

Extraordinary Council



Forest Heath
District Council

Title:	Agenda
Date:	Wednesday 18 October 2017
Time:	6.00 pm
Venue:	Council Chamber District Offices College Heath Road Mildenhall
Membership:	All Councillors You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.  Ian Gallin Chief Executive 10 October 2017
Quorum	One quarter of the total number of Members
Committee administrator:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk

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.	
Public speaking:	<p>At ordinary meetings of the Council, members of the public who live or work in the District may put questions about the work of the Council to members of the Cabinet or any Committee. 30 minutes will be set aside for this. 30 minutes will also be set aside for questions at extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.</p> <p>A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done by sending the request to: democratic.services@westsuffolk.gov.uk or by telephoning 01638 719363 or in person by telling the Democratic Services Officer present at the meeting.</p> <p>Written questions, detailing the full question to be asked, may be submitted by members of the public to the Service Manager (Democratic Services) no later than 10.00am on the previous working day to the meeting of the Council. Email: democratic.services@westsuffolk.gov.uk Phone: 01638 719363</p>	
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 Democratic Services Officer 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 Democratic Services Officer who will instruct that they are not included in the filming.</p>

Agenda

Procedural Matters

Part 1 - Public

Page No

1. Apologies for Absence

2. Declarations of Interest

Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.

3. Public Participation

Council Procedure Rule 6 *Members of the public who live or work in the District are invited to put one question of not more than five minutes duration. A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start.**

(Note: the maximum time to be set aside for this item is 30 minutes, but if all questions are dealt with sooner, or if there are no questions, the Council will proceed to the next business.)

*Each person may ask one question only. A total **of five minutes will be allowed for the question to be put and answered.** One further question will be allowed arising directly from the reply **provided that the original time limit of five minutes is not exceeded.***

Written questions may be submitted by members of the public to the Service Manager (Democratic Services) **no later than 10.00am Tuesday 17 October 2017.** The written notification should **detail the full question** to be asked at the meeting of the Council.*

**For further information, see the Public Information Sheet attached to this agenda.*

- 4. Referrals Report of Recommendations from Cabinet** **1 - 2**
Report No: **COU/FH/17/028**
- Referrals from Cabinet: 12 September 2017**
- Annual Treasury Management Report 2016/2017 and Investment
Activity: 1 April to 30 June 2017
Cabinet Member: Councillor Stephen Edwards
- 5. Single Council: Consequential and Transition Matters** **3 - 28**
Report No: **COU/FH/17/029**
- 6. Constitutional and Administrative Matters** **29 - 32**
Report No: **COU/FH/17/030**

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Extraordinary Council



Forest Heath
District Council

Title of Report:	Referrals Report of Recommendations from Cabinet	
Report No:	COU/FH/17/028	
Report to and date:	Extraordinary Council	18 October 2017
Documents attached:	None	

(A) Referral from Cabinet: 12 September 2017

1. Annual Treasury Management Report: 2016/2017

Portfolio Holder: Cllr Stephen Edwards

Report No:
[CAB/FH/17/042](#)

Performance and Audit
Scrutiny Committee: 27
July 2017

Report No:
[PAS/FH/17/023](#) and
[Attachment 1](#)

RECOMMENDED:

That the Annual Treasury Management Report 2016-2017, attached as Attachment 1 to Report No: PAS/FH/17/023, be approved.

- 1.1 The Council's Annual Treasury Management Report for 2016-2017 was attached as Attachment 1 to Report No: PAS/FH/17/023. The report included tables summarising the interest earned during 2016-2017 on the various treasury management investments held by the Council; investment activity during the year and investments held as at 31 March 2017.
- 1.2 The budgeted income from investments in 2016-2017 was £350,000 (average rate of return of 1.50%). Interest actually earned during the year totalled £250,747, an under achievement in interest of £99,253. The under achievement was primarily due to use of £14m of investment funds to purchase the Solar Farm at Toggam Farm. This, combined with the

continuing low rates of return offered by our counterparties, has resulted in this under achievement.

- 1.3 As at the end of June 2017, interest actually earned during the first quarter of the financial year amounted to £32,311 against a profiled budget for the period of £42,250; a budget deficit of £12,939. The budget deficit was due to the continuing low Bank of England base rate and subsequent low investment rates being offered by the banks, building societies and financial institutions and falling rates being offered on call accounts/notice accounts.

Extraordinary Council



Forest Heath
District Council

Title of Report:	Single Council: Consequential and Transition Matters	
Report No:	COU/FH/17/029	
Report to and date/s:	St Edmundsbury Council	17 October 2017
	Forest Heath Council	18 October 2017
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) and Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	Following the decision made by St Edmundsbury and Forest Heath Councils in September to submit a business case to the Secretary of State to become a single council for West Suffolk, it is now necessary to consider a number of technical matters that will be required to be included in any subsequent Order to become a single council.	

