

Annual Council



Forest Heath
District Council

Title:	Agenda
Date:	Wednesday 9 May 2018
Time:	6.00 pm
Venue:	Council Chamber District Offices College Heath Road Mildenhall
Membership:	<p>All Councillors</p> <p>You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.</p>  <p>Ian Gallin Chief Executive 30 April 2018</p>
Quorum	One quarter of the total number of Members
Committee administrator:	<p>Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk</p>

Public Information



Forest Heath
District Council

Venue:	District Offices College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
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:	<p>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).</p> <p>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.</p>	

Agenda

Procedural Matters

Part 1 - Public

Page No

1. Election of Chairman of the Council for 2018/2019

The outgoing Chairman will announce that the next item of business is the election of the Chairman for the ensuing year and will call for nominations.

The outgoing Chairman will make their remarks, to be followed by incoming Chairman's Declaration of Acceptance of Office.

The incoming Chairman will also ask Members to note the following civic events already planned for 2018/2019:

Sunday 15 July 2018	3.00pm	Chairman's Civic Service St Peters Church, Brandon
Friday 16 December 2018	3.00pm	Chairman's Carol Service St Mary's the Virgin Church Barton Mills
Friday 22 March 2019	7.00pm	Chairman's Civic Dinner Bedford Lodge, Newmarket

2. Election of Vice Chairman of the Council for 2018/2019

The Chairman will nominate their Vice Chairman.

Incoming Vice Chairman to make Declaration of Acceptance of Office.

3. Apologies for Absence

The Service Manager (Democratic Services) will announce any apologies for absence.

4. Appointment of Cabinet Members

Having regard to the provisions of the Constitution, the Chairman will invite the Leader of the Council to announce:

- (a) Up to nine Members whom he will be appointing to form the Cabinet;
- (b) The name of a Member of the Cabinet to act as Deputy Leader; and
- (c) The Portfolios, and which Members of the Cabinet will be Portfolio Holders.

	<i>Page No</i>
5. Review of Political Balance and Appointment to Politically Balanced Bodies Report No: AGM/FH/18/001	1 - 32
6. Proposals to Form a Joint Executive (Cabinet) Committee Report No: AGM/FH/18/002	33 - 66
7. Appointment of Chairman and Vice Chairman of Committees In accordance with the Constitution, the Council will appoint the Chairmen and Vice Chairmen of the: (a) Overview and Scrutiny Committee; and (b) Performance and Audit Scrutiny Committee	
8. Review and Re-appointment of Representation of Outside Bodies Report No: AGM/FH/18/003	67 - 88



Forest Heath
District Council

Annual Council

Title of Report:	Review of Political Balance and Appointment to Politically Balanced Bodies	
Report No:	AGM/FH/18/001	
Report to and date:	Annual Council	9 May 2018
Portfolio holder:	Councillor James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) & Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	The Council is required by the Constitution at each Annual Meeting to decide: (1) which Committees to establish for the municipal year; (2) the size and agree terms of reference for those committees; and (3) the allocation of seats and substitutes to political groups in accordance with the political balance rules.	
Recommendations:	It is recommended that: (1) The Committees and Joint Committees listed in paragraphs 1.2.1 to 1.2.4 of Report No: AGM/FH/18/001 continue to operate for 2018/2019 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2; (2) The formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced, as indicated in Appendix 1 of Report No: AGM/FH/18/001, be approved;	

	<p>(3) The allocation of seats on the Committees which are required by law to be politically balanced, as indicated in Appendix 1 and paragraph 1.2.7, of Report No: AGM/FH/18/001, be approved.</p> <p>(4) The allocation of seats on:</p> <p>a. The Overview and Scrutiny Committee and the West Suffolk Joint Standards Committee, as indicated in paragraph 1.2.8 of Report No: AGM/FH/18/001, be approved. These Committees are not required to be politically balanced; and</p> <p>b. The Performance and Audit Scrutiny Committee be determined as indicated in paragraph 1.2.8 of Report No: AGM/FH/18/001. This Committee is not required to be politically balanced</p> <p>(5) If the Council is unable to confirm the appointment of Members and Substitute Members at the Annual Council meeting on 9 May 2018, the Service Manager (Democratic Services) be given delegated authority to appoint Members and Substitute Members to those bodies set out in recommendations (3) and (4) above, on the basis of nominations from the relevant Group Leaders.</p>
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
Consultation:	<ul style="list-style-type: none"> • None
Alternative option(s):	<ul style="list-style-type: none"> • None, as the matters under consideration are required by the Constitution.
Implications:	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets.
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • As above.
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The Local Government and Housing Act 1989 states that the authority has a duty to review the representation of different political groups at, or as soon as practicable, after the annual meeting. 	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed	Medium	Consider the creation of joint committees/panels wherever possible.	Low
Duplication of effort between member bodies	Medium	Carry out an annual review of committees, working parties, etc to ensure that they are all still relevant and adding value and do not cross over with the activities or other bodies e.g. scrutiny committees or task and finish groups	Low
The number of meetings and reviews cannot be accommodated with available member and officer time and resources	High	Carry out an annual review to disband any groups no longer required, and to optimise frequency of meetings. Keep under constant review.	Medium
Wards affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix 1: Committees required to be politically balanced Appendix 2: Committees and Joint Committees Terms of Reference	

1. Key issues and reasons for recommendation(s)

1.1 Political Composition

1.1.1 The political composition of the Council is as indicated in the following table:

	No of members	%
Conservative	20	74.07%
West Suffolk Independent	4	14.82%
UKIP	3	11.11%
TOTAL	27	100.00%

1.1.2 The political balance and appointment to Committees was last reviewed for 2017/2018 by Council in September 2017, following a by-election in August 2017, with no changes having been made since that date. The Council will need to formally approve the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced for 2018/2018. (**Recommendation 2.**)

1.1.3 The obligation to ensure that there is proportionality in the political composition of the Council's committees extends only to proportionate representation of members of political groups, and does not require non-grouped members to be proportionally represented. Seats therefore need to be allocated only to groups.

1.1.4 In carrying out any review the Council is obliged to adopt the following principles and to give effect to them 'so far as is reasonably practicable':

- (a) that not all seats on the Council are allocated to the same political group;
- (b) that the majority of the seats on the Council are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the Council which are allocated to each political group, have the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority, and;
- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the Council which are allocated to each group have the same proportion to the number of all the seats on that Council as is borne by the number of members of that group to the membership of the Council.

1.2 **Entitlement to Places**

1.2.1 The table at Appendix 1 (attached) and as listed below shows those Committees that are required to be politically balanced.

- (a) Development Control Committee (Minimum of 14 seats) (To comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more).
- (b) Licensing and Regulatory Committee (10 seats).
- (c) Joint Officer Appointments Committee (3 seats).
- (d) Joint Officer Appeals Committee (3 seats).

1.2.2 Overview and Scrutiny Committee (10 seats) – The Council approved on 21 June 2012 that arrangements for appointments to the Overview and Scrutiny Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2017/2018, the allocation of seats was 8 seats to the Conservatives and 1 West Suffolk Independent Group, 1 UKIP.

1.2.3 Performance and Audit Scrutiny Committee (10 seats) – The Council approved on 8 May 2013 that arrangements for appointments to the Performance and Audit Scrutiny Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2017/2018, the allocation of seats was 8 seats to the Conservatives, 1 West Suffolk Independent Group, 1 UKIP.

The Leader of the WSI has indicated that he no longer wishes for his party to have a seat on this Committee. Council is therefore required to consider how it wishes to allocate seats – see Paragraph 1.2.8 below.

1.2.4 West Suffolk Joint Standards Committee (3 seats) – The Council approved on 13 March 2013 that arrangements for appointments to the West Suffolk Joint Standards Committee be made *without compliance with the political balance requirements* in Sections 15 and 16 of the Local Government and Housing Act 1989.

In 2017/2018, the allocation of seats was 3 seats to the Conservatives with a further 1 Conservative as the named substitute.

1.2.5 Non-grouped Members – The District Council does not currently have any non-grouped Members.

1.2.6 The Council is asked (by way of **Recommendations 1 and 2**) to consider whether it wishes to continue operating the above Committees, Joint Committees for 2018/2019 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2 (attached).

Politically Balanced Seats

- 1.2.7 Council is then asked to allocate seats and substitutes to political groups ***in accordance with the political balance rules*** and appoint membership to those Committees (**Recommendation 3**):

Development Control Committee (Minimum of 14 seats; **to comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more.**)

(Chairman and Vice Chairman appointed by the Committee at their first meeting)

Conservatives	10 seats
West Suffolk Independent	2 seats
UKIP	2 seat

Ward	Member
All Saints	Stephen Edwards (CON)
Brandon East	Peter Ridgwell (UKIP)
Brandon West	David Palmer (WSI)
Eriswell and The Rows	David Bowman (CON)
Exning (<i>1 Member Ward</i>)	Simon Cole (CON)
Great Heath	Louis Busuttil (CON)
Iceni (<i>1 Member Ward</i>)	Rona Burt (CON)
Lakenheath	Louise Marston (CON)
Manor (<i>1 Member Ward</i>)	Brian Harvey (CON)
Market	Ruth Bowman (CON)
Red Lodge	Carol Lynch (CON)
Severals	Andrew Appleby (WSI)
South (<i>1 Member Ward</i>)	Roger Dicker (UKIP)
St Mary's	Chris Barker (CON)

Licensing and Regulatory Committee (10 seats)
 (Chairman and Vice Chairman appointed by the Committee at their first meeting)

Conservatives 8 seats
 West Suffolk Independent 1 seats
 UKIP 1 seat

Political Group	Member
Conservative	Michael Anderson
Conservative	Chris Barker
Conservative	John Bloodworth
Conservative	Simon Cole
Conservative	Carol Lynch
Conservative	Christine Mason
Conservative	Nigel Roman
Conservative	Brian Harvey
West Suffolk Independent	Victor Lukaniuk
UKIP	Reg Silvester

Joint Officer Appointments Committee (3 seats and 1 substitute seat)
 (Joint Committee established with St Edmundsbury Borough Council)
 (Chairman and Vice Chairman appointed by the Committee at their first meeting)

Conservatives 2 seats
 West Suffolk Independent 1 seat

Political Group	Member
Conservative	Ruth Bowman
Conservative	James Waters
West Suffolk Independent	David Palmer
Substitute Member	
Conservative	Nigel Roman

Joint Officer Appeals Committee (3 seats and 1 substitute seat)
 (Joint Committee established with St Edmundsbury Borough Council)
 (Chairman and Vice Chairman appointed by the Committee at their first meeting)

Conservatives 2 seats
 West Suffolk Independent 1 seat

Political Group	Member
Conservative	David Bowman
Conservative	Brian Harvey
West Suffolk Independent	Ruth Allen
Substitute Member	
Conservative	Chris Barker

Non Politically Balanced Seats (Changes are highlighted)

- 1.2.8 Council is then asked to allocate seats and substitutes ***without compliance to the political balance rules*** and appoint membership to those Committees/Joint Committee (**Recommendation 4 a & b**):

Overview and Scrutiny Committee (10 seats)
 (Cabinet Members cannot be Members of this Committee)
(Chairman and Vice Chairman appointed by Annual Council – see separate agenda item)

The allocation of seats set out below for 2018/2019 is the same as it was for 2017/2018, this being; 8 seats to the Conservatives and 1 West Suffolk Independent Group, 1 UKIP.

The Conservative Group has nominated Councillor Robert Nobbs to take the place of Councillor Ruth Bowman in 2018/2019.

