee: | Councillor Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk | |
| Lead Officer: | Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk | |
| Purpose of report: | On 8 March 2018, the Overview and Scrutiny Committee considered the following items: (1) Barley Homes Group Limited Annual Report 2018 (2) Lettings Policy (3) Annual Presentation by the Cabinet Member for Resources and Performance (4) West Suffolk Information Framework – Report from the Joint Task and Finish Group (5) Work Programme Update. Separate reports are included on this Cabinet agenda for Items (2) and (4) above. | |
| Recommendation: | The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/18/020, being the report of the Overview and Scrutiny Committee. | |

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| 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: | | | |
| Are there any financial implications? If yes, please give details | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Reports listed under background papers below | |
| Are there any staffing implications? If yes, please give details | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Reports listed under background papers below | |
| Are there any ICT implications? If yes, please give details | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Reports listed under background papers below | |
| Are there any legal and/or policy implications? If yes, please give details | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Reports listed under background papers below | |
| Are there any equality implications? If yes, please give details | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Reports 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/FH/18/004)

- 1.1.1 The Committee received Report No: OAS/FH/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 expressed concerns regarding the deliverability of the Barley Homes five-year business plan, given one of the four initial development sites had 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 had been offered to Barley Homes, the offer they were able to make based on the assessed future development was not acceptable to SCC.
- 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 by being more flexible in how it interpreted market value and pushing for policy compliance. 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 is required with Barley Homes to establish new assumptions and greater flexibilities.
- 1.1.5 The Committee questioned what needed to be done next to make sure that Barley Homes was a success. In response, member were informed that Barley Homes was currently working hard to progress the three remaining sites set out in the current business plan to ensure that they worked and delivered against the timeline set out in Appendix A.
- 1.1.6 In response to a question raised on the financial figures, the Committee was informed that the figures set out in Appendix 2 of the Annual Report were a

snapshot in time up to the end of January 2018, and the full set of accounts would be available at the end of the financial year. Officers explained the costs incurred to date, and that costs would be charged back to the individual schemes in getting sites ready to the point of submitting planning applications.

- 1.1.7 Discussions were also held on viability challenges at Development Control meetings, achieving development management policy compliance, and Section 123 obligations (land disposal best value considerations), whether social costs could be included as part of the sale of land including timeframes, and the definition of affordable housing to which responses were provided.
- 1.1.8 In summing up the meeting, the Chairman stated he had been concerned about the political pressures, the volatility of the relationship between the partners, and the learning curve which the partners had gone through. However, he was pleased to see that SCC had learnt something from the process, and was encouraged by the SCC Assistant Director's comments throughout the meeting.

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/FH/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/FH/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 **Annual Presentation by the Cabinet Member for Resources and Performance (Report No: OAS/FH/18/006)**

- 1.2.1 The Cabinet Member for Resources and Performance, Councillor Stephen Edwards was invited back to give an annual update on his portfolio. Report No: OAS/FH/18/006 set out the focus for the annual update.
- 1.2.2 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.
- 1.2.3 The Cabinet Member thanked the Committee for the invitation to address them on progress made within his Portfolio since March 2017.
- 1.2.4 The Committee asked a number of follow-up questions relating to procurement, ICT and Treasury Management, to which comprehensive responses were provided.

1.2.5 The Chairman of the Committee thanked the Cabinet Member for the level of detail provided to each of the questions provided by the Committee, in particular ICT, and suggested that the Council should maintain and update these figures on an annual basis, as it would help to plan for ICT costs in the future when we became one council.

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

1.3 **Work Programme Update (Report No: OAS/FH/18/008)**

1.3.1 The Committee received and **noted** Report No: OAS/FH/18/008, which updated Members on the current status of its rolling work programme of items for scrutiny during 2018-2019 (Appendix 1).