Recommendation:	<p>It is recommended that:</p> <p>(1) Should the Secretary of State be minded to create a single council for West Suffolk, the following matters should be recommended for inclusion within the Order to create the new Council on 1 April 2019:</p> <p>(1.1) Forest Heath District and St Edmundsbury Borough Councils should transition via the means of a Shadow Authority, which will comprise all 72 councillors from both councils;</p> <p>(1.2) the Shadow Authority should be required to form an implementation executive, to include both the leaders and at least three further councillors from each of Forest Heath and St Edmundsbury councils;</p> <p>(1.3) the name of the new Council should be West Suffolk District Council until such time as the Council, or Shadow Council, may resolve otherwise;</p> <p>(1.4) the Shadow Authority should have equivalent powers granted to authorities by virtue of s.245(4) to apply for Borough Status;</p> <p>(1.5) The proposed Council Size for West Suffolk District Council of 64 members, and the route for determining the final Council Size case, as set out in paragraph 7.4 and 7.5 should be endorsed</p> <p>(2) Forest Heath District Council recognises that both itself, and St Edmundsbury Borough, will have a duty to co-operate with the Shadow Authority; and</p> <p>(3) It be noted that, during the Secretary of State’s consultation, the Leader of the Council will respond to confirm the Council’s firm commitment to supporting the creation of a new single council for West Suffolk.</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:	<p>The recommendations within this report have arisen as a result of work undertaken by the Future Governance Steering Group, and between July and September 2017.</p>

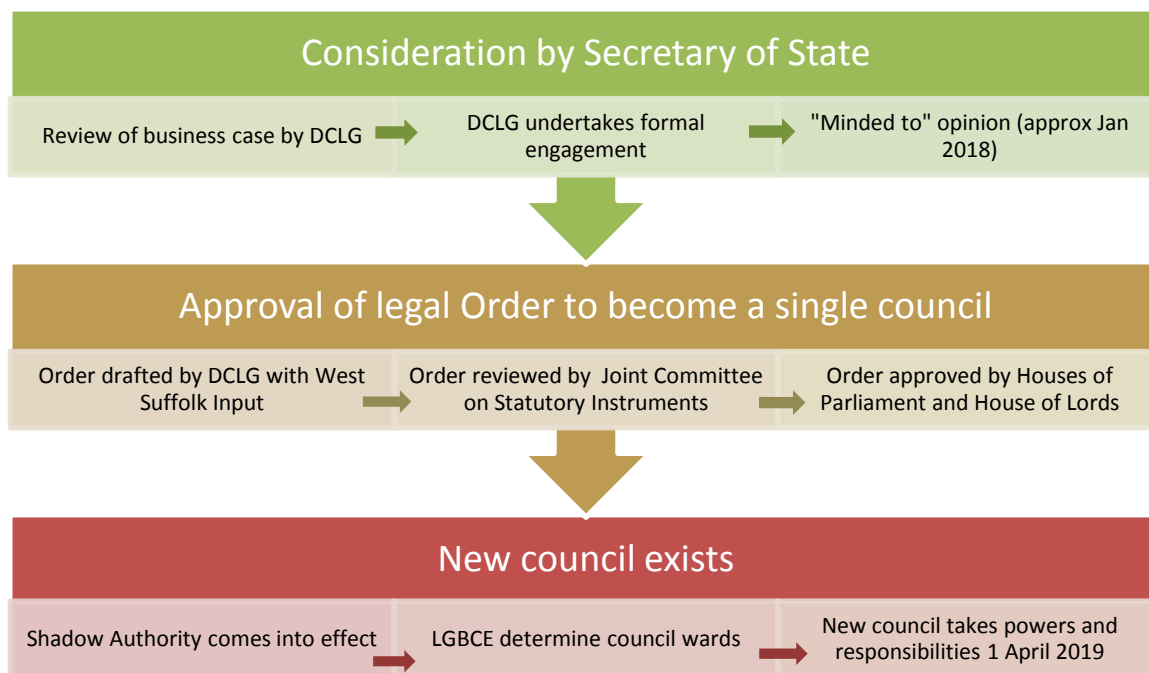
Alternative option(s):		The alternative options are set out within this report.	
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any staffing implications? <i>If yes, please give 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 checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The recommendations contained within this report will be included within a draft Order to create a new Council, should the Secretary of State be minded to do so. 	
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)
Should the Council fail to articulate its wishes, the Secretary of State may be required to make determinations which are not in line with Councillor views	Low	The recommendations within this report, which arise from work undertaken by Future Governance Steering Group, address this risk	Low
Ward(s) affected:		All wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		A Single Council for West Suffolk – business case; considered by Council on 27 September – see http://svr-mgov-01:9070/documents/s22107/COU.FH.17.026%20Single%20Council%20-%20Covering%20report.pdf	
Documents attached:		Appendix 1 – Council Size Case	

1. Current Position

- 1.1 In September, both Forest Heath District Council and St Edmundsbury Borough Council voted to submit a business case to become a single Council to the Secretary of State.
- 1.2 In due course, the Secretary of State will issue a decision on whether or not he is minded to agree the business case. If he is minded to do so, work will immediately commence on a draft Order to be laid before Parliament to create a new council for West Suffolk.
- 1.3 As was highlighted in the previous report to Council, one of the most significant risks to the business case is the concern that there is insufficient parliamentary time in order to agree the draft Order, and for the Local Government Boundary Commission for England (LGBCE) to undertake the necessary work to determine the new Council's warding pattern.
- 1.4 At present, it is clear that all sides are committed to ensuring this risk does not materialise. However, it is important that no further delays in the process should occur and, as such, it is important that the Council now considers those matters necessary for inclusion within the draft Order.