Chris Barker (CON)	Rona Burt (CON)
John Bloodworth (CON)	Nigel Roman (CON)
Robert Nobbs (CON)	Simon Cole (CON)
Brian Harvey (CON)	David Palmer (WSI)
Christine Mason (CON)	Reg Silvester (UKIP)

Performance and Audit Scrutiny Committee (10 seats)
 (Cabinet Members cannot be Members of this Committee)
(Chairman and Vice Chairman appointed by Annual Council – see separate agenda item)

The allocation of seats for 2017/2018 was; 8 seats to the Conservatives, 1 West Suffolk Independent Group, 1 UKIP.

However, the Leader of the WSI has indicated that he no longer wishes for his party to have a seat on this Committee. Council is therefore required to consider how it wishes to allocate seats for 2018/2019.

In order to continue having the same ratio of opposition membership on the Committee, the Leader of the Council suggested that a second seat be offered to the UKIP Group. Therefore, proposing that the allocation of seats for 2018/2019 is; 8 seats to the Conservatives, 2 UKIP.

In response and in agreement to this Councillor Silvester as Leader of the UKIP Group has nominated himself to sit on the Committee.

Michael Anderson (CON)	Colin Noble (CON)
John Bloodworth (CON)	Chris Barker (CON)
Louis Busuttil (CON)	Rona Burt (CON)
Christine Mason (CON)	Simon Cole (CON)
Reg Silvester (UKIP)	Peter Ridgwell (UKIP)

West Suffolk Joint Standards Committee (3 seats and 1 substitute seat)
 (Joint Committee established with St Edmundsbury Borough Council)
 (Chairman and Vice Chairman appointed by the Committee at their first meeting)

The allocation of seats set out below for 2018/2019 is the same as it was for 2017/2018, this being; 3 seats to the Conservatives.

Full Member	Substitute Member
David Bowman (CON)	Brian Harvey (CON)
Rona Burt (CON)	
Chris Barker (CON)	

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Entitlement to Places – April 2018

		Conservative Group			West Suffolk Independent Group			UK Independence Group			TOTAL
Members		20			4			3			27
Expressed as %		74.07%			14.82%			11.11%			100%
Committee	No of seats	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	
Development Control	14	10.37	10	10	2.07	2	2	1.56	2	2	14
Licensing & Regulatory	10	7.41	7	8	1.48	1	1	1.11	1	1	10
Joint Officer Appointments	3	2.22	2	2	0.44	0	1	0.33	0	0	3
Joint Officer Appeals	3	2.22	2	2	0.44	0	1	0.33	0	0	3
Total	30	22.22	22	22	4.44	4	5	3.33	3	3	

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Development Control

1 – Remit

The Development Control Committee is authorised to undertake (or sub-delegate) all of the Council’s functions relating to town and country planning, development control and the protection of hedgerows and trees, as specified in Parts A and I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended by subsequent regulations).

The Committee is also authorised to exercise the Council’s Local Choice Functions in relation to the obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land and the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (as specified in the table in Section 1 above).

In summary, the area of responsibility of this Committee includes all matters relating to the administration of Town and Country Planning legislation, Listed Building and Conservation Area legislation, Hazardous Substances legislation and the Building Acts and associated Regulations within the purview of the Authority as it relates to the following functions:-

- (1) The Committee determines all planning or similar applications which are:
 - (a) judged by the Head of Planning & Growth (after consultation with the Chairman and/or the Vice Chairman/men of the Development Control Committee) to be of such district-wide significance or to be so contentious that they should in the public interest be referred to the Committee for consideration and determination, and;
 - (b) applications proposing major development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995) and where the recommendation of the Head of Planning & Growth would conflict with or would not substantially satisfy the written representation of the Parish/Town Council; or where a Member for the ward in which the application site is located, or who is a Member of the Council’s Development Control Committee, has requested (in writing) consideration by Committee, and;
 - (c) applications proposing other than major development (as defined above) referred by the Head of Planning & Growth following consultation with the Delegation Panel.

- (2) A Delegation Panel Scheme (known as “the Panel”) has been set up to deal with applications for Planning Permissions, Listed Building Consents, Conservation Area Consent and Prior Notifications. This will apply in cases including applications from householders, advertised matters, applications for change of use, applications for minor residential development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995), applications for a variation of conditions, applications relating to hazardous substances, notifications in relation to prior approval, TPO applications and applications for works to trees in Conservation Areas.

In cases referred to above where decisions will only be taken following consultation with the Panel which will comprise the Chairman and/or Vice Chairman/men of Development Control Committee and any local Ward Member(s) who has/have expressed any interest in writing.

The Delegation Panel scheme will operate as follows:

- (a) Meeting of the Panel will normally take place fortnightly.
- (b) A list of applications to be considered at the Panel will be circulated to all Members, and a written briefing report on each case prepared and circulated to the Chairman and Vice Chairman/men of Development Control Committee and any local Member(s) who has/have expressed any interest in writing, at least four clear working days in advance of the Panel meeting, with provision for emergency items at the discretion of the Chairman or Vice Chairman/men and Ward Member(s) or adjacent Ward Member with the approval of the Ward Member(s).
- (c) The local Member(s) may attend the Panel or submit representations in writing in order to make sure the Panel is clearly aware of their views and reasoning.
- (d) The Council’s Planning Case Officer(s) will present individual applications for discussion and decision, including all representations received and photographs of the site.
- (e) The formal decision will be made by the Head of Planning & Growth in consultation with the Chairman and/or Vice Chairman/men and any interested local Ward Member. In the absence of a consensus between the Members the application will be reported to the Development Control Committee.
- (f) The relevant Parish/Town Council will be informed of the decision verbally by the Council’s case officer within two working days of the Panel meeting and will be sent written reasons within 10 working days of the Panel meeting with

copies to the Chairman, Vice Chairman/men of Development Control Committee and local Member(s).

- (3) The Committee is responsible for matters relating to:
- (a) Development Control functions and enforcement including (but without limitation):
 - (i) The preservation of buildings and trees;
 - (ii) Controlling uses of land and buildings, including relocation of non-conforming uses, the making of discontinuance, revocation and modification orders and the making of agreements regulating the development and/or use of land or premises;
 - (iii) Determination of planning applications and commenting upon development proposals by Suffolk County Council and other public bodies;
 - (iv) Determination of planning applications made by or on behalf of the Council, whether submitted by or on behalf of the Council itself or jointly with another person;
 - (v) Determination of applications relating to signs and advertisements;
 - (vi) Enforcement by means of issue of enforcement notices, breach of condition notices, stop notices and any other lawful instrument and subsequent prosecution or legal proceedings.
 - (b) Building Control functions and enforcement, including but without limitation:
 - (i) approval of buildings and works under Building Regulations for the time being in force;
 - (ii) enforcement action including criminal, injunctive or other legal proceedings;
 - (c) To fix fees and charges for all services administered by the Committee.

2 – Membership and meeting arrangements

- 2.1 The Committee will comprise no more than the minimum number of members necessary to allow appointment on the basis of one member from each Ward, unless the obligation to achieve political balance necessitates more than one member from that Ward, but no more.
- 2.2 The Committee will be appointed annually by the full Council and will be politically balanced.
- 2.3 The Committee will appoint its own Chairman and Vice-Chairman/Chairmen.

- 2.4 The Committee will meet in accordance with a schedule of ordinary meetings approved by the Council, although meetings may be cancelled due to lack of business. Special meetings of the Committee may also be called.

3 – Delegation of Functions

- 3.1 The majority of the Committee’s functions will be determined by officers, as set out in Section 4 of this part of the Constitution. These delegations are subject to:-
- (a) any such determination being consistent with Development Plans and adopted Borough and County Planning Policies;
 - (b) statutory and customary consultations being carried out; and
 - (c) the safeguards and consultative procedures listed in Part 1 above.
- 3.2 Those matters which will normally fall to be determined by the Committee are as defined part 1, paragraphs (1)(a) – (c) above. In exercising any of its functions, the Committee may refer any item to Council for a decision.

4 – Procedure at meetings

- 4.1 Procedure at meetings shall be in accordance with the Committee Procedure Rules, except as provided in 4.2 below.
- 4.2 The Committee shall have authority to determine from time to time its own arrangements for public speaking on applications, and which matters are to be included within those arrangements.

Licensing and Regulatory

1 – Remit

The Licensing and Regulatory Committee (in this Section referred to as “the Committee”) is authorised to undertake or sub-delegate all matters of a regulatory nature, other than those covered by the Development Control Committee, or which are required by statute to be licensed, and the hearing of certain appeals.

The Committee will only hear those appeals which the Authority is required to determine; it will not take the place of any other appeals process or complaints procedure, nor will it provide a general appeal mechanism for any decision of the Authority.

- 1.1 The Committee is authorised to undertake (or sub-delegate) all of the Council’s regulatory functions relating to licensing and registration, health and safety at work (for non-Council staff), public rights of way and take-away food shops, as specified in Parts B, C and I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended by SI 2001 No.2212 and any subsequent Regulations).
- 1.2 The Committee is also authorised to exercise the Council’s Local Choice Functions (as specified in the Table in Section 1) in relation to:-
 - (1) the determination of an appeal against any decision made by or on behalf of the Council (other than those relating to employees of the Council), including appeals relating to Discretionary Housing Payments;
 - (2) any function relating to contaminated land.
 - (3) the discharge of any function relating to the control of pollution or the management of air quality;
 - (4) the service of an abatement notice in respect of a statutory nuisance;
 - (5) the passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area;
 - (6) the inspection of the Authority's area to detect any statutory nuisance;
 - (7) the investigation of any complaint as to the existence of a statutory nuisance;

- (8) the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976; and
 - (9) the making of agreements for the execution of highways works.
- 1.3 The Committee may also authorise a prosecution for any offence within the scope of its delegation.

2 – Membership and meeting arrangements

- 2.1 The Committee will comprise up to 10 Members. It will be appointed annually by the full Council and may be politically balanced.
- 2.2 The Committee will appoint its own Chairman and Vice-Chairman/Chairmen.
- 2.3 The Committee will meet in accordance with a schedule of ordinary meetings approved by the Council, although meetings may be cancelled due to lack of business. Special meetings of the Committee may also be called. Sub-committee meetings are also scheduled.

3 – Delegation of functions

- 3.1 The majority of the Committee's functions will be determined by Officers, as set out in Section 4 of this part of the Constitution. In normal circumstances, matters will only be brought before the Committee or a Sub-Committee where there is a difficulty or an appeal against an Officer's decision.
- 3.2 A Sub-Committee will comprise any three Members drawn from the full membership of the Committee and appointed for each occasion when it is needed. In addition there will be one 'reserve' Member appointed for each Sub-Committee meeting in case one of the other Members is unavailable or has to withdraw on the day. As far as possible, Sub-Committees should not comprise Members drawn from the same political group or who are all male or all female. All Members of the Committee should be given equal opportunities to sit on Sub-Committees if they have had the relevant training.
- 3.3 Applications made in respect of the Licensing Act 2003 will be brought before the Committee or a Sub-Committee in accordance with any regulations published under the Act, the guidance issued under s.182 of the Act and summarised in Table B1 below.
- 3.4 Applications made in respect of the Gambling Act 2005 will be brought before the Committee or a Sub-Committee in accordance with the Scheme of Delegation summarised in Table B2 below.

- 3.5 Applications made in respect of Sex Establishments will be brought before the Committee or a Sub-Committee in accordance with the Schedule of Delegated Authority summarised in Table B3 attached.

4 – Procedure at meetings

- 4.1 Meetings of the Committee will be conducted in accordance with the Committee Procedure Rules, except when the Committee sits as a hearing, in which case the Hearing Procedure Rules will apply.

TABLE: B1

Licensing Act 2003: Delegation of Functions

The Licensing Authority has adopted the following level of delegation of functions in accordance with the general guidance issued by the Government.