1.3.2 Members were informed that an Extraordinary meeting of the Committee had now been arranged to enable the Committee to look at the National Horseracing Museum. This would take place on Monday 16 April 2018 at the National Horseracing Museum, commencing at 6pm, with a tour of the museum arranged for members of the Committee to take place at 5pm.

1.3.3 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/FH/18/004](#) and [Appendix A](#) to the Overview and Scrutiny Committee: Barley Homes Group Limited Annual Report 2018

2.1.2 Report No: [OAS/FH/18/006](#) to the Overview and Scrutiny Committee: Annual Presentation by the Cabinet Member for Resources and Performance

2.1.3 Report No: [OAS/FH/18/008](#) to the Overview and Scrutiny Committee: Work Programme Update

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Cabinet



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| Title of Report: | Recommendations of the Overview and Scrutiny Committee: 8 March 2018 – West Suffolk Information Framework | |
| Report No: | CAB/FH/18/021 | |
| Report to and date: | Cabinet | 3 April 2018 |
| Portfolio holder: | Councillor Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01799 530325 Email: Stephen.edwards@forest-heath.gov.uk | |
| Chairman of the Committee: | Councillor Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk | |
| Lead Officer: | Rachael Mann Assistant Director (Resources and Performance) Tel: 01284 751245 Email: rachael.mann@westsuffolk.gov.uk | |
| Purpose of report: | On 8 March 2018, the Overview and Scrutiny Committee considered Report No: OAS/FH/18/007 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/FH/18/007, be approved. | |
| Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.) | Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> | |
| Consultation: | <ul style="list-style-type: none"> See Report No: OAS/FH/18/007 | |

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| Alternative option(s): | | • See Report No: OAS/FH/18/007 | |
| Implications: | | | |
| Are there any financial implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/FH/18/007 | |
| Are there any staffing implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/FH/18/007 | |
| Are there any ICT implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/FH/18/007 | |
| Are there any legal and/or policy implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/FH/18/007 | |
| Are there any equality implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> • See Report No: OAS/FH/18/007 | |
| 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/FH/18/007 | | | |
| Ward(s) affected: | | All | |
| Background papers: <i>(all background papers are to be published on the website and a link included)</i> | | West Suffolk Strategic Plan 2018-2020 https://www.westsuffolk.gov.uk/Council/Policies Strategies and Plans/upload/StrategicFramework2018-20.pdf | |
| Documents attached: | | None | |

1. Key issues and reasons for recommendations

1.1 Key Issues

- 1.1.1 The Committee received Report No: OAS/FH/18/007, 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 as regards 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 Overview and Scrutiny Committee considered the report and has put forward a recommendation as set out on page one of this report.

Cabinet



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| Title of Report: | Recommendations of the Overview and Scrutiny Committee: 8 March 2018 – Lettings Policy | |
| Report No: | CAB/FH/18/022 | |
| Report to and date: | Cabinet | 3 April 2018 |
| Portfolio holder: | Councillor Sara Mildmay-White West Suffolk Lead for Housing Tel: 01359 270580 Email: sara.mildmay-white@stedsbcb.gov.uk | |
| Chairman of the Committee: | Councillor Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk | |
| Lead Officer: | Davina Howes Assistant Director (Families and Communities) Tel: 01284 757070 Email: Davina.howes@westsuffolk.gov.uk | |
| Purpose of report: | On 8 March 2018, the Overview and Scrutiny Committee considered Report No: OAS/FH/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/FH/18/005, be approved. | |
| Key Decision: (Check the appropriate box and delete all those that <u>do not</u> 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"/> | |

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| Consultation: | <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | | |
| Alternative option(s): | <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | | |
| Implications: | | | |
| Are there any financial implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | |
| Are there any staffing implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | |
| Are there any ICT implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | |
| Are there any legal and/or policy implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Report No: OAS/FH/18/005 | |
| Are there any equality implications? <i>If yes, please give details</i> | | Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Report No: OAS/FH/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/FH/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> | | None | |
| Documents attached: | | None | |

1. Key issues and reasons for recommendations

1.1 Key Issues

- 1.1.1 The Committee received Report No: OAS/FH/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> <ul style="list-style-type: none"> 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. |
| 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 considered the report and has put forward a recommendation as set out on page one of this report.