2. Process to become a new council

- 2.1 The business case considered in September provided headline information on the process to become a single council.
- 2.2 The legislative framework under which the governance arrangements of the two councils are being reviewed is s.15 of the Cities and Local Government Devolution Act 2016. This allows, at the request of the authorities, the Secretary of State to review requests to modify governance arrangements.
- 2.3 If he is minded to support the proposals, the Secretary of State will request the creation of an Order that will dissolve the current councils and create a new council, transferring the powers, functions and responsibilities of Forest Heath and St Edmundsbury to the new Council on 1 April 2019. The Order must receive the approval of both Houses of Parliament, and be accompanied by a report setting out why the Secretary of State believes it appropriate to create the new Council, and any consultation he has taken into account.
- 2.4 The chart below more specifically outlines the process that will be followed over the forthcoming months:



2.5 As is highlighted above, DCLG will undertake a period of engagement with key parties to obtain their own validation as to the support for the proposals, although clearly any engagement we have undertaken will be reviewed, considered and taken into account. DCLG have made clear the councils will be a consultee during this time, and given Council's support to the business case, the Leader of the Council will respond identifying this support continues.

3. Future Governance Steering Group

3.1 Over the summer, the Future Governance Steering Group (FGSG) has been meeting to consider those technical aspects associated with becoming a single council, as well as inputting to the business case. The work of the FGSG will now turn to overseeing the implementation planning, until the Order is created and this becomes the responsibility of the Shadow Authority (see below).

3.2 The recommendations outlined in the rest of this report are the conclusions of the work of the FGSG.

4. Transition Arrangements

4.1 In practice, the new Authority cannot simply come into effect on 1 April 2019. It will be necessary to make appropriate transition arrangements to ensure that required policies and procedures are in place to enable council services to continue to operate effectively. For example, the new Council will need to have adopted local plan policies, licensing policies and have delegated decision making responsibilities to council officers.

4.2 There are two methods through which the councils can transition. The first method, which the FGSG has discounted, would involve one of the authorities becoming a "continuing authority" and the powers, functions and responsibilities of the other council transferring to it on 1 April 2019. In theory, this method is simpler but was strongly discounted on the grounds

that it gives the wrongful impression that one authority is taking over the other, and also misses the opportunity to truly assess governance arrangements for the new Council.

- 4.3 The second method is through operating a “shadow authority”. This body would be created by the Order, and effectively operate as a temporary council. All 72 current councillors would serve on the Shadow Authority until the elections in May 2019, when the new electoral arrangements would come into effect.
- 4.4 The Shadow Authority would have the power to adopt the necessary processes and procedures – such as appointing the statutory officers and adopting a constitution - to come into effect on 1 April 2019. It would also set the first precept for the new Council, and adopt sub-structures – for example, appointing committees to agree relevant policies. It would also be responsible for appointing an Implementation Executive, which would take ownership of the oversight of ensuring a smooth transition at the transfer date.
- 4.5 Whilst the Shadow Authority is in operation, both Councils would continue to meet and make decisions in the normal way. For example, Forest Heath and St Edmundsbury Councils may agree a policy that starts from February 2019, but the Shadow Authority would have to adopt it to operate from April 2019.
- 4.6 The FGSG have recommended that the shadow authority route would be a fairer representation and act as a more effective route to create the new Council and as such this is recommended to Council. Whilst not considered by the FGSG, it is also suggested that the Order should include provision that the Leaders and at least three councillors from each council should be appointed to the Implementation Executive to ensure fair representation.
- 4.7 The existing authorities would have a duty to co-operate with the Shadow Authority to help ensure a smooth transition; Council is being asked to formally recognise and endorse this duty.

5. Council Name

- 5.1 The FGSG considered that the name of West Suffolk plays a prominent role in our current branding, and had significant historic precedence, and thus should be the recommended choice for the new Council.
- 5.2 Historically, the areas of what is now Forest Heath and St Edmundsbury Councils fell within the area known since Domesday as the “Liberty of St Edmund”. The Liberty was administered by the Abbey of St Edmund, until the reformation, when it became subject to quarterly magistrate sessions until 1888. At that stage, the Local Government Act created three higher tier Councils for Suffolk, which included West Suffolk Council, which covered the whole of the area within the Liberty.
- 5.3 West Suffolk Council served the area until 1974, when the current governance structure within Suffolk came into effect.

5.4 More recently, the branding of the shared arrangements between Forest Heath and St Edmundsbury has been focused on the West Suffolk connection, and as such it is felt this represents both a historic, and a natural name, for the new Council.

6. Council Status

6.1 The FGSG have had significant debate regarding the status of the new Council – whether it should be a district or borough. Only a borough council can have a mayor.

6.2 Present legislation allows that any district council can apply to become a borough council. Councils are required to convene a special meeting, and at least two-thirds of members present must vote in favour. Once it has been agreed, the proposal is then submitted to the Privy Council for consideration who, if supportive will recommend the matter to Her Majesty for consideration and ultimately, approval.

6.3 The matter as to how St Edmundsbury / Forest Heath may apply to become a borough has been raised with the Privy Council, who have indicated that, due to the lack of a district level restructure precedent, the matter is best raised with DCLG. DCLG have confirmed due to the complexity of becoming a borough, and its separate approval process, it would be their strong preference to address this matter separately to creating the new Council.