Matter to be dealt with	Licensing and Regulatory Sub Committee	Officers
Application for personal licence	If a Suffolk Constabulary objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application for provisional statement	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary designated premises supervisor	If a Suffolk Constabulary objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Suffolk Constabulary objection	All other cases
Applications for Interim Authorities	If a Suffolk Constabulary objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of a Suffolk Constabulary representation to a temporary event notice	All cases	
Determination of application for minor variation		All cases
Determination of application for licence, or variation of licence, in respect of community premises: supervision of alcohol sales	If a Suffolk Constabulary objection is made and not withdrawn	All other cases
Determination of relevance of representation		All cases
Exercise of Responsible Authority Functions of applications and notices submitted to the licensing authority under the Licensing Act 2003 (as amended by the Police and Social Responsibility Act 2011) in accordance with the regulations.		All cases

TABLE: B2

Gambling Act 2005: Delegation of Functions

GAMBLING ACT 2005			
Summary of permitted licensing authority delegations			
(x indicates the lowest level to which decisions can be delegated)			
Matter to be dealt with	Full Committee	Sub Committee	Officers
Final approval of three year Statement of Licensing Principles	x		
Policy not to permit casinos	x		
Fee Setting (when appropriate)			x
Application for premises licences		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for transfer of a licence		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for a provisional statement		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Review of a premises licence		x	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections have been made/ objections have been withdrawn
Cancellation of club gaming/ club machine permits		x	
Applications for other permits			x
Cancellation of licensed premises gaming machine permits			x
Consideration of temporary use notice			x
Decision to give a counter notice to a temporary use notice		x	

TABLE: B3**Sex Establishments: Schedule of Delegated Authority**

Matter to be dealt with	Sub Committee* (see note below)	Officers
Grant (First or New) of an Application for the grant of any type of Sex Establishment Licence.	If a relevant objection received or Officers have concerns in respect of the application or characteristics of the locality.	All other cases
Decision on whether an objection is frivolous or vexatious.		In respect of all Applications
Decision on whether an objection is irrelevant.		All cases
Application for Waiver of Licence in respect of any type of Sex Establishment Licence.	All cases	
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being under the age of 18.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who is for the time being disqualified from holding a licence following revocation of such a licence.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of 6 months immediately preceding the date when the application was made.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a body corporate which is not incorporated in an EEA state.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who had, within a period of 12		All cases

Matter to be dealt with	Sub Committee* (see note below)	Officers
months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.		
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.	All cases	
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself.	All cases	
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made (determined) is equal to or exceeds the number which the authority consider is appropriate for that locality.	All cases	
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the grant or renewal of the licence would be inappropriate, having regard – (i) to the character of the relevant locality; or (ii) to the use to which any premises in the vicinity are put; or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.	All cases	
Refusal of an Application for the Variation of the terms, conditions or restrictions on	All cases	

APPENDIX 2

Matter to be dealt with	Sub Committee* (see note below)	Officers
or subject to which the licence is held for any type of Sex Establishment Licence.		
Revocation of a licence.	All cases	

**Although matters will normally be referred to a Sub-Committee for determination, they may be referred to the full Committee at the discretion of the Business Regulation and Licensing Manager, after consultation with the Chairman and Vice-Chairman/men*

Joint Officer Appeals Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council. Membership of the joint Committee will comprise six Members, three from each Authority. In addition, each Authority will be able to appoint one Substitute Member.

The Committee will be appointed annually by the full Council and will be politically balanced.

Any Member of the Council may serve on the Committee provided that they are not also a Member of the Joint Officer Appointments Committee.

The Committee will appoint its own Chairman and Vice Chairman.

The Committee will meet on an ad hoc basis as required.

2. Functions/Remit

To consider appeals against dismissal and grievances by Chief Officers of Forest Heath District Council and St Edmundsbury Borough Council.

Joint Officer Appointments Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council.

Membership of the Joint Committee will comprise six Members, three from each authority. In addition, each Authority will be able to appoint one Substitute Member.

The Committee will be appointed annually by the full Council and will be politically balanced.

Any Member of the Council may serve on the Committee provided that they are not also a Member of the Joint Officer Appeals Committee.

The Committee must also contain at least one Member of the Cabinet.

The Committee will appoint its own Chairman and Vice Chairman.

The Committee will meet on an ad hoc basis as required.

2. Functions/Remit

To deal with the appointment, discipline and termination of employment of Joint Directors of Forest Heath District Council and St Edmundsbury Borough Council.

West Suffolk Joint Standards Committee

1. Membership and Meeting Arrangements

This is a Joint Committee between Forest Heath District Council and St Edmundsbury Borough Council. Membership of the Joint Committee will comprise six Members, three appointed by each Authority.

To ensure a wide representation across the Authorities, political balance rules do not apply to this Committee.

2. Functions/Remit

The Joint Standards Committee will have the following roles and functions in respect of both Forest Heath District Council and St Edmundsbury Borough Council:-

- (a) promoting and maintaining high standards of conduct by Councillors and co-opted Members.
- (b) assisting Councillors and co-opted Members to observe the Members' Code of Conduct.
- (c) advising the Council on the adoption and revision of the Members' Code of Conduct.
- (d) monitoring the operation of the Members' Code of Conduct.
- (e) advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.
- (f) granting dispensations to Councillors and co-opted Members from requirements relating to interests set out in Section 34 of the Localism Act 2011.
- (g) considering a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct.
- (h) dealing with a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct of a Town or Parish Council within the District of Forest Heath and the Borough of St Edmundsbury.

The West Suffolk Joint Standards Committee will not cover the conduct of Officers, for which separate provisions apply.

OVERVIEW AND SCRUTINY COMMITTEE

The Council will appoint an Overview and Scrutiny Committee of up to 10 members, or as many as Council determines from time to time, and it will normally be politically balanced. No member of the Cabinet may be a member of the Overview and Scrutiny Committee.

The primary purpose of the Committee is to improve the delivery of policies and services. To do this it will exercise the following

General Role:-

- (a) review and scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions (subject to 7.9.1(h) below);
- (b) make reports and recommendations to the Council and the Cabinet in connection with the discharge of any functions;
- (c) consider any matter affecting the area or its inhabitants;
- (d) question Members of the Cabinet and officers about their views on issues and proposals affecting the area;
- (e) liaise with external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working;
- (f) exercise the right to "call in", for reconsideration, decisions made but not yet implemented by the Cabinet, in accordance with the rules set out in Part 4 of this Constitution; and
- (g) consider any Councillor Calls for Action referred to it in accordance with the Protocol set out in Part 5 of this Constitution;
- (h) consider any matter which has been placed on the agenda of the committee by any member of the committee in accordance with the rules of procedure in Part 4 of this Constitution;
- (i) act as the crime and disorder committee for the purposes of section 19 of the Police and Justice Act 2006.

Scrutiny Role

Within its terms of reference, the Overview and Scrutiny Committee may:-

- (a) review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council officers both in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas, and carry out performance management reviews;
- (c) review the adequacy of policies and practices to ensure compliance with statutory and other guidance;

- (d) question Members of the Cabinet, Committees and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (e) make recommendations to the Cabinet and/or the appropriate Committee arising from the scrutiny process;
- (f) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance and issues of wider concern;
- (g) question and gather evidence from any person (with their consent);
- (h) assist the Council and the Cabinet in the development of the policy framework by detailed analysis of policy issues and options, including research, and community and other consultation;
- (i) consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
- (j) consider how collaborative working with external organisations can enhance the interests of local people.

For specific issues, the above work can be carried out by task and finish groups, which will be appointed and managed by the Committee. These groups will draw upon the knowledge and expertise of all Members of the Council.

Holding the Cabinet to Account

The Overview and Scrutiny Committee will hold the Cabinet to account for the discharge of its functions. The principal elements by which it will do this are as follows:-

- (a) scrutinising decisions which the Cabinet is planning to take, as set out in the Decisions Plan or of which proper notice is given (including decisions referred to it in accordance with paragraph 6.6.2 of Article 6);
- (b) scrutinising decisions of the Cabinet and individual portfolio holders before they are implemented and if necessary using the "call-in" mechanism to require the decision taker to reconsider the earlier decision;
- (c) scrutinising decisions of the Cabinet or Portfolio Holders after they have been implemented as part of a wider review.

PERFORMANCE AND AUDIT SCRUTINY COMMITTEE

The Council will also appoint a Performance and Audit Scrutiny Committee of up to ten members, which will normally be politically balanced. Within its terms of reference the Committee will monitor and scrutinise the performance of the Council's services by having regard to a variety of information, including performance indicators, financial information, reports from external inspections, audit reports, and monitoring of action plans. No member of the Council's Cabinet may be a member of the Performance and Audit Scrutiny Committee.

The Committee will also assist the Council and the Cabinet in the development of the budget framework, and act as the Council's Audit Committee, and the nature of this role is specified in the Procedure Rules in Part 4 of this Constitution.

Finance

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for any finances made available to them.

Annual Report

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

Officers

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for the work programme of any officers employed to support their work.

Proceedings of the Committees

The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

Work Programme

The Rules of Procedure in Part 4 of this Constitution will also provide mechanisms to allow all Members of the Council the opportunity to place an item on the agenda of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee.

When practicable, the Overview and Scrutiny Committee will publish a forward work programme or list of items likely to be considered over the next four months.

Working Methods

The following principles should be adhered to by the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee when carrying out their work:-

- (a) a variety of different approaches and formats for meetings may be used;
- (b) 'task and finish' groups reporting periodically and at the end of reviews to the Overview and Scrutiny Committee should be encouraged as the preferred method of scrutiny reviews;
- (c) membership of the Committees and their sub groups (if applicable) should be tailored to ensure appropriate skills and expertise, and external input, are brought to bear;
- (d) when appropriate, full consultation with all other stakeholder groups and organisations should take place;
- (e) the declaration of interest rules shall apply;
- (f) the imposition of the Party Whip is regarded as incompatible with the work of the Council's Scrutiny Committees;
- (g) the chairman and vice-chairman of each Scrutiny Committee will meet at least quarterly with the Leader and Deputy Leader of the Council to ensure that the work of these Committees is properly co-ordinated; and
- (h) where any Scrutiny Committee is reviewing the work of a Regulatory or other Committee of the Council (as opposed to the Cabinet) it will not scrutinise individual decisions made by such Committees, particularly decisions in respect of development control, licensing, registration, consents and other permissions. In particular, scrutiny will not be an alternative to normal appeals procedures. However, the Overview and Scrutiny Committee has the power to make reports and recommendations on functions which are not the responsibility of the Cabinet, an option normally to be used as part of wider policy reviews.

Support

In order that the Overview and Scrutiny Committee can perform its roles properly, it shall be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to the advice of the Council's Monitoring Officer;
- (d) the ability to require Members of the Cabinet and officers to attend to answer questions;
- (e) specific training and development for all persons who undertake overview and scrutiny duties; and

- (f) the Decisions Plan, containing details of all the matters likely to be the subject of key decisions, or to be considered in private by the Cabinet, or its Committees or by officers, shall be made available to all Members of the Overview and Scrutiny Committee.

In order that the Performance and Audit Scrutiny Committee can perform its role properly it shall also be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to external auditors who report direct to the Committee and to the Internal Audit Service Manager; and
- (d) specific training and development as required.