Cabinet



Forest Heath
District Council

| | | |
|----------------------------|--|--------------|
| Title of Report: | Tackling Rogue Landlords: Civil Sanctions Policy | |
| Report No: | CAB/FH/18/023 | |
| Report to and date: | Cabinet | 3 April 2018 |
| Portfolio holder: | Councillor Sara Mildmay-White West Suffolk Lead 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/FH/18/023, 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> | |

| | |
|---|---|
| Key Decision: (Check the appropriate box and delete all those that do not apply.) | <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: | <ul style="list-style-type: none"> See section 5 below |
| Alternative option(s): | <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. |
| Implications: | |
| <i>Are there any financial implications? If yes, please give details</i> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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. |
| <i>Are there any staffing implications? If yes, please give details</i> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 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. |
| <i>Are there any ICT implications? If yes, please give details</i> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <i>Are there any legal and/or policy implications? If yes, please give details</i> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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. |

| | | | |
|---|---|--|---------------------------------------|
| Are there any equality implications? If yes, please give details | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 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. | |
| 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) |
| 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. | | | |
| Ward(s) affected: | | All Ward/s | |
| Background papers: <i>(all background papers are to be published on the website and a link included)</i> | | Cabinet Report No: CAB/SE/18/001 9 January 2018 Report considered prior to engagement. | |
| Documents attached: | | Appendix A -The draft Civil Sanctions Policy Appendix B – EQIA screening | |

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 licensing 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 step 5. |
| 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/ | Action/milestone | Responsibility | Achievement | Monitoring |

APPENDIX B

| characteristic | | (Project manager or partner organisation) | date | 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



Forest Heath
District Council

| | | |
|---|--|--------------|
| Title of Report: | Workforce Strategy 2018-2020 | |
| Report No: | CAB/FH/18/024 | |
| Report to and date: | Cabinet | 3 April 2018 |
| Portfolio holder: | Councillor Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01799 530325 Email: stephen.edwards@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 RECOMMENDED that the Workforce Strategy as contained in Appendix 1 to Report No: CAB/FH/18/024, be approved. | |
| Key Decision: | 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"/> | |
| (Check the appropriate box and delete all those that do not apply.) | | |
| 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"/> | |
| Are there any ICT implications? If yes, please give details | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Are there any legal and/or policy implications? If yes, please give details | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| 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.