6.4 Ahead of the reorganisation of local government in 1974 (which created Forest Heath and St Edmundsbury Councils) the Local Government Act 1972 included specific provision (s.245(4)) which allowed for shadow councils to resolve to become boroughs, and apply for borough status, which they could then use as soon as they took on their powers and responsibilities on 1 April 1974. In the case of St Edmundsbury, the St Edmundsbury District Council applied for borough status in December 1973 and were informed within four months their application had been successful.

6.5 Having considered the matter in some depth, the FGSG has recommended that the councils should request DCLG to award similar powers to the Shadow Authority as were given to shadow councils pre-1974 i.e. the Shadow Authority could apply for borough status if it wished to do so. In the meantime, the new Council would continue to have the legal status “West Suffolk District Council” (although it would be acceptable, from DCLG’s perspective, to use the term West Suffolk Council for branding purposes).

6.6 This would give the opportunity for the Shadow Authority to fully consider the matter and make its own, collective vote on whether to obtain borough status in due course.

7. Council Size

7.1 The number of councillors a future council should have (council size) has been one of the most complex aspects of the work of the FGSG. To support their work, members of the FGSG received a presentation from the LGBCE to explain the considerations they make in reviewing a council size proposal.

- 7.2 Our present understanding is that the Order to create a new council is likely to include a council size figure. This will then be subject to ratification by the LGBCE, who will then undertake a warding review to determine the exact ward boundaries and names. As there has not been a previous amalgamation of two district level councils using the Cities and Local Government Devolution Act 2016, there is no precedent in terms of the exact process that will be followed, and as such, all parties are negotiating at present to understand how this might be most effectively undertaken.
- 7.3 However, the principles at paragraphs 1.3 and 1.4 apply; a decision is required at this stage to ensure that the figure can be considered for inclusion within the draft Order.
- 7.4 The proposed council size is 64; the full case is included within Appendix 1. Shortly before production of this Council paper, informal views were received from the LGBCE on the Council's full case. This identified that whilst the case was generally good, further work is required to demonstrate how the new Council will be different, and work differently, to the two present Councils, for our case to be fully justified.
- 7.5 In that regard, officers propose further work is undertaken to strengthen the size paper, in consultation with the Chair and Vice-Chair of the Future Governance Steering Group. This will then be re-submitted to LGBCE for consideration. If their initial view is the case is robust, it will be submitted to the Secretary of State for consideration. If the case is not robust, this may require further consideration of the proposed figure and case; this will be reviewed in consultation with the Future Governance Steering Group and may necessitate further debate at Council before a final case is submitted to the Secretary of State.
- 7.6 Our current argument for the council size is particularly responsive to feedback received during the public engagement period regarding the concern of loss of local members and identities. In the past, when councils have combined, there has usually been a significant reduction in overall numbers due to the perception there is a decreased workload through time-savings in the democratic processes – for example, only one cabinet rather than two. In our case, we recognise the potential for such savings, but also realise councillor numbers need to be maintained to support local councillors having the capacity for a strong, local presence.
- 7.7 The case includes a number of proposals around the future governance and decision making structures for the new Council. These are proposals for the council size case, as it will ultimately be for the new Council to agree its own structures – the new Council is not bound by the proposals in this argument. However, the case puts forwards a number of principles on which the council size case is based, which form a helpful basis on which members can work towards developing a decision making framework for the new Council.
- 7.8 As outlined above, the process for warding – which takes account the number of electors within the future Council – will follow on from the setting of the council size. The LGBCE have strongly emphasised that the council size case cannot be based on, or take account of, current warding patterns, future

warding patterns or the number of electors. However, it is recognised – from discussions with members of FGSG - that this is still a key consideration for members and engagement will take place during the warding review to ensure members' views can be taken into account, alongside wider public and stakeholder consultation.

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Council Size Proposal for a Future Council for West Suffolk
Submitted on behalf of
Forest Heath District Council and St Edmundsbury Borough Council

In September 2017, Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) agreed a business case that supports the formation of a single district-tier Council for West Suffolk. This business case has now been submitted to the Secretary of State, who, under s.15 of the Cities and Local Government Devolution Act 2016, has the power to issue an Order to create the new Council. The business case and associated appendices is available at <http://svr-mgov-01:9070/ieListDocuments.aspx?CIId=172&MIId=3649&Ver=4>

That Order will include those ancillary matters necessary to bring the new Council into being. One of the most important aspects is the number of Councillors necessary to operate the new council. Whilst this decision will be made by the Secretary of State, we consider it important that we submit our views, as the current District and Borough Councillors for West Suffolk, on the number of Councillors we believe the future Council should have.

This paper covers:

- Background to West Suffolk as a place
- Background to West Suffolk councils
- Forming our argument for council size, including:
 - o The governance arrangements of the council
 - o Regulatory decision making
 - o Scrutiny and oversight arrangements
 - o Responsibility to outside bodies
 - o The representational role of councillors
 - o Views of the residents of West Suffolk
 - o How our argument creates a council size
- Conclusion

About West Suffolk

West Suffolk is a growing area. By 2023, our population will amount to nearly 190,000 people¹ and as a single Council, we would currently be in the top 10 second-tier District Councils in population terms² and the top 10% by geographic area³.