Annual Council



Forest Heath
District Council

Title of Report:	Proposals to form a Joint Executive (Cabinet) Committee	
Report No:	AGM/FH/18/002	
Report to and dates:	Forest Heath District Council: Annual Council	9 May 2018
	St Edmundsbury Borough Council: Annual Council	17 May 2018
Portfolio holder:	Councillor Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01799 530325 Email: Stephen.edwards@forest-heath.gov.uk	
Lead officer:	Leah Mickleborough Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	This report outlines proposals to form a Joint Executive (Cabinet) Committee, and, following consideration by the Joint Constitution Review Group, requests the Council to approve the consequential amendments to the Constitution.	
Recommendation:	It is <u>RECOMMENDED</u> that Council approves the constitutional amendments in Appendix A to Report No: AGM/FH/18/002.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	The constitutional amendments have been considered by the Joint Constitution Review Group	
Alternative option(s):	To maintain the current working arrangements for Cabinet	

Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Unclear arrangements lead to inconsistent or ineffective decision making	Low	The proposals in this report, if agreed, will provide clarity on how executive arrangements operate under the joint executive	Low
Ward(s) affected:		n/a	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		n/a	
Documents attached:		Appendix A: Proposed amendments to the Constitution	

1. Key issues and reasons for recommendation(s)

- 1.1 The Local Government Act 2000 outlines how executive (cabinet) functions are performed in a leader / executive model. This allows for functions to be performed by the Leader, or they may delegate them to Portfolio Holders, the Cabinet, an area or Joint Committee, or Officers.
- 1.2 Any delegations to a joint committee must operate in line with the Local Authorities (Arrangements for the Discharge of Functions) (Regulations) 2012.
- 1.3 Members who have attended the current Joint Informal Cabinet meeting will have noted these meetings can be confusing, with joint debates followed by individual Cabinet meetings who each vote on the agenda items (many of which are joint items). Recognising this, alongside the progress achieved towards forming a single Council from April 2019, the Leaders have confirmed it is their intention to form a Joint (Executive) Cabinet Committee to make decisions that are currently made by their individual Cabinet meetings. The Joint Cabinet Committee would consist of all Forest Heath and St Edmundsbury Cabinet members.
- 1.4 The Leaders, and their portfolio holders, will still have responsibility for their individual designated areas (within Forest Heath and St Edmundsbury areas), and be able to make decisions in line with the rules for portfolio holder decision making. As is current practice with joint meetings, the Joint Cabinet meeting will be chaired by the Leader at whose Council offices the meeting is being held.
- 1.5 Whilst it is within the gift of the Leaders to form such a Committee, the necessary constitutional amendments require Council approval. At Appendix A, we have included proposed revisions to the Constitution.
- 1.6 In practice, many of the amendments are straightforward. Importantly, the proposals maintain the ability of either Council to still have its own individual Cabinet meeting if it wished.

2. Decision Making

- 2.1 Given this proposal, it is also considered sensible to re-assess the key decision making thresholds, which have not been revised for some significant time. As the two Cabinet meetings are coming together, it is proposed to increase the threshold to £100k from the current £50k level as a way of not diluting the current key decision thresholds. Decisions below the £100k level would be made by officers or portfolio holders, but would still be referred to Cabinet where it is considered they have a significant impact on the local areas or officers / portfolio holders do not wish to exercise their delegation.

3. Impact on Overview and Scrutiny

- 3.1 It is fully intended that the Overview and Scrutiny and Performance and Audit Scrutiny Chairs would still have the right to attend Joint Cabinet meetings and report the activities of their Committee. The Overview and

Scrutiny Committees would receive the Joint Cabinet Decisions Plan to consider.

- 3.2 However, the current overview and scrutiny work programmes have some significant differences, and thus it is not considered appropriate to form a joint committee at present. The proposals make clear that should the committees wish to operate jointly to scrutinise cabinet decisions, they have the constitutional ability to do so.
- 3.3 The Performance and Audit Scrutiny Committee already works jointly together as a matter of course and as such it is also not considered necessary to revise their terms.

4. Link to Shadow Council

- 4.1 It is expected both Cabinets will seek appointment to the Shadow Executive. The Shadow Executive meetings would either take place in the weeks between Joint Cabinet meetings, or directly after Cabinet. Whilst it is feasible for the Shadow Executive to be combined into a Joint Cabinet Committee, it is proposed these should be kept formally apart to ensure clarity between existing cabinet functions and future cabinet functions, albeit options to effectively integrate the meetings will be considered. This will be kept under review to assess whether it may be preferable to join the meetings together, if the current proposals are adopted.

5. Joint Constitution Review Group

- 5.1 The Joint Constitution Review Group have reviewed the proposals within this report and are satisfied with the constitutional amendments. They particularly noted the importance of ensuring the Scrutiny functions had access to the Joint Cabinet meetings.

Forest Heath District Council

Article 6 – The Cabinet

6.1 Role

6.1.1 The Leader and Cabinet will carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this constitution.

6.2 Form and Composition

6.2.1 The Cabinet ~~will be chaired by the Leader. It~~ will comprise the Leader and no fewer than two and up to nine other councillors appointed to the Cabinet by the Leader, one of whom shall be designated Deputy Leader and all of whom are to be known as Portfolio Holders. Only councillors will be appointed to the Cabinet. There will be no co-optees, no deputies and no substitutes for Cabinet members. The Leader and Portfolio Holders may not be members of any scrutiny committee. The Chairman and Vice-Chairman of the Council may not be members of the Cabinet.

6.3 The Leader

6.3.1 The Leader will be a councillor elected to the position by the Council at its first annual meeting following the local government elections. The Leader will hold office until

- a) The next post-election annual meeting of the Council; or
- b) ~~He/she/They~~ resigns from the office of Leader; or
- c) ~~He/she/They are~~ removed from office by ordinary resolution on notice of the Council; or
- d) ~~He/she is/They are~~ no longer a councillor.

6.3.2 When a vacancy arises in the office of the Leader, the Council shall fill the vacancy at the next ordinary meeting of the Council, or at a special or extraordinary meeting summoned for the purpose; or, if the vacancy occurs as a result of the removal of the Leader by resolution of the Council, at the meeting at which that resolution was passed or a subsequent meeting. The councillor appointed to fill the vacancy shall hold office for the remainder of the original term, subject to the rules on earlier termination in 6.3.1 above.

6.3.3 The Leader shall appoint another member of the Cabinet as Deputy Leader to act when the Leader is unable to act or the office of Leader is vacant. The Leader may, if he or she thinks fit, remove the Deputy Leader from office. Where there is a vacancy in the office of Deputy Leader, the Leader

Appendix A

must appoint another person to be Deputy Leader. Unless he or she is removed by the Leader, resigns as Deputy Leader or ceases to be a member of the council, the Deputy Leader shall hold office until the end of the Leader's term of office.

~~6.3.4 The Leader remains a member of the Council during his or her term of office as Leader and any enactment that provides for him or her to retire earlier as a councillor does not apply.~~

6.4 Other Cabinet Members (the Portfolio Holders)

6.4.1 The Leader will usually announce the Portfolio Holders at the annual meeting of the council. Re-appointments, appointments and the removal of Portfolio Holders announced in this way will take immediate effect. If the announcement is not made at the annual meeting, the Leader will give written notice to the Monitoring Officer of the Portfolio Holders as soon as practicable after the annual meeting and the re-appointments, appointments and removals made in this way will take effect two working days after receipt of the notice by the Monitoring Officer.

6.4.2 The Leader may also appoint Portfolio Holders during the municipal year to fill any vacancy or increase the size of the Cabinet (up to the maximum number set out in 6.2.1 above) by giving written notice to the Monitoring Officer. These appointments shall take effect two working days after receipt of the notice by the Monitoring Officer.

6.4.3 Portfolio Holders shall hold office until: -

- a) they resign from office; or
- b) they are no longer councillors; or
- c) they are removed by means of the Leader's notification at or as soon as practicable after the next annual meeting; or
- d) they are removed from office by the Leader giving written notice of the removal to the Monitoring Officer. The removal will take effect two working days after receipt of the notice by the Monitoring Officer.

6.4.4 If for any reason the Leader is unable to act or the office of Leader is vacant, and the Deputy Leader is unable to act or the office of Deputy Leader is vacant, the Cabinet must act in the Leader's place or must arrange for a Portfolio Holder to act in his/her place.

6.5 Functions of the Cabinet

6.5.1 The Cabinet has the following functions: -

Appendix A

- a) to make 'key decisions' as defined in Article 12 and published in the decisions plan;
- b) to formulate the budget and policy framework for submission to Council in accordance with the budget and policy framework procedure rules in Part 4 of the constitution;
- c) to implement the approved budget and policy framework;
- d) to determine recommendations and other matters referred to it by committees, sub-committees or council;
- e) to carry out all of the functions which by law the executive must carry out or has chosen to carry out and which have not been delegated elsewhere;
- f) to ensure the publication of, and to consider, the plan of items likely to come before it for decision at least 28 days before the decision is due to be made.
- g) To authorise funding from the Council's Capital Investment Fund, up to the value of £2m (in line with the Council's Growth Investment Strategy).

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6.5.2 The Cabinet may carry out its functions:-

- a) itself;
- b) by delegating power to an individual member of the Cabinet, to be exercised in accordance with the rules in Appendix B to this Article 6;
- c) by delegating power to an officer, who shall exercise that power in accordance with the scheme of delegation to officers contained in Part 3 of the constitution;
- d) by delegating power to a joint committee, area committee or another local authority.

6.5.3 The list of portfolio responsibilities will be maintained by the Leader and will set out which individual members of the Cabinet, officers and joint arrangements are responsible for the exercise of particular Cabinet functions. The full list is in Part 3 of the constitution and a brief list of portfolio responsibilities forms Appendix A to this Article 6. The Leader is empowered to amend the portfolios during the administrative year.

6.6 Meetings of the Cabinet

6.6.1 The Cabinet will hold public meetings as frequently as is required for the effective discharge of its functions on dates and at times agreed by the Leader. Meetings will be conducted in accordance with the Cabinet Procedure rules set out in Part 4 of the constitution. Meetings will usually take place through the agreed joint committee structure outlined in Part 3 of the Constitution. ~~Meetings will usually be held~~

Appendix A

~~at the District Council Offices in Mildenhall but can be held at other locations agreed by the Leader.~~

- 6.6.2 To ensure it is briefed and/or consulted upon its functions, the Cabinet may hold other informal (not public) meetings as are necessary for it to carry out its work effectively. However, to ensure transparency and facilitate good scrutiny, matters discussed at these meetings that are intended to be put to Cabinet or Council for decision will, unless a decision is required urgently, be included in the decisions plan which is referred to the appropriate committee (normally a scrutiny committee) before a recommendation is made to Cabinet/Council (see paragraph 7.2.5(a) of Article 7 Overview and Scrutiny).

Appendix A

List of Portfolio Responsibilities

The Leader

- Leadership and strategic direction of the Council
- External relations and communications
- Strategic economic development

Families and Communities

- Corporate communications
- Corporate strategy/planning and co-ordination
- Crime and community safety
- Customer services, access and engagement
- Equalities and diversity
- Families and communities
- Future of public services and service integration
- Health

Housing

(This Portfolio is the responsibility of the whole Cabinet (with the Portfolio Holder for Housing at St Edmundsbury Borough Council being the shared lead Councillor))

- Choice based lettings
- Homelessness advice
- Public health
- Safeguarding
- Social care
- Strategic housing (including private sector housing and Disabled Facilities Grants (DFG) policy)

Leisure and Culture

- Heritage and culture
- Parks and open spaces (including trees)
- Sport

Operations

- Car parking
- CCTV
- Cemeteries
- Fleet management
- Grounds maintenance
- Land drainage
- Markets (delivery)
- Operations
- Property services and estate management
- Public conveniences
- Refuse/recycling
- Street scene
- Tourism (operations)

Appendix A

Planning and Growth

- Building control
- Conservation
- Development control
- Economic development
- Enforcement
- Environmental health
- Growth areas and regeneration
- Licensing
- Planning policy
- Rural development
- Tourism (strategic)
- Town centres

Resources and Performance

- Business development/commercial
- Cabinet management and support
- Civic office (Mayor)
- Democratic services (including members' support)
- Financial services (including audit)
- Health and safety
- Human resources (including payroll)
- ICT
- Learning and development
- Legal services
- Performance and risk management
- Procurement
- Scrutiny management and support

Appendix B

Procedure for decision-making by individual Portfolio Holders

1. Individual Cabinet members are empowered (subject to the exceptions listed below) to make Cabinet decisions within the Policy and Budget Framework in respect of their own portfolio area of responsibility.
2. Individual Cabinet members are empowered to authorise funding from the Council's Capital Investment Fund, up to the value of £0.5m (in line with the Council's Growth Investment Strategy).