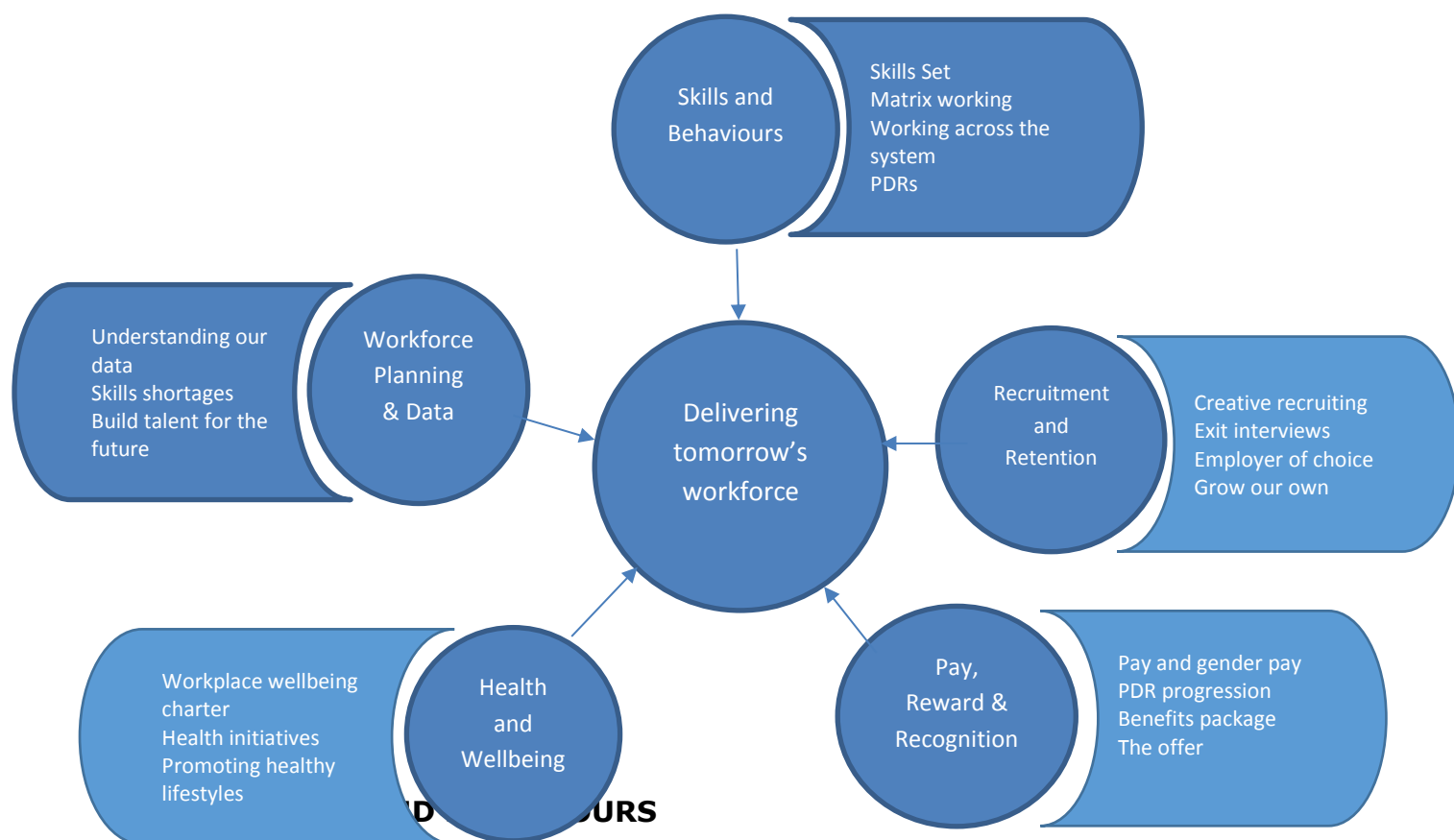
Moving forward it is clear that many of those key areas are themes which will always remain the foundation of the workforce strategy. It is also clear that we have made significant progress in delivering these commitments. **(See Appendix A below)**

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?