As Councils, we have experienced steady growth. Our area sits on national and international trade routes as well as being part of the Cambridge sub-region, a vital engine of the UK economy. It is home to international brands and

companies as well as the being the world centre for horseracing. Therefore, it is an already attractive place to live and build businesses. Inevitably, parts of our area will experience more significant growth than others; for example, work is underway for the delivery of significant developments in both Bury St Edmunds and Haverhill, and whilst growth will be incremental on both sites, experience suggests that local Councillors will be required to support those communities in different ways, ensuring that they can be integrated into the local area and are supported by appropriate facilities.

Our area is predominantly rural. Using DEFRA definitions, only 25% of our residents live in an "urban" area – Bury St Edmunds. 35% of the population live in rural hub towns, while 40% of residents live in genuinely rural areas – parishes, villages and hamlets. It is critical that as a Council, we work to address the needs of all those within our area, striking the balance between the competing demands of a rural and urban society. In our area, there are 85 Parish Councils, and a further 5 Town Councils. The area is proud of its historic significance; Bury St Edmunds, the spiritual home of the former patron Saint of England, St Edmund, and Newmarket, the Home of Horseracing.

West Suffolk is relatively affluent. While there is deprivation to tackle, no wards in either current Councils are in the 10% most deprived in England, and employment levels are higher than the national average. The areas still have challenges, though. Our population is growing older faster than the national average, so that by 2039, 1 in 3 people will be aged over 65, representing a 63% increase in those in this age group compared to the present. The problem is particularly marked in the current St Edmundsbury area; there are 4 wards in St Edmundsbury where more than 1/3 of the population live in households where all the residents are over 65, and moreover, all but 5 of the current St Edmundsbury wards already rank higher than the national average in terms of residents in households of all over 65s. Social Mobility is lower than average; of 326 local authorities, St Edmundsbury is ranked 176th and Forest Heath 285th in terms of social mobility.

We also have an unusual position in terms of the number of armed service personnel serving, and living, within West Suffolk. Two US airbases are located at Mildenhall and Lakenheath, and a further RAF base at Honington. It is anticipated that there are over 11,000 serving personnel and dependents within the current Forest Heath boundaries, and in some particular current villages, we believe that up to 50% of the population can be American - meaning a significant distortion between electorate and population (this is notoriously difficult to project accurately, and we are reliant on USAF communications).

This large military population makes demographic analysis for West Suffolk challenging. The military population largely consists of young people, many of whom are starting families, and as such birth and age statistics are often skewed. However this population tends to be fairly static in its make up, and

demonstrates the impact that the ageing population may have on the rest of the District and our communities – an even more markedly disproportionate increase than outlined above. Our Council, and its Councillors, need to be well placed to support our communities, families and residents in managing this and the other challenges they face. While the personnel do not have a right to vote they are part of the local community and still use our council services and call upon councillors for help or support.

West Suffolk is an attractive visitor location. In 2016, Newmarket Racecourse attracted some 367,000 visitors. Popular attractions include St Edmundsbury Cathedral and Abbey Gardens, in Bury St Edmunds, and Center Parcs, at Elveden. We are well connected, with strong transport links through the A14, flowing to Ipswich and Felixtowe, and the A11, which connects to Cambridge and on to London.

Economic growth is critically important to West Suffolk. We already benefit from a number of substantial businesses such as the Newmarket horseracing industry; a British Sugar plant; Greene King brewery; Claas agricultural manufacturers; Omar Homes – the Country’s biggest manufacturer of mobile homes, and leading research businesses such as Sanofi (Haverhill) have recently invested over £100m into the area. Two new Enterprise Zones, for Haverhill and Bury St Edmunds, have been agreed and are being actively supported by the Councils to encourage new business location. The area borders the newly devolved Combined Authority of Cambridgeshire and Peterborough, and we expect, given our strong connections to the Cambridge growth area, that the benefits of growth that Cambridgeshire will experience will flow into our local economy.

The Cambridgeshire growth phenomenon is well documented and understood. West Suffolk is an important part of this, forming part of the Cambridgeshire housing sub-region, and an important part of the housing and economic supply chains for Cambridgeshire. Places such as Haverhill and Red Lodge, communities in their own right, also serve as important commuter routes for the growing Cambridge economy. Within West Suffolk, we campaign to support the important infrastructure developments required to support growth in our own borders, and the surrounding geography. We are ambitious for our own area, to be strong in its own right and not to just be part of the Cambridge growth. Our business case to become a single council emphasises how a new Council will have the opportunity to increase its voice on a bigger scale.

This ambition is reflected in our sense of place. We have committed to ambitious masterplans for Haverhill and Bury St Edmunds; have a pivotal role in developing a prospectus for Newmarket, and internally are actively leading work to progress proposals for a new Public Service hub in Mildenhall, and development of a new Waste Operational Hub in Bury St Edmunds.

Our Council Size argument will set out how collectively, our Councillors are a critical part of our ambition to deliver on a greater scale and to address the challenges we face. To do so, Councillors need to have the capacity to deliver, and be able to provide a wide diversity of opinions, skills and experience.

About West Suffolk Councils

Since 1974, Suffolk has operated as a two-tier structure, split between the County Council and 7 Districts. In recent years, there has been a will amongst both St Edmundsbury and Forest Heath members to explore the potential for further close working between the authorities at district level.

Following exploratory work, in 2011, the two Councils entered formal arrangements to deliver all services together. This has resulted in a single officer structure, which has delivered savings to both authorities of some £4m per year, and a comprehensively integrated service structure. Although there is a very small number of differences, residents in either part of the area can expect a similar experience from the Council.