The exceptions are as follows:

- 1.1 A decision that is a departure from the agreed Strategic Plan except where this falls within current agreed policy.
 - 1.2 Decisions solely in relation to the Cabinet Member's own ward including, for example, making a grant, unless this is agreed by the Leader. This does not prevent the use of the Cabinet Member's Locality Budget.
 - 1.3 Where the Leader has indicated before a decision is either taken by the Portfolio Holder or implemented that he requires the decision to be taken collectively by the Cabinet. Notification of this by the Leader must be made to the Assistant Director (HR, Legal & Democratic Services).
 - 1.4 A decision in which the Cabinet member has either a disclosable pecuniary interest or some other conflict of interest.
 - 1.5 Those decisions delegated to an officer unless the officer refers the decision to the Cabinet member.
 - 1.6 A decision which in the view of the Chief Executive is one which should properly be treated as a key decision (except where it is funded from the Capital Investment Fund, where it may be made by the Portfolio Holder in accordance with 2. above).
3. The Cabinet may delegate any decision to an individual Cabinet member who must then follow the procedure in this document in making that decision.
 4. The decisions must be made in consultation with officers deemed appropriate by the Chief Executive and the Cabinet member must take into account the professional, legal and financial implications and any advice given by those officers.

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5. Where there are significant cross-cutting implications the decision should be made in consultation with other appropriate portfolio holder(s).
6. Where a decision has significant impact on an individual ward the Cabinet member should consult the appropriate ward member.
7. Where it is not clear in which portfolio an issue sits, the Leader shall decide. If the appropriate portfolio holder is unavailable and a decision needs to be taken urgently, then the Leader may take the decision in consultation with the Chief Executive.

Notification and Publication

Wherever possible, 5 clear working days' notice of the intention to make a decision under these delegated powers will be given to all Members of the Council, by notice sent electronically and published on the Council website together with any supporting report.

Where 5 clear working days' notice is not practicable for exceptional reasons relating to the urgent need to action the decision the Cabinet Member should give notification of the intent to make the decision as soon as possible explaining the reasons for the short notice.

The decision must be recorded on the appropriate form prepared and published by Democratic Services. The decision will be published and may not be implemented until after either:

- the call-in period (5 working days after the date of publication) has expired; or
- a call-in process has been completed.

Call-in, using the procedure in the Council Procedure Rules, may be made within 5 days of the decision being published and the usual process shall be followed.

Forest Heath District Council

Article 7 - Overview and Scrutiny Committees

7.1 Introduction

7.1.1 Effective overview and scrutiny is essential to enhance the accountability and transparency of the decision-making process. The Council has appointed an Overview and Scrutiny Committee and a Performance and Audit Scrutiny Committee to discharge the functions conferred by section 9F of the Local Government Act 2000 and any regulations. Forest Heath and St Edmundsbury Councils may also appoint joint overview and scrutiny committees to exercise those functions with regard to matters that affect both councils. The committees will discuss issues in public and take a cross-cutting approach to their work. In accordance with section 9FA of the above Act they may appoint one or more sub-committees to carry out any of their functions. They will seek to improve the delivery of policies and services by:-

- (a) holding the Cabinet to account for its actions;
- (b) advising on the development and implementation of new policy and corporate projects;
- (c) testing whether existing policies and practices are effective and efficient and suggesting how they might be improved; and
- (d) ensuring the rigour and objectivity of performance management and service reviews.

7.1.2 The Performance and Audit Scrutiny Committee will have the specific role of monitoring the budget, and it oversees the performance of services by considering a range of information such as performance indicators, inspection reports and action plan monitoring. It approves the Council's Statement of Accounts and is also the Council's audit committee. This Committee also carries out the Treasury Management functions set out in detail in the Overview and Scrutiny Procedure Rules in Part 4 of this constitution.

7.2 The Overview and Scrutiny Committee

7.2.1 The Council will appoint an Overview and Scrutiny Committee of up to 10 members, or as many as Council determines from time to time, and it will normally be politically balanced. No member of the Cabinet may be a member of the Overview and Scrutiny Committee.

7.2.2 The primary purpose of the Committee is to improve the delivery of policies and services. To do this it will exercise the following **General Role**:-

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- (a) review and scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions (subject to 7.9.1(h) below);
- (b) make reports and recommendations to the Council and the Cabinet in connection with the discharge of any functions;
- (c) consider any matter affecting the area or its inhabitants;
- (d) question Members of the Cabinet and officers about their views on issues and proposals affecting the area;
- (e) liaise with external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working;
- (f) exercise the right to "call in", for reconsideration, decisions made but not yet implemented by the Cabinet, in accordance with the rules set out in Part 4 of this Constitution; and
- (g) consider any Councillor Calls for Action referred to it in accordance with the Protocol set out in Part 5 of this Constitution;
- (h) consider any matter which has been placed on the agenda of the committee by any member of the committee in accordance with the rules of procedure in Part 4 of this Constitution;
- (i) act as the crime and disorder committee for the purposes of section 19 of the Police and Justice Act 2006.

7.2.3 Scrutiny Role

Within its terms of reference, the Overview and Scrutiny Committee may:-

- (a) review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council officers both in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas, and carry out performance management reviews;
- (c) review the adequacy of policies and practices to ensure compliance with statutory and other guidance;
- (d) question Members of the Cabinet, Committees and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (e) make recommendations to the Cabinet and/or the appropriate Committee arising from the scrutiny process;

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- (f) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance and issues of wider concern;
- (g) question and gather evidence from any person (with their consent);
- (h) assist the Council and the Cabinet in the development of the policy framework by detailed analysis of policy issues and options, including research, and community and other consultation;
- (i) consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
- (j) consider how collaborative working with external organisations can enhance the interests of local people.

7.2.4 For specific issues, the above work can be carried out by task and finish groups, which will be appointed and managed by the Committee. These groups will draw upon the knowledge and expertise of all Members of the Council.

7.2.5 Holding the Cabinet to Account

The Overview and Scrutiny Committee will hold the Cabinet to account for the discharge of its functions. The principal elements by which it will do this are as follows:-

- (a) scrutinising decisions which the Cabinet is planning to take, as set out in the Decisions Plan or of which proper notice is given (including decisions referred to it in accordance with paragraph 6.6.2 of Article 6);
- (b) scrutinising decisions of the Cabinet and individual portfolio holders before they are implemented and if necessary using the "call-in" mechanism to require the decision taker to reconsider the earlier decision;
- (c) scrutinising decisions of the Cabinet or Portfolio Holders after they have been implemented as part of a wider review.

[The Leaders of Forest Heath District Council and St Edmundsbury Borough Council have confirmed their intention to delegate collective Cabinet decision making to a Joint Cabinet. It is therefore expected that where the Overview and Scrutiny Committee performs its role in holding the Cabinet to account, then the Chairman shall consult with the Chairman of the St Edmundsbury Overview and Scrutiny Committee on whether it is more effective and efficient to meet jointly. Where it is considered appropriate to do so, the date, time and venue of the meeting shall be confirmed by the Chairmen and the meeting shall be undertaken in](#)

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[accordance with the principles of the Overview and Scrutiny Committee procedure rules in Part 4 of the Constitution](#)

7.3 Performance and Audit Scrutiny Committee

- 7.3.1 The Council will also appoint a Performance and Audit Scrutiny Committee of up to ten members, which will normally be politically balanced. Within its terms of reference the Committee will monitor and scrutinise the performance of the Council's services by having regard to a variety of information, including performance indicators, financial information, reports from external inspections, audit reports, and monitoring of action plans. No member of the Council's Cabinet may be a member of the Performance and Audit Scrutiny Committee.
- 7.3.2 The Committee will also assist the Council and the Cabinet in the development of the budget framework, and act as the Council's Audit Committee, and the nature of this role is specified in the Procedure Rules in Part 4 of this Constitution.

7.4 Finance

- 7.4.1 The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for any finances made available to them.

7.5 Annual Report

- 7.5.1 The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

7.6 Officers

- 7.6.1 The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for the work programme of any officers employed to support their work.

7.7 Proceedings of the Committees

- 7.7.1 The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

7.8 Work Programme

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- 7.8.1 The Rules of Procedure in Part 4 of this Constitution will also provide mechanisms to allow all Members of the Council the opportunity to place an item on the agenda of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee.
- 7.8.2 When practicable, the Overview and Scrutiny Committee will publish a forward work programme or list of items likely to be considered over the next four months.

7.9 Working Methods

- 7.9.1 The following principles should be adhered to by the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee when carrying out their work:-
- (a) a variety of different approaches and formats for meetings may be used;
 - (b) 'task and finish' groups reporting periodically and at the end of reviews to the Overview and Scrutiny Committee should be encouraged as the preferred method of scrutiny reviews;
 - (c) membership of the Committees and their sub groups (if applicable) should be tailored to ensure appropriate skills and expertise, and external input, are brought to bear;
 - (d) when appropriate, full consultation with all other stakeholder groups and organisations should take place;
 - (e) the declaration of interest rules shall apply;
 - (f) the imposition of the Party Whip is regarded as incompatible with the work of the Council's Scrutiny Committees;
 - (g) the chairman and vice-chairman of each Scrutiny Committee will meet at least quarterly with the Leader and Deputy Leader of the Council to ensure that the work of these Committees is properly co-ordinated; and
 - (h) where any Scrutiny Committee is reviewing the work of a Regulatory or other Committee of the Council (as opposed to the Cabinet) it will not scrutinise individual decisions made by such Committees, particularly decisions in respect of development control, licensing, registration, consents and other permissions. In particular, scrutiny will not be an alternative to normal appeals procedures. However, the Overview and Scrutiny Committee has the power to make reports and recommendations on functions which are not the

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responsibility of the Cabinet, an option normally to be used as part of wider policy reviews.

7.10 Support

7.10.1 In order that the Overview and Scrutiny Committee can perform its roles properly, it shall be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to the advice of the Council's Monitoring Officer;
- (d) the ability to require Members of the Cabinet and officers to attend to answer questions;
- (e) specific training and development for all persons who undertake overview and scrutiny duties; and
- (f) the Decisions Plan, containing details of all the matters likely to be the subject of key decisions, or to be considered in private by the Cabinet, or its Committees or by officers, shall be made available to all Members of the Overview and Scrutiny Committee.

7.10.2 In order that the Performance and Audit Scrutiny Committee can perform its role properly it shall also be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to external auditors who report direct to the Committee and to the Internal Audit Service Manager; and
- (d) specific training and development as required.

Forest Heath District Council

Article 12 - Decision-Making

12.1 Responsibility for Decision-Making

12.1.1 The Council will issue, and keep up-to-date, a record of what part of the Council or individual has responsibility for particular types of decisions and decisions relating to particular areas of functions. This record is set out in Part 3 of this Constitution.

12.2 The Principles of Decision-Making

12.2.1 All decisions of the Council will be made in accordance with the following principles:-

- (a) the decision must be reasonable within the common meaning of the word, i.e. it must be a rational decision based on sound judgement;
- (b) the decision must also be reasonable within the legal meaning of "reasonableness" i.e. all relevant considerations must be fully taken into account in reaching the decision and all irrelevant ones disregarded;
- (c) in the case of 'quasi-judicial' decisions (e.g. a decision as to whether or not to grant a licence) a fair hearing conducted in accordance with the rules of natural justice should be afforded to the person who is the subject of the decision;
- (d) the decision must be proportionate (i.e. the action should be proportionate to the desired outcome);
- (e) decisions should be taken on the basis of due consultation and professional advice from officers;
- (f) human rights must be respected and consideration must be given as to whether the decision will give rise to any implications under the Human Rights Act 1998 and the European Convention on Human Rights;
- (g) decisions must be taken in compliance with Council's schemes of delegation, financial rules and instructions relating to contracts;
- (h) when making decisions a presumption in favour of openness must be applied and a clarity of aims and desired outcomes must be displayed;
- (i) careful consideration should always be given as to whether there is an interest that should be declared; and
- (j) in the case of executive decisions taken by the Cabinet, or an individual Member of the Cabinet, or an Officer (where the decision is closely connected

with the Cabinet), a proper record of the decision must be made together with a record of the reasons for the decision, details of any alternative options considered and rejected and any conflicts of interest.