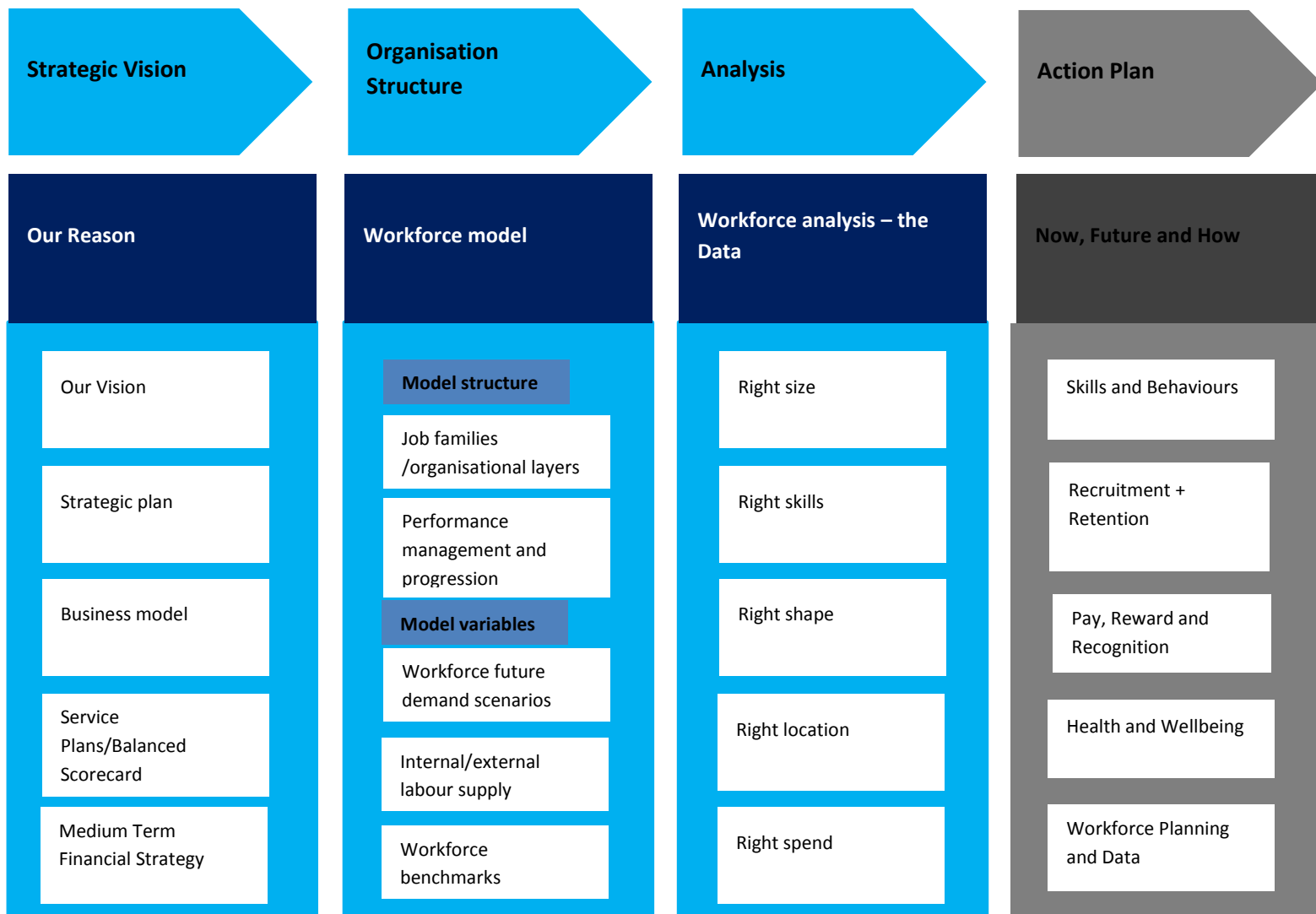
We are reactive in terms of skills needs and vacancy management. We have an aging workforce in some key areas and run the risk of losing key people. We have access to base line data in terms of workforce composition in general such as male/female/age/part-time/full-time/disability/sickness but we need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



Forest Heath District Council

Report No: CAB/FH/18/025

Decisions Plan

Key Decisions and other executive decisions to be considered

Date: 1 April 2018 to 31 May 2018

Publication Date: 5 March 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 Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