It is over 15 years since either Council experienced a ward boundary review. As a result, we recognise that some of our boundaries are out of kilter with our current communities. Over the past 2 years, we have undertaken community governance reviews of our Town and Parish boundaries, reviewing these to adjust for forecast growth, and creating a new Parish Council for West Row village.

In May 2017, the Cabinets jointly requested officers to scope options to review the future of local Government within West Suffolk. This led to a draft business case which identified the preferred option would be to seek a single district-tier Council for West Suffolk. The draft business case was agreed by Councils, to be subject to public engagement.

The public engagement demonstrated public support to the proposals, and as such a final business case was agreed by Councils in September and submitted to DCLG.

Forming our argument for Council Size

The opportunity to become a single Council has enabled us to undertake a fundamental assessment of the principles as to how our Councillors should work in future, and how we can most effectively discharge our decision making functions over a wider area.

Throughout, we have given due consideration to the Local Government Boundary Commission for England's guidance, and in particular, the three key factors to consider when determining Council Size:

- The governance arrangements of the Council, and how it will make its decisions across its broad range of responsibilities;

- The Council's scrutiny arrangements for its own functions, and its responsibilities to outside bodies;
- The representational role of Councillors in the local community, how they will engage with people, conduct casework and represent the Council

The Governance arrangements of the Council

We recognise that it will be for the new Council to determine its own governance arrangements, and consideration of Council size should not be used to force or dictate what the new Council believes will be the most effective arrangements to discharge its functions. Indeed, our aim is to provide any new Council with enough flexibility in its initial and future arrangements.

However, to support our case, we have agreed a set of guiding principles to help establish the basis on which we expect the Council's decision making to operate.

- **Local Leadership and Accountability** – We expect that local members should act as true leaders in their communities. Future governance systems can facilitate this through evaluating decision making processes on local issues, which could result in increased schemes of delegation to members, ensuring they have a strong voice in regulatory decisions or, for example, groups of members and local stakeholders coalescing in forums to develop proposals. This builds on the locality working we have been developing through our joint Families and Communities Strategy for West Suffolk since 2014.
- **Contributing to strategic priorities** – There is a keenness to ensure there is a system that enables members to engage with, and contribute to the delivery of strategic goals; where it is appropriate to do so, members should take the initiative to resolve issues and have a firm grasp on the organisational priorities and how they are being delivered. Demonstrating this in practice, our Joint Growth Working Group is a standing body that empowers members to have wide-reaching debates on important strategic growth issues, seeking to influence decision making of partners and drive development within West Suffolk. This builds on our existing shared service journey, and the development of shared priorities in 2013.
- **Flexibility and Capacity** – We recognise that the system of governance we develop will change, as we develop working models, respond to changing agendas at a local and national level, and adapt to the environment our stakeholders and communities face. We need to ensure that members have the capacity to work in different ways, to adapt and to develop, and there needs to be sufficient capacity within our Council Size to allow us to work in flexible and adaptable ways.
- **Manageable workloads** – We want to ensure that Councillors from all walks of life and a range of different experiences feel confident to come forward, and are not deterred by the heavy workload that may be placed upon them from being a District Councillor. We accept that inevitably, some Councillors will have a greater burden of responsibility and time

commitments than others, but there needs to be scope for Councillors who work, who have caring responsibilities, or possibly have other challenges to be able to participate in the Council.

- **Delegated Decision Making** – We recognise that a single council would have greater scale, and therefore schemes of delegation will need to be reviewed to ensure that whilst Councillors actively contribute to significant decisions, lower level decisions can be made by officers quickly, to make things happen, potentially in conjunction with relevant members – whether portfolio holders or local members.

We expect that our future Council will operate an executive / leader model of governance. Both Councils currently place high expectations on Portfolios to truly take responsibility for the functions within their areas, remaining knowledgeable, driving a programme of work, and working alongside officers to develop programmes and proposals. We believe that operating on a larger scale will present new challenges to portfolio holders, who will need to have sufficient capacity to learn about their role on a bigger scale than before. We need to ensure portfolio holders have the capacity to build relationships with stakeholders within the different geographies and sectors they represent, and to do so, need to be sufficiently supported within their role as well as having a portfolio that is manageable.

To deliver this, particularly during the short term transition period from two organisations to one Council, we foresee that the new Council may expect to operate with a full range of 10 cabinet members (including the Leader), some of whom may be supported by assistant / support members to help drive forward particular projects, substitute at representative groups or help champion particular aspects of the portfolio's work. This would enable members to have the capacity to develop their knowledge and be leaders of the services they are responsible for leading.

This is particularly important given some of the key aims within our Business Case to become a single Council, most notably the ability to influence on a greater scale. That may well require some members with strategic responsibilities to seek to influence delivery on a wider scale; become involved in new fields and integrate as effectively as possible with other public sector providers.

Further, we also believe that Councillors should have the scope to be able to engage with the Council's executive functions where it is useful or appropriate to do so; whether it be working alongside the portfolio holders to address problems prevalent within their local area, or to engage in working groups to develop policies that may apply to the whole area.