12.3 Types of Decision

12.3.1 **Decisions reserved to Council** - Decisions relating to the functions listed in Article 4.2 will be made by the whole Council and not delegated.

12.3.2 Key Decisions

- (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 District; or
 - (ii) result in any new expenditure, income or savings of more than £1050,000 in relation to the Council's revenue budget or capital programme; or
 - (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.

12.4 Urgent key decisions

12.4.1 Provisions for taking key decisions in cases of urgency where they have not been included in the decisions plan are set out in the Access to Information Procedure Rules in Part 4 of this constitution.

12.4 Decision-Making by the Council

12.4.1 Subject to Article 12.8, the Council meeting will follow the Council procedure rules set out in Part 4 of this Constitution when considering any matter.

12.5 Decision-Making by the Cabinet

12.5.1 Subject to Article 12.8, the Cabinet will follow the Executive Procedure Rules set out in Part 4 of this Constitution when considering any matter.

12.6 Decision-Making by the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee

12.6.1 The Council's Scrutiny Committees will follow the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution when considering any matter.

12.7 Decision-Making by Other Committees and Sub-Committees Established by the Council

12.7.1 Subject to Article 12.8, other Council Committees and Sub-Committees will follow those parts of the Council Procedure Rules set out in Part 4 of this Constitution as apply to them.

12.8 Decision-Making by Council Bodies Acting as Tribunals

12.8.1 The Council, a Councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention of Human Rights.

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Forest Heath District Council

Section 3 - Responsibility for Cabinet functions

- 3.1 Executive functions will be performed by the Cabinet. These functions will be grouped together in the form of Cabinet portfolios, the number and scope of which will be agreed by the Leader. The Leader will also allocate responsibility for the portfolios among the individual Members of the Cabinet, on an annual basis.
- 3.2 The Cabinet Portfolios and areas of responsibility are as follows:-

Portfolio	Areas of Responsibility
Leader of the Council	<ol style="list-style-type: none"> 1. Leadership and strategic direction of the Council 2. External relations and communications 3. Strategic economic development
Families and Communities	<ol style="list-style-type: none"> 1. Corporate communications 2. Corporate strategy/planning and co-ordination 3. Crime and community safety 4. Customer Services, access and engagement 5. Equalities and diversity 6. Families and Communities 7. Future of public services and service integration 8. Health
Whole Cabinet <i>(with Portfolio Holder for Housing at SEBC being the shared lead Councillor)</i>	<ol style="list-style-type: none"> 1. Choice based lettings 2. Homelessness advice 3. Public health 4. Safeguarding 5. Social care 6. Strategic housing (including private sector housing and DFG policy)
Leisure and Culture	<ol style="list-style-type: none"> 1. Heritage and culture 2. Parks and open spaces (including trees) 3. Sport
Operations	<ol style="list-style-type: none"> 1. Car parking 2. CCTV 3. Cemeteries 4. Fleet management 5. Grounds maintenance 6. Land drainage 7. Markets (delivery)

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Portfolio	Areas of Responsibility
	<ul style="list-style-type: none"> 8. Operations 9. Property services and estate management 10. Public conveniences 11. Refuse/recycling 12. Street scene 13. Tourism (operations)
Planning and Growth	<ul style="list-style-type: none"> 1. Building control 2. Conservation 3. Development control 4. Economic development 5. Enforcement 6. Environmental health 7. Growth areas and regeneration 8. Licensing 9. Planning policy 10. Rural development 11. Tourism (strategic) 12. Town centres
Resources and Performance	<ul style="list-style-type: none"> 1. Business development/commercial 2. Cabinet management and support 3. Civic office 4. Democratic services (including members' support) 5. Financial services (including audit) 6. Health and safety 7. Human resources (including payroll) 8. ICT 9. Learning and development 10. Legal services 11. Performance and risk management 12. Procurement 13. Scrutiny management and support

3.3 Joint Executive Arrangements

3.3.1 The Leader has established joint arrangements with the Leader of St Edmundsbury Borough Council for the discharge of executive functions through the Joint Cabinet. All matters which are performed by Cabinet as a collective are delegated to the Joint Cabinet Committee to exercise, unless either Leader notifies that the matter or function shall not be delegated to the Joint Cabinet Committee to make.

3.3.2 The Joint Cabinet Committee shall consist of the Leaders and the portfolio holders of both Forest Heath District Council and St Edmundsbury Borough Council and shall operate until 1 April 2019.

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3.3.3 All decisions made by the Joint Cabinet shall be undertaken in accordance with Article 12 (decision making) and the Cabinet Procedure Rules in Part 4 of this constitution.

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Forest Heath District Council Cabinet Procedure Rules

1. How does the Cabinet operate?

1.1 Executive functions

The Cabinet is the Council's executive body and is responsible for carrying out those functions which by law or under this constitution are designated as "executive functions".

The arrangements for the discharge of executive functions are set out in Article 6. The arrangements may provide for executive functions to be discharged by:-

- (a) the Cabinet as a whole;
- (b) a committee of the Cabinet;
- (c) an individual member of the Cabinet;
- (d) an officer;
- (e) an area committee;
- (f) joint arrangements; or
- (g) another local authority.

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1.2 Sub-delegation of executive functions

- (a) Where the Cabinet, a committee of the Cabinet or an individual member of the Cabinet is responsible for an executive function, they may delegate further to an officer or by joint arrangements.
- (b) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

1.3 Delegation of executive functions

~~(a)~~ Subject to (b) below, the delegation of executive functions will be as adopted by the Council and set out in Part 3 of this Constitution.

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(b) In particular, the Leader, and the Leader of St Edmundsbury Borough Council, have jointly delegated decisions of the Cabinet as a whole to a Joint Cabinet.

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- (b) The Leader may amend the delegations to individual Cabinet members (Portfolio Holders) relating to executive functions at any time during the year by giving written notice to the Monitoring Officer and to the person, body or committee concerned. The notice must set out the extent of the

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amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any person, body, committee or the Cabinet as a whole. The appropriate amendments to the constitution will be made by the Monitoring Officer.

- (c) Where the Cabinet seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when the Leader has served it on its chairman.

Meetings of the Joint Cabinet

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1.5 Cabinet Meetings

The Cabinet will meet at times to be agreed by the Leaders of Forest Heath District Council and St Edmundsbury Borough Council ("the Leaders") at the ~~Council's~~ main offices of either Council or another location to be agreed by the Leader and will be held in public except in accordance with the Access to Information Procedure Rules. It shall normally be expected that the meetings will rotate between each Council's main office. Notice of the dates and times of meetings, and their agendas, will be published in accordance with the Access to Information Procedure Rules.

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1.6 Quorum

The quorum for a meeting of the Joint Cabinet, or a committee of it, shall ~~six, to include at least~~ be one-third ~~three~~ of the total number of members of ~~each the Cabinet, (including the Leader) or three,~~ whichever is the larger.

1.7 How are decisions to be taken by the Cabinet?

- (a) Executive decisions which have been delegated to the Joint Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rules.
- (b) Where executive decisions are delegated to a committee of the Joint Cabinet, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Cabinet as a whole.

2. How are executive meetings conducted?

2.1 Who presides?

The Leader of the Council at whose offices the meeting is taking place, or in his/her absence ~~any Deputy Leader~~ the Leader of the other council, will preside at any meeting of the Cabinet or its Committees at which he or she is present. In the absence of both leaders, the Chairman shall be determined in the order of the

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~~Deputy Leader of the Council at which the meeting is taking place, then the other Deputy Leader, and if all are not present, the members of the Cabinet who are present shall chose a member to preside~~
~~the Leader and Deputy Leader the members of the Cabinet who are present shall choose a member to preside.~~

2.2 Who may attend?

2.1.1 The public may attend in accordance with the Access to Information Rules in Part 4 of this Constitution. Members of the public who live or work in the District may speak or ask a question in accordance with the provisions for public speaking in the Committee Procedure Rules.

2.1.2 Any member of ~~the either Forest Heath District Council or St Edmundsbury Borough~~ who is not a member of the Joint Cabinet may attend a meeting of the Joint Cabinet. He or she can speak only:

- (a) to ask a question in accordance with rule 2.4.1 below;
or
- (b) if invited to by the person presiding.

2.3 What business?

At each meeting of the Joint Cabinet or a Committee of the Joint Cabinet the following business will be conducted:-

- (a) apologies for absence;
- (b) confirm as a correct record and sign the minutes of the last meeting;
- (c) "open forum" in accordance with Rule 2.4 below;
- (d) public speaking/questions in accordance with Rule 11 of the Committee Procedure Rules;
- (e) the receipt of any petitions (submitted and presented in accordance with ~~the either~~ Council's Petition Scheme);
- (f) matters referred to the Joint Cabinet, whether by ~~the either~~ Overview and Scrutiny Committee, ~~the either~~ Performance and Audit Scrutiny Committee, or by ~~the either~~ Council for reconsideration in accordance with the provisions of contained in ~~the either~~ Overview and Scrutiny Procedure Rules or ~~the either~~ Budget and Policy Framework Procedure Rules;
- (g) consideration of reports from ~~the either~~ Overview and Scrutiny Committee or ~~the either~~ Performance and Audit Scrutiny Committee; and
- (h) matters set out in the agenda for the meeting, and which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure rules set out in Part 4 of ~~this both Council's~~ Constitution.

2.4 Open Forum

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2.4.1 At each Joint Cabinet meeting up to fifteen minutes shall be allocated for questions from and discussion with non-Cabinet members. Members wishing to speak during this session may, but do not have to, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.

2.5 Who can put items on the Cabinet agenda?

2.5.1 Normally, the Leaders will decide upon the schedule for the meetings of the Joint Cabinet.

2.5.2 An item will be placed on the agenda of the next available meeting of the Joint Cabinet where ~~the-either~~ Overview and Scrutiny Committee, ~~the-either~~ Performance and Audit Scrutiny Committee or ~~the-either~~ full Council have resolved that an item be considered by the Joint Cabinet. There will be a standing item on the agenda of each meeting of the Cabinet for matters referred by ~~the-the~~ Overview and Scrutiny and Performance and Audit Scrutiny Committees.

2.5.3 The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of a Joint Cabinet meeting and may require the proper officer to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Joint Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of a Joint Cabinet meeting. If there is no meeting of the Joint Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

Meetings of Cabinet

2.6.1 The Leader may serve notice on the Leader of St Edmundsbury Borough Council that they do not intend that the decision, or the service, should be delegated to the Joint Committee and may instead either be undertaken by the Leader, or by the Forest Heath Cabinet acting as a whole.

2.6.2 Where the Forest Heath Cabinet as a whole is meeting to determine a matter, the following rules of procedure should apply:

Cabinet Meetings

The Cabinet will meet at times to be agreed by the Leader at the Council's main offices or another location to be agreed by the

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Leader and will be held in public except in accordance with the Access to Information Procedure Rules. Notice of the dates and times of meetings, and their agendas, will be published in accordance with the Access to Information Procedure Rules.

1.6 Quorum

The quorum for a meeting of the Cabinet, or a committee of it, shall be one third of the total number of members of the Cabinet (including the Leader) or three, whichever is the larger.