| Expected Decision Date | Subject and Purpose of Decision | Reason for taking item in private (see Note 1 for relevant exempt paragraphs) | Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions) | Decision Taker (see Note 3 for membership) | Portfolio Holder Contact Details | Lead Officer Contact Details | Wards Affected | Documents to be submitted |
|------------------------|---|---|--|--|--|---|----------------|---|
| 03/04/18 | Workforce Strategy 2018-2020 The Cabinet will be asked to approve the Workforce Strategy 2018-2020, which had been jointly produced with St Edmundsbury Borough Council. | Not applicable | (D) | Cabinet | Stephen Edwards Resources and Performance 07904 389982 | Karen Points Assistant Director (HR, Legal and Democratic Services) 01284 757015 Wendy Canham Service Manager (HR and Organisational Development) 01285 757006 | All Wards | Report to Cabinet, including Workforce Strategy 2018-2020 |
| 03/04/18 | 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 West Suffolk Lead for Housing 01359 270580 | Julie Baird Assistant Director (Growth) 01284 757613 | 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 |
|---|--|---|--|--|--|---|----------------|--|
| 03/04/18 | Investing in the Council's Commercial Asset Portfolio In line with the Council's West Suffolk Growth Investment Strategy, the Cabinet will be asked to consider a potential acquisition to the Council's commercial asset portfolio. | Paragraph 3 | (R) - Council 25/04/18 | Cabinet/ Council | James Waters Leader of the Council 07771 621038 | Julie Baird Assistant Director (Growth) 01284 757613 Colin Wright Strategic Property Lead 01284 757385 | All Wards | Report to Cabinet, with recommendations to Council |
| 03/04/18 <i>(Deferred from 13/02/18)</i> | West Suffolk Information Framework The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny Committee in respect of seeking approval of a West Suffolk Information Framework, which has been jointly produced with St Edmundsbury Borough Council. A supporting ICT Strategy will be developed later which will propose a technology approach and architecture to support the Information Framework. | Not applicable | (D) | Cabinet | Stephen Edwards Resources and Performance 07904 389982 | Rachael Mann Assistant Director (Resources and Performance) 01638 719245 Kevin Taylor Service Manager (ICT) 01284 757230 | All Wards | Recommendations of the Overview and Scrutiny Committee to Cabinet. |

| Expected Decision Date | Subject and Purpose of Decision | Reason for taking item in private (see Note 1 for relevant exempt paragraphs) | Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions) | Decision Taker (see Note 3 for membership) | Portfolio Holder Contact Details | Lead Officer Contact Details | Wards Affected | Documents to be submitted |
|---|---|---|--|--|---|--|----------------|--|
| 03/04/18 <i>(Deferred from 14/11/17)</i> | West Suffolk Councils' Lettings Policy 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 Sub-Regional Partnership). This will also be considered by St Edmundsbury Borough Council's Cabinet. The draft Strategy will have previously been considered by the FHDC and SEBC Overview and Scrutiny Committees. | Not applicable | (D) | Cabinet | Sara Mildmay-White West Suffolk Lead for Housing 01359 270580 | Davina Howes Assistant Director (Families and Communities) 01284 757070 | All Wards | Report and draft Lettings Policy to Cabinet |
| 03/04/18 <i>(Deferred from 14/11/17)</i> | West Suffolk Civil Sanctions Policy Under the Housing and Planning Act 2016, local authorities have been given new powers to impose a civil sanctions as an alternative to | Not applicable | (D) in part, for approval of new policy. Recommendations to Council (25/04/18) for providing new | Cabinet/Council | Lance Stanbury Planning and Growth 07970 947704 Sara Mildmay-White West Suffolk Lead for Housing | David Collinson Assistant Director (Planning and Regulatory) 01284 757306 Andy Newman Service Manager (Housing | 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 |
|------------------------|---|---|--|--|--|--|----------------|---|
| | prosecution for certain housing offences. The Cabinet will be asked to 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 St Edmundsbury Borough Council. | | delegated powers to Officers | | 01359 270580 | Standards) 01638 719276 | | |
| 03/04/18 | Revenues Collection and Performance Write-Offs The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices. | Paragraphs 1 and 2 | (KD) | Cabinet | Stephen Edwards Resources and Performance 07904 389982 | Rachael Mann Assistant Director (Resources and Performance) 01638 719245 | All Wards | Report to Cabinet, with exempt Appendices |