This is a flexible approach to governance; while respecting the authority of the leader and their cabinet to make decisions, all members may have the

opportunity to help shape policy, support decision making, raise and champion issues and resolve local challenges. While we set out below how this might appear in a practical structural arrangement, what is most important is that our Council Size should enable us to operate in a flexible way and not leave members feeling constrained by having to take on too much.

Regulatory Decision Making

Working across a wider geography presents challenges in ensuring that there is a fair balance between ensuring local voices are heard as an important part in the regulatory environment, and ensuring decisions are made in a lawful, balanced and fair way on the material factors relevant to the case.

At present, both of our authorities operate a development control committee that meets on a monthly basis. We recognise that the demands of a larger, single Council will require us to review the way we operate in practice. At Forest Heath, each of the 14 local wards are allocated a seat on the committee, with members allocated to the seats on a politically balanced basis. At St Edmundsbury, the Committee of 16 members are allocated on a standard politically balanced basis.

For both Councils, when an application is first received, the local member, Parish Council and other statutory consultees / local residents are consulted on the application. Where there is an application that would usually be dealt with by officers using their delegated powers, but the local members or Parish Council(s) have a view that is contrary to the officers, then a delegation panel will consider the application and determine whether the decision should be made by officers, or should be referred to the Development Control committee. Local members may attend the delegation panel, making representations as they wish.

This enables a strong balance to be formed between officers and democratically elected representatives, and members have expressed a strong desire for such a process to continue to operate under a new Council.

However, we also must recognise that with the wider geography, the number of applications a single committee may consider could increase; the need for site visits is likely to increase, and the scheme of delegation may likely require review as to the number of applications delegated to officers and the level of locality input. We also need to ensure that any committee meetings and decision making processes are fair and accessible to applicants, and remain democratically accountable to the public.

In this regard, we have recognised that future design principles for our planning committee, and similarly for our licensing committees, should be based on the following principles:

- **The local voice is critical** – ensuring local members have a strong voice and are able to represent their public effectively

- **A Reasonable burden of work** – regulatory committees should not create an unreasonable burden of work on those Councillors who are involved, whether it be through their local ward representational role or through serving on the committee.
- **Councillors should be knowledgeable** – members should be well trained and informed about regulatory matters so that they can most effectively support their residents. We would expect some aspects of member training would be mandatory, given the need to ensure appropriate local member representations are put forward.
- **Committee meetings should be manageable** – The Committee size itself should be reasonable to conduct meetings effectively, whilst still representing a fair size in relation to the Council as a whole. Further, meetings need to be managed to ensure they are fair to applicants and objectors.

We have not formally determined how we should structure our development control committee meetings, or when and where committees should take place; that will be for the new Council to determine. However, as with our executive arrangements, the Council Size needs to have sufficient flexibility to allow us to implement a scheme that most effectively works for our Council and its residents, rather than acting as a constraint. Also, we recognise that an enhanced ward member role in the process will have a time requirement irrespective of whether is delivered through formal committee structures or delegation panels.

Scrutiny and Oversight arrangements

At present, the scrutiny arrangements for both current Councils are aligned but not integrated; each Council has an Overview and Scrutiny Committee, which performs the traditional scrutiny functions, and each Council has a Performance and Audit Scrutiny Committee, which oversees the financial and non-financial performance of the Council and performs the traditional role of the Audit Committee.

We recognise that under a single Council, there will be scope to review these arrangements. For example, at present, both Performance and Audit Scrutiny Committees meet to consider matters jointly, then immediately afterwards, meet to consider items related to their specific Councils separately.

While there may be scope to review such arrangements, it will again be for the new Council to make a determination. For current purposes, we have adopted the approach that as a minimum, there will be requirement to build in the following functions:

- **Scrutiny** – we expect that our new Council will operate a Leader / Executive model, and as such will absolutely require a scrutiny function. Our business case seeks to demonstrate how creating a single Council

can enable our influence to increase, and to operate on a bigger scale than present, and Scrutiny can be an important part of this; in particular, helping the Council to identify how it can work more effectively with other partner bodies. A scrutiny arrangement needs to be of sufficient size to challenge the Executive, to undertake a demanding programme of work, and to enable working on a detailed scale, for example through task and finish groups

- **Audit** – Whilst this is not a statutory requirement, it is expected that a form of Audit function will be required to demonstrate openness and accountability in our assessment of the Council's financial and internal control matters. In practice this might involve receiving reports from the Council's Internal and External Auditors, to authorising the Statement of Accounts and the Annual Governance Committee, and potentially overseeing other Corporate Governance matters.

Inevitably, we also expect arrangements will need to be developed to consider the following matters:

- **Standards** – The Council has a duty to uphold high standards of governance. The Standards Committee, which is a joint committee across both Councils, currently supports the work of the Monitoring Officer in discharging this responsibility. Whilst we recognise that this work could be done through other means (e.g. in combination with the Audit Committee) it would increase the potential responsibility and workload if combined with another body
- **Officer Disciplinary and Appeals** – The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 required local authorities to put in place an Independent Panel to oversee potential disciplinary proceedings against Statutory Officers, and similarly Councils would also be required to have arrangements to consider appeals against decisions of the Council arising from disciplinary proceedings
- **Officer Terms and Conditions ,Statutory Appointments and Health and Safety matters** – in common with many Councils, we operate a joint staff consultative panel between union representatives and Councillors to review and assess changes to employment policies and practices. We also operate a Health and Safety Panel. Whilst, again, there are opportunities to review the way these bodies operate, they both form a strong element of ensuring that our corporate responsibilities to our staff and the public are discharged effectively.