1.7 How are decisions to be taken by the Cabinet?

- (a) Executive decisions which have been delegated to the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rules.
- (b) Where executive decisions are delegated to a committee of the Cabinet, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Cabinet as a whole.

2. How are executive meetings conducted?

2.1 Who presides?

The Leader, or in his/her absence any Deputy Leader, will preside at any meeting of the Cabinet or its Committees at which he or she is present. In the absence of the Leader and Deputy Leader the members of the Cabinet who are present shall choose a member to preside.

2.2 Who may attend?

2.1.1 The public may attend in accordance with the Access to Information Rules in Part 4 of this Constitution. Members of the public who live or work in the District may speak or ask a question in accordance with the provisions for public speaking in the Committee Procedure Rules.

2.1.2 Any member of the Council who is not a member of the Cabinet may attend a meeting of the Cabinet. He or she can speak only:

- (a) to ask a question in accordance with rule 2.4.1 below;
or
- (b) if invited to by the person presiding.

2.3 What business?

At each meeting of the Cabinet or a Committee of the Cabinet the following business will be conducted:-

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- (a) apologies for absence;
- (b) confirm as a correct record and sign the minutes of the last meeting;
- (c) "open forum" in accordance with Rule 2.4 below;
- (d) public speaking/questions in accordance with Rule 11 of the Committee Procedure Rules;
- (e) the receipt of any petitions (submitted and presented in accordance with the Council's Petition Scheme);
- (f) matters referred to the Cabinet, whether by the Overview and Scrutiny Committee, the Performance and Audit Scrutiny Committee, or by the Council for reconsideration in accordance with the provisions of contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules, but only in relation to those matters which Cabinet have determined should not be considered by the Joint Cabinet;
- (g) consideration of reports from the Overview and Scrutiny Committee or the Performance and Audit Scrutiny Committee that relate to matters not otherwise considered by the Joint Cabinet
- (h) matters set out in the agenda for the meeting, and which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure rules set out in Part 4 of this Constitution.

2.4 Open Forum

2.4.1 At each Cabinet meeting up to fifteen minutes shall be allocated for questions from and discussion with non-Cabinet members. Members wishing to speak during this session may, but do not have to, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.

2.5 Who can put items on the Cabinet agenda?

2.5.1 Normally, the Leader will decide upon the schedule for the meetings of the Cabinet. Matters may only be considered by the Cabinet, or referred to the Cabinet, where they relate to functions or decisions the Leader has confirmed should not be determined by the Joint Cabinet.

2.5.2 Subject to 2.5.1, an item will be placed on the agenda of the next available meeting of the Cabinet where the Overview and Scrutiny Committee, the Performance and Audit Scrutiny Committee or the full Council have resolved that an item be considered by the Cabinet.

2.5.3 Subject to 2.5.1, the Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of a Cabinet meeting and may require the proper

Appendix A

officer to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of a Cabinet meeting. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

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Annual Council



Forest Heath
District Council

Title of Report:	Review and Re-appointment of Representation on Outside Bodies
Report No:	AGM/FH/18/003
Report to and date:	Annual Council 9 May 2018
Portfolio holder:	James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) / Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk
Purpose of report:	The Council is required by the Constitution at each Annual Meeting to: <ul style="list-style-type: none"> (1) receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required; and (2) appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.
Recommendation:	It is recommended that: <ul style="list-style-type: none"> (1) Where the Council may send observers to meetings of outside bodies these will be appointed by the Cabinet. (2) If deemed appropriate, the Council to explore the passing of nominations to other organisations.

	<p>(3) Where the Council may make a nomination, but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet.</p> <p>(4) The Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to:</p> <p>(a) re-appoint the existing District Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) above for 2018/2019, as detailed in Appendix A to Report No: AGM/FH/18/003; and</p> <p>(b) make new appointments to outside bodies, as applicable, in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed.</p>		
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>		
<p>Consultation:</p>	<ul style="list-style-type: none"> • Not applicable 		
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • As set out in paragraph 1.3 below. 		
<p>Implications:</p>			
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
<p>Risk/opportunity assessment:</p>		<p><i>(potential hazards or opportunities affecting corporate, service or project objectives)</i></p>	
<p>Risk area</p>	<p>Inherent level of risk (before controls)</p>	<p>Controls</p>	<p>Residual risk (after controls)</p>
<p>Opportunities for the Council to be represented on outside bodies are missed</p>	<p>Medium</p>	<p>To consider the appointment of representatives to outside bodies</p>	<p>Low</p>

Ward(s) affected:	All
Background papers:	None
Documents attached:	Appendix A – Forest Heath District Council’s Representation on Outside Bodies 2017/2018 and on Wholly Owned/Joint Venture Commercial Companies 2017/2018

1. Key issues and reasons for recommendation(s)

1.1 Background

1.1.1 One of the functions exercised by the Council is to appoint representatives on outside bodies.

1.1.2 At each Annual Meeting, the Council is required to receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required.

1.1.3 Attached as Appendix A, to this report, is the list of outside bodies for the last civic year, 2017/2018. This list provides the name of the organisations and the number of representatives in that year.

1.1.4 Wholly-owned/Joint Venture Commercial Companies

1.1.5 Appendix A also sets out the Council's representation on its wholly-owned/joint venture commercial companies. Whilst, technically, not outside bodies, this information has been included for transparency and information purposes.

1.2 Considerations

1.2.1 Council is asked to consider the list at Appendix A and to request the Service Manager (Democratic Services) and Monitoring Officer to exercise their delegated authority to re-appoint the existing District Council's representatives on outside bodies not covered by the provisions made in Recommendations (1), (2) and (3) above for 2018/2019.

1.2.2 If, however, it is considered that new appointments to outside bodies are required to be made, these are proposed to be made under the above delegated authority in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed.

1.2.3 Attention is also drawn to the following:-

- (a) Where the District Council may send observers, it is recommended that Cabinet and not Council makes these appointments, if considered necessary, as the appointee is not formally representing the Council. This does not mean that the observer must be a member of the Cabinet. Subject to approval of Recommendation (1) above, the existing representatives on such bodies will be proposed to be re-appointed by Cabinet on 22 May 2018.
- (b) It is suggested that, where deemed to be appropriate, the District Council explores the possibility of 'passing' the nomination to other organisations (ie Town/Parish Councils).
- (c) Where the District Council has the right to nominate a representative, but the nominee will not be automatically appointed by the outside body, then the nomination will also be made by the Cabinet.



Forest Heath
District Council

REPRESENTATION ON OUTSIDE BODIES 2015 TO 2019

AND

REPRESENTATION ON WHOLLY-OWNED/JOINT VENTURE COMMERCIAL COMPANIES 2015 TO 2019

BRIEF GENERAL INFORMATION ABOUT THE ORGANISATIONS

Forest Heath District Council Representation on Outside Bodies 2015 to 2019

(Note: This list covers constituted organisations and charities. Council representation on project groups or boards, formed of various organisations, would be determined by Cabinet or in accordance with the Memoranda of Understanding for those projects)

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
1.	Aspal Close Working Group To advise on the management of the Aspal Close Local Nature Reserve.	One Member <i>(Ward Member from Eriswell and The Rows)</i>	Cllr David Bowman	Once a year; Evening; Beck Row	Mark Walsh Damien Parker
2.	Association for Suffolk Museums Management Committee Advance education of the public in Suffolk by support and assistance to public museums and art galleries and their development.	One Member	Cllr John Bloodworth	Twice a year; Various locations in Suffolk	Mark Walsh Damien Parker
3.	Brandon Heritage Centre The Centre celebrates the three main industries of the area (flint, fur and forestry). The collection offers a unique view of the Town's colourful history.	One Member	Cllr Christine Mason	Quarterly; Evenings; Brandon Heritage Centre	Mark Walsh Damien Parker

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
4.	<p>Brandon Remembrance Playing Fields Management Committee</p> <p>The role of the Committee is to offer playing fields to the people of Brandon and for the use by local clubs.</p>	One Member	Cllr Christine Mason	Monthly; Evenings; Sports & Social Club, Brandon Remembrance Playing Fields	Mark Walsh Damien Parker
5.	<p>'Breaking New Ground' Board (replaces the Brecks Partnership – Core Management Group)</p> <p>In March 2014, the Heritage Lottery Fund (HLF) confirmed the award of nearly £1.5m to the Breaking New Ground Landscape Partnership, enabling a £2.2m scheme to start delivering a range of exciting Heritage and Landscape Projects in the heart of the Brecks.</p> <p>'Breaking New Ground' will provide the dynamic impetus to move this unique landscape from the margins of public awareness to the mainstream, connecting communities to the skills and understanding necessary to sustain its natural, archaeological and built heritage and enable them to explore and celebrate its distinctive features</p>	One Member	Cllr Reg Silvester	Quarterly; Various locations within the Brecks	Mark Walsh Damien Parker

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	such as pine lines, flint buildings, forests and heaths. It will seek to address the challenges presented by climate change, economic pressure, population growth and diversity and connect effective, integrated rural development with environmental excellence in this sensitive and special landscape.				
6.	<p>District Councils' Network</p> <p>The District Councils' Network is a cross-party member led network of 199 district councils. It is a Special Interest Group of the Local Government Association (LGA), and provides a single voice for district councils within the LGA. It lobbies central government, the political parties and other stakeholders directly on behalf of its members, as well as commissioning research, providing support and sharing best practice.</p>	One Member	Cllr James Waters		Ian Gallin Liz Barnard
7.	<p>East of England Local Government Association (EELGA)</p> <p>The EELGA is a voluntary body</p>	One Member	Cllr James Waters	The full assembly of the 52 leaders meets twice a year	Ian Gallin Liz Barnard

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
	funded by subscription. The 52 local councils in the East of England are all members. The organisation is governed by the Leader or elected Mayor of each of the 52 councils in the region. The full assembly of the 52 leaders meets twice a year. This is a forum for discussion on common issues, but importantly provides a platform for all leaders to meet and hear from Ministers and other policy makers on key issues. Day-to-day management is provided by a management committee of five Leaders who are representative of the political proportionality of the region.				
8.	Home of Horseracing Trust To ensure the views of the Council are properly and directly represented on the Trust, which is charged with the development of the Home of Horseracing project.	One Observer <i>(Appointed by the Cabinet. However, the appointment does not need to be a member of the Cabinet)</i>	Cllr Andy Drummond <i>(supported by Cllr Chris Barker)</i>	Bi-monthly; Afternoons; Newmarket	Alex Wilson

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
9.	Internal Drainage Board – Burnt Fen To provide water level management and flood protection for the benefit of Forest Heath district.	One Member	Cllr Louise Marston	Three meetings per year; Afternoons; Prickwillow	David Collinson Peter Gudde Andy Newman
10.	Internal Drainage Board – Lakenheath To provide water level management and flood protection for the benefit of Forest Heath district.	Three Members	1. Cllr Louise Marston 2. Cllr Colin Noble 3. Mr Robin Rolph (<i>Non-elected Member</i>)	Three meetings per year; Mornings; Prickwillow	David Collinson Peter Gudde Andy Newman
11.	Internal Drainage Board – Mildenhall To provide water level management and flood protection for the benefit of Forest Heath district.	Four Members	1. Cllr David Bowman 2. Cllr John Bloodworth 3. Mr C J Butcher (<i>Non-elected Member</i>) 4. Mr G H Taylor-Balls (<i>Non-elected Member</i>)	Three meetings per year; Afternoons; Prickwillow	David Collinson Peter Gudde Andy Newman
12.	Local Government Association (LGA) (General Assembly) The LGA a politically-led, cross-party organisation that works on	One Member	Cllr Robin Millar	Once a year	Ian Gallin