| Expected Decision Date | Subject and Purpose of Decision | Reason for taking item in private (see Note 1 for relevant exempt paragraphs) | Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions) | Decision Taker (see Note 3 for membership) | Portfolio Holder Contact Details | Lead Officer Contact Details | Wards Affected | Documents to be submitted |
|--|---|---|--|--|--|---|----------------|---------------------------------------|
| 22/05/18 (Moved from 22/05/18) (Joint meeting with SEBC 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 | Lance Stanbury Planning and Growth 07970 947704 | Peter Gudde Service Manager (Environment and Regulation) 01284 757042 | All Wards | Report to Cabinet with revised policy |
| 22/05/18 (Joint meeting with SEBC Cabinet) | Housing Ten Unit Threshold The Cabinet will be asked to approve reverting back to applying approved 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 | Not applicable | (D) | Cabinet | Sara Mildmay-White West Suffolk Lead for Housing 01359 270580 | Julie Baird Assistant Director (Growth) 01284 757613 Simon Phelan Service Manager (Strategic Housing) 01638 719440 | 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 |
|---|---|---|--|--|--|---|----------------|---|
| | any affordable housing on developments of less than ten units. | | | | | | | |
| 22/05/18 <i>(Joint meeting with SEBC Cabinet)</i> | 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 Edmundsbury) plan to meet the self/custom build demand in West Suffolk. | Not applicable | (D) | Cabinet | Sara Mildmay-White West Suffolk Lead for 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 |
| 26/06/18 <i>(Deferred from 03/04/18)</i> <i>(Joint meeting)</i> | Review of West Suffolk's Homelessness Strategy The Homelessness Act 2002 requires all councils to review and produce a | Not applicable | (D) | Cabinet | Sara Mildmay-White West Suffolk Lead for 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 |

| 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 |
|--|---|--|--|---|---|---|-----------------------|---|
| <i>with SEBC Cabinet)</i> | <p>new Homelessness Strategy at least every five years. A review of the existing Strategy is due in 2018.</p> <p>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.</p> <p>The draft Strategy will have previously been considered by the FHDC and SEBC Overview and Scrutiny Committees.</p> | | | | | | | review and results of the consultation |
| 26/06/18 <i>(Joint meeting with SEBC Cabinet)</i> | <p>Review of the West Suffolk Housing Strategy</p> <p>The West Suffolk Housing Strategy is due to be reviewed in 2018.</p> | Not applicable | (R) - Council 18/07/18 | Cabinet/ Council | Sara Mildmay-White West Suffolk Lead for Housing 01359 270580 | Davina Howes Assistant Director (Families and Communities) 01284 757070 | All Wards | Report to Cabinet with draft Strategy, overview of existing Housing |

| Expected Decision Date | Subject and Purpose of Decision | Reason for taking item in private (see Note 1 for relevant exempt paragraphs) | Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions) | Decision Taker (see Note 3 for membership) | Portfolio Holder Contact Details | Lead Officer Contact Details | Wards Affected | Documents to be submitted |
|---|---|---|--|--|---|--|----------------|---|
| | <p>Through the review of the Housing Strategy, there will be the opportunity to reflect priorities, actions and projects set out in the recently adopted Strategic Plan 2018-2020. Furthermore, there are a number of additional 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 Scrutiny Committees.</p> | | | | | <p>David Collinson Assistant Director (Planning and Growth) 01284 757306</p> <p>Julie Baird Assistant Director (Growth) 01284 757613</p> | | Strategy review and results of consultation |
| <p>26/06/18</p> <p><i>(Joint meeting with SEBC Cabinet)</i></p> | <p>West Suffolk Annual Report 2017/2018</p> <p>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</p> | Not applicable | (D) | Cabinet | James Waters Leader of the Council 07771 621038 | Davina Howes Assistant Director (Families and Communities) 01284 757070 | 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 St Edmundsbury Borough Council. | | | | | | | |
| 26/06/18 <i>(Joint meeting with SEBC Cabinet)</i> | West Suffolk Joint Affordable Housing Supplementary Planning Document (SPD) The Affordable Housing Supplementary Planning Document (SPD) provides additional guidance to 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 the submission of a planning application. The Cabinet will be asked to recommend to Council approval of this SPD. | Not applicable | (R) - Council 18/07/18 | Cabinet/ Council | Sara Mildmay-White West Suffolk Lead for Housing 01359 270580 | Julie Baird Assistant Director (Growth) 01284 757613 Simon Phelan Service Manager (Strategic Housing) 01638 719440 | 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 |
|---|---|---|--|--|--|---|----------------|---|
| 26/06/18 (Joint meeting with SEBC Cabinet) | West Suffolk Joint Tenancy Strategy The Localism Act (2011) introduced a duty for local authorities to produce a Tenancy Strategy. The Cabinet will be asked to consider a Strategy which 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 West Suffolk Lead for 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 |

NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS

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

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

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

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

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

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

NOTE 2: KEY DECISION DEFINITIONS

Key decisions are:

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

NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS

(a) Membership of the Cabinet and their Portfolios:

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

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

| Full Breckland Cabinet Member | Full East Cambridgeshire District Council Cabinet Member | Full Fenland District Council Cabinet Member | Full Forest Heath District Council Cabinet Member | Full Suffolk Coastal District Council Cabinet Member | Full St Edmundsbury Borough Council Cabinet Member | Full Waveney District Council Cabinet Member |
|---|--|--|---|--|--|--|
| Cllr Paul Classen | Cllr David Ambrose-Smith | Cllr Chris Seaton | Cllr Stephen Edwards | Cllr Richard Kerry (Chairman) | Cllr Ian Houlder | Cllr Bruce Provan (Vice Chairman) |
| 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 |

Karen Points
Assistant Director (HR, Legal and Democratic Services)
Date: 5 March 2018

Cabinet



Forest Heath
District Council

| | | |
|---|--|--------------|
| Title of Report: | Revenues Collection Performance and Write-Offs | |
| Report No: | CAB/FH/18/026 | |
| Report to and date: | Cabinet | 3 April 2018 |
| Portfolio holder: | Councillor Stephen Edwards Portfolio Holder for Resources and Performance Telephone: 07904 389982 Email: stephen.edwards@forest-heath.gov.uk | |
| Lead officer: | Rachael Mann Assistant Director (Resources and Performance) Telephone: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk | |
| Purpose of report: | To consider the current revenue collection performance and to consider writing off outstanding debts, as detailed in the exempt appendices. | |
| Recommendation: | The write-off of the amounts detailed in the exempt Appendices to this report be approved, as follows: 1. Exempt Appendix 1: Council Tax totalling £10,297.99 2. Exempt Appendix 2 : Business Rates totalling £24,032.49 3. Overpayment of Housing Benefit totalling £13,613.62 | |
| Key Decision: | <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>(Check the appropriate box and delete all those that do not apply.)</i> | | |
| <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: | 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 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"/> 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) |
| | Low/Medium/ High* | | Low/Medium/ High* |
| Debts are written off which could have been collected. | Medium | Extensive recovery procedures are in place to ensure that all possible mechanisms are exhausted before a debt is written off. | Low |
| Ward(s) affected: | | All wards will be affected | |
| Background papers: <i>(all background papers are to be published on the website and a link included)</i> | | None | |
| Documents attached: | | 1. (Exempt) Appendix 1 – Council Tax totalling £10,297.99 2. (Exempt) Appendix 2 – Business Rates totalling £24,032.49 3. (Exempt) Appendix 3 - Overpayment of Housing Benefit totalling £13,613.62 | |

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, 2 & 3.
- 3.2 As at 28 February 2018, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (as the billing Authority) is £24.7m per annum. The collection rate as at 28 February 2018 was 94.37% against a profiled target of 94.13%
- 3.3 As at 28 February 2018 the total Council Tax billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (includes the County, Police and Parish precept elements) is £29m per annum. The collection rate as at 28 February 2018 was 94.22% against a profiled target of 94.97%.

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