In practice, we already operate such committees on a joint basis across the two Councils, and therefore we anticipate there will be minimum changes on the demands of Councillors arising from a single Council approach.

Responsibility to Outside Bodies

Between the two Councils, at present, 84 appointments (plus substitutes) are made to outside bodies.

We recognise that this number may see some reduction in the future as a result of the single Council - where both Councils appoint a member to a particular organisation and in future, just one would be expected. However, caution should be used as it may be the case that both the new Council, and the third party organisation, may seek to maintain a strong presence from the Council on the organisation's board (e.g. with two representatives in future) and as such, the size of the reduction is expected to be small.

There also needs to be consideration given to the distribution of outside bodies. In practice, many of the bodies on whom Council representatives sit relate to urban areas. At present, St Edmundsbury Borough Council makes over 20 appointments to bodies that are specifically related to Bury St Edmunds; significant reduction in numbers of Councillors could mean those Councillors who represent Bury St Edmunds are expected to pick up a disproportionate burden of work in order to service these organisations.

A further factor to consider is the quasi-outside body position. As with many other Councils, we have been seeking to act in commercial ways, investing in alternative business models and ventures. This has resulted in new representations on joint committees and shareholder groups, helping to shape the direction of bodies in which the Council has a significant stake, and ensuring that the Directors and officers of such companies are held to account in spending public funds. Our appointments include Anglia Revenues Partnership (a joint committee of 7 Councils to operate a revenues and benefits service); and the Shareholder Advisory Group for Barley Homes, our external housing development company. These types of role are expected to grow as the Council's commercial operations continue to develop. This creates additional expectations on Councillors, who are then expected become knowledgeable in these subjects, and in the running of companies or other types of organisation (if they are not from a commercial background). Whilst we cannot absolutely determine whether or not the single Council will continue to seek new venture opportunities, it is unlikely this role will decrease.

The representational role of Councillors

Our business case to become a single Council recognises that: "Critical to the success of a single council would be the leadership role of ward members, who would be at the frontline of our engagement with communities and integral to our ways of working, championing their localities, and providing local leadership, including liaising with town or parish councils."

West Suffolk has been at the forefront in promoting the positive role that District Councils can have in developing community resilience to reduce demand on public sector services, and the important role that Councillors can play within this. Our joint Families and Communities Strategy, first adopted in February 2014, seeks to foster resilience in local communities, addressing the dependence culture so the council is not the first port of call. It is a preventative approach to our community working, building on the strengths of communities rather than simply highlighting problems.

Our approach to community working was endorsed and reflected within the University of Birmingham Public Services Academy publication, 21st Century Councillor. This research identified how Councillor roles are changing to the context in which Councils are now finding themselves, and developed 7 "roles" for Councillors:

- Being a steward of place, working across their localities in partnership with others;
- Advocate – acting to represent the interests of all citizens;
- Buffer – mitigating the impact of austerity on citizens;
- Sensemaker – translating a shift in the role of public services and the relationship between citizens and institutions
- Catalyst – enabling citizens to do things for themselves;
- Entrepreneur – working with citizens and partners to encourage local vitality and develop new solutions
- Orchestrator – helping broker relationships, develop new connections

As the 21st Century Councillor report recognises, this is a change; a shift in the relationship between local Councillors and their communities, and between the Councillor and the Council. Investing in our Councillors, as our community representatives, reflects an investment in the people of our area.

Working in this way has set the expectation within our communities for strong, representative ward Councillors, knowledgeable about, and committed to their communities on a 1:1 basis. Each of our Councillors are currently provided with £2,500 locality funding within their ward, and has an allocated Families and Communities Officer for their area. Councillors work closely with officers and their communities to identify community needs and resolve challenges; the basis for the funding sets a clear expectation for Councillors to have strong links to their communities to identify needs – not simply relying on voluntary groups or officers to come forward with solutions.

Becoming a single Council gives us a unique opportunity to assess the Councillor and community relationship. We want to show how strong, empowered Councillors are a critical part of their community, not just decision makers in a room. We want to build upon the successes we have had in promoting Councillors as facilitators and enablers in their communities, and contributing to genuine change in the relationship between our communities and their council.

We appreciate there are authorities who have remodelled their ways of working to effectively “manage” the relationship between Councillors and their communities; for example, parish clustering so that Councillors actively meet with groups of Parishes rather than having to attend all Parish Council meetings. Whilst we appreciate this can be a powerful way of drawing communities together, and we may wish to explore greater area partnership working as part of a new Council, it can also have the effect of divorcing the Councillor from their community and as such, the expectation will remain on our Councillors to be attending meetings and be an active part of their community, unless those communities themselves want to work differently with their councillors.

This can only happen if we have Councillors with the capability to deliver, but most importantly, the capacity to do so. We already know the hard work and commitment our Councillors invest in leading their areas, and we want this to continue; a significant reduction in our local representational role will prevent this from happening.

Views of the residents of West Suffolk

During the summer of 2017, we undertook a period of public engagement to understand the level of resident and stakeholder support for our proposals to become a single Council. This engagement included the commissioning of a phone poll of residents from ComRes, an independent polling company, which primarily focused on local residents’ favourability or otherwise to the formation of a new council, but also included questions related