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	<p>behalf of councils to ensure local government has a strong, credible voice with national government. It aims to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems.</p> <p>The LGA General Assembly meets once a year and acts as the 'parliament' for local government. It is a key element of the LGA's member structure.</p> <p>All district/borough councils are entitled to one vote and to appoint one representative.</p>				
13.	<p>Love Newmarket Business Improvement District (BID)</p> <p>Love Newmarket Business Improvement District (BID) aims to be an inventive and progressive organisation run for local businesses by local businesses. The Love Newmarket BID covers a defined area of the popular market town where the team works to improve the trading environment and</p>	Portfolio Holder for Planning and Growth	Cllr Lance Stanbury	<p>Frequency: Quarterly</p> <p>Venue: Heath Court Hotel, Newmarket</p>	Jonathan Miles

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	identifies additional projects and services that develop the town centre. Love Newmarket BID enhances and promotes the local environment for its businesses, employees, customers and the community.				
14.	Mildenhall Community Association To supply services to the community.	One Member	Cllr Nigel Roman	As and when required; Evenings; Mildenhall	Davina Howes Lucy Pettitt
15.	Mildenhall Dome Joint Management Committee <i>(formerly Mildenhall Dome Leisure Centre Joint Co-ordinating Committee)</i> Responsibility for the co-ordination of the use of the Centre.	One Member <i>(Portfolio Holder responsible for sport or another Councillor nominated by them)</i>	Cllr Andy Drummond <i>(as PH for Leisure and Culture)</i>	As and when required; Mildenhall	Alex Wilson
16.	Mildenhall Museum – Trustees The Trustees will be involved in policy making, financial decisions, the long term care of the museum collections and the future of the museum.	One Member	Cllr Nigel Roman	Quarterly; Evenings; Mildenhall Museum	Mark Walsh Damien Parker

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
17.	<p>National Horseracing Museum</p> <p>To consider various management issues of the Museum and to liaise between the District Council and the Museum. To also be involved with the proposed re-development of the Palace House site.</p>	<p>One Observer</p> <p><i>(Appointed by the Cabinet. However, the appointment does not need to be a member of the Cabinet)</i></p>	<p>Cllr Andy Drummond <i>(supported by Cllr Chris Barker)</i></p>	<p>Quarterly; Variable; Mornings; Newmarket</p>	<p>Alex Wilson</p>
18.	<p>Newmarket Citizens Advice</p> <ul style="list-style-type: none"> - To ensure people do not suffer through lack of knowledge of their rights and responsibilities or the services available to them or through an inability to express their needs effectively; - To exercise a responsible influence on the development of social policies and services, both locally and nationally. <p>Advice is free, independent, impartial and confidential.</p>	<p>One Member</p>	<p>Cllr Chris Barker</p>	<p>Bi-monthly; Afternoons; Newmarket</p>	<p>Davina Howes Lucy Pettitt</p>
19.	<p>Our Greenest County Board (Suffolk County Council)</p> <p>Creating the Greenest County is an aspiration that involves the whole</p>	<p>One Member</p>	<p>Cllr David Bowman</p>	<p>Quarterly</p>	<p>David Collinson Peter Gudde</p>

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	county in enhancing the natural and historic environment and responding to climate change. The partnership provides an umbrella for many existing projects, encourages further recognition and resourcing of them and seeks to inspire further actions in communities, businesses and schools.				
20.	<p>Rural Services Network (SPARSE)</p> <p>The Rural Services Network (RSN) represents the interests of rural service providers and their rural communities in England. It</p> <ul style="list-style-type: none"> - Makes representations on issues affecting rural services - Promotes active networking between service providers and across all sectors - Establishes and broadcasts rural best practice - Promotes debate and interaction between agencies/sectors across many areas of joint interest for example rural crime, rural 	One Member	Cllr Colin Noble	<p>Throughout the year, the RSN provide a range of meetings and events for the subscribed authorities and organisations.</p> <p>The different events range from seminars, to working groups to full meetings and provide organisations with the chance to engage at different levels with different</p>	Davina Howes Liz Barnard

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
	housing, broadband provision and rural health			issues.	
21.	<p>Suffolk County Council - Health and Wellbeing Board</p> <p>The Suffolk Health and Wellbeing Board was established in accordance with the Health and Social Care Act 2012. The Board has a duty to "encourage integrated working" between health, care, police and other public services in order to improve wellbeing outcomes for Suffolk. It is responsible for delivery of the Joint Strategic Needs Assessment and the county's Joint Health and Wellbeing Strategy.</p> <p>The Suffolk Health and Wellbeing Board has 22 members in total, comprising members and officers from the County Council, local clinical commissioning groups, NHS England, HealthWatch, the police, the voluntary sector and district and borough councils.</p>	<p>One Member and one substitute</p> <p><i>(representation alternated every two years with St Edmundsbury Borough Council)</i></p>	<p><i>Representation from September 2017</i></p> <ol style="list-style-type: none"> 1. Cllr Robert Everitt (SEBC) <i>(Member)</i> 2. Cllr Sara Mildmay-White (SEBC)* <i>(Substitute)</i> <p>*By agreement of FHDC Leader</p> <p>Both SEBC Full and Substitute Members to represent the West Suffolk Councils.</p>	<p>Every two months; 9.30/10.0 am; Endeavour House, Ipswich</p>	<p>Davina Howes Lucy Pettitt</p>

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
22.	<p>Suffolk County Council - Suffolk Flood Risk Joint Scrutiny Sub-Committee</p> <p>The Suffolk Flood Risk Scrutiny Sub Committee is made up of eight councillors (1 councillor from Suffolk County Council and 1 from each of the local borough/district councils.</p> <p>The Sub-Committee is responsible for reviewing, scrutinising and influencing decision making in relation to the Suffolk Flood Management Strategy.</p>	One Member and one Substitute	<p>Cllr Christine Mason (Member)</p> <p>Cllr Andy Drummond (Substitute)</p>	Once/twice a year; 10.00am Endeavour House, Ipswich	Mark Walsh
23.	<p>Suffolk County Council - Health Scrutiny Committee</p> <p>Suffolk County Council is responsible in Suffolk for undertaking local government scrutiny of health provision. It has established a Committee for this purpose, with representation from the Overview & Scrutiny Committees of the District/Borough Councils in the County.</p>	<p>One Member</p> <p><i>(Nominations for 2018/2019 will be made by the Overview and Scrutiny Committee on 7 June 2018 and will be confirmed by Council on 13 June 2018)</i></p>	<p>Cllr John Bloodworth (Member)</p> <p>Cllr Christine Mason (Substitute)</p>	Quarterly; 10.30am; Endeavour House, Ipswich	Davina Howes Christine Brain

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
24.	<p>Suffolk Joint Emergency Planning Policy Panel</p> <ul style="list-style-type: none"> - To act as a link with each Council's administration to allow joint debate of civil protection issues, both current and emerging, that affect Suffolk. - Develop common approaches to civil protection strategy and policy, including elected member emergency preparedness training and exercising. - Represent agreed changes in civil protection direction and policy, as appropriate, in each Council's administrative process to embed/gain agreement for any change. - Consider recommendations from the Suffolk Policy Review activity on civil protection capability. - Agree Suffolk civil protection inputs to Local Area Agreements. 	<p>One Member</p> <p><i>(The nomination to be the Lead Member for civil protection in each authority)</i></p>	<p>Cllr Robin Millar</p>	<p>Meetings held as and when required; No fixed meeting location</p>	<p>Stephen Henthorn</p>
25.	<p>Suffolk Police and Crime Panel</p> <ul style="list-style-type: none"> - Reviewing and scrutinising the decisions and other actions of the statutory functions of the Suffolk Police and Crime 	<p>One Member and one Substitute</p> <p><i>(Conservative appointments based on political proportionality across</i></p>	<p>Cllr Brian Harvey <i>(Member)</i></p> <p>Cllr David Bowman <i>(Substitute)</i></p>	<p>Quarterly; 10.30am; Endeavour House, Ipswich</p>	<p>Davina Howes Lucy Pettitt</p>

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	<p>Commissioner, providing both support and challenge.</p> <ul style="list-style-type: none"> - Focus on key strategic actions and decisions taken by the PCC. - Making reports and evidence based recommendations to the PCC. - Vetoing the level of the precept and the appointment of the chief Constable. - Dealing with complaints, as required by law, in respect of the PCC. 	<i>the whole of Suffolk)</i>			
26.	<p>Suffolk Waste Partnership</p> <p>The Suffolk Waste Partnership (SWP) is a strategic partnership of the county, district/borough councils, who work together to continuously improve waste management services throughout Suffolk. The SWP has created a Joint Municipal Waste Management Strategy 2003-2020, which sets out the strategic framework for the management of municipal waste across the county.</p>	One Member	Cllr David Bowman		Mark Walsh Mark Christie

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
27.	<p>Suffolk West Citizens Advice</p> <ul style="list-style-type: none"> - To ensure people do not suffer through lack of knowledge of their rights and responsibilities or the services available to them or through an inability to express their needs effectively; - To exercise a responsible influence on the development of social policies and services, both locally and nationally. <p>Advice is free, independent, impartial and confidential.</p>	One Member	Cllr John Bloodworth		Davina Howes Lucy Pettitt
28.	<p>Western Suffolk Community Safety Partnership</p> <p>Community Safety Partnerships (CSP) are statutory bodies which came into being as a result of the 1999 Crime and Disorder Act in which the government recognised that crime and disorder cannot be addressed by the Police alone. There was originally one CSP per District/Borough area in Suffolk; however in 2004 the 3 districts in Western Suffolk (Forest Heath, St</p>	One Member	Cllr Robin Millar <i>(supported by Cllr Brian Harvey)</i>		Davina Howes Lucy Pettitt

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
	Edmundsbury and Mid Suffolk) agreed to merge into one Western Suffolk Community Safety Partnership (WSCSP), so reducing bureaucracy and forging the way for greater partnership working.				

Forest Heath District Council Representation on Wholly-owned/Joint Venture Commercial Companies

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (where known)	SUPPORT OFFICER(S)
1.	<p>Barley Homes (Group) Ltd</p> <p>A commercial company limited by shares, for the purpose of developing housing for sale and private rent, and affordable rent and low-cost home ownership in line with the Councils' existing planning policies.</p> <p>The company is wholly-owned by Forest Heath District Council (25% of shares), St Edmundsbury Borough Council (25%) and Suffolk County Council (50%) and will provide a revenue income to all Councils.</p>	<p>Shareholder Advisory Group consisting of:</p> <p>Two Members (FHDC)</p> <p>Two Members (SEBC)</p> <p>plus four Members from Suffolk County Council</p> <p><i>(As separate arrangements have been approved, re-appointments to this Group are not made each year at Annual Council.)</i></p>	<p>1. Cllr Brian Harvey 2. Cllr Lance Stanbury</p> <p>1. Cllr Sara Mildmay-White 2. Cllr Richard Rout</p>		Simon Phelan Davina Howes

	NAME OF ORGANISATION AND OBJECTIVES	REQUIRED REPRESENTATION	REPRESENTATION 2015 to 2019	MEETING INFORMATION (<i>where known</i>)	SUPPORT OFFICER(S)
2.	<p>Verse Facilities Management Ltd</p> <p>A commercial company, limited by shares, for the purpose of delivering Facilities Management Services in West Suffolk and surrounding areas.</p> <p>The company is wholly-owned by Forest Heath District Council (14% of shares), St Edmundsbury Borough Council (26% of shares) and Vertas Ltd (60% of shares) (who are themselves wholly owned by Suffolk County Council) and will provide a revenue income to all Councils.</p>	<p>Shareholder Advisory Group consisting of:</p> <p>One Member (FHDC) One Member (SEBC)</p> <p>Plus two Members from Suffolk County Council</p> <p><i>(As separate arrangements have been approved, re-appointments to this Group are not made each year at Annual Council)</i></p>	<p>Cllr David Bowman Cllr Peter Stevens</p>		<p>Mark Walsh Jill Korwin</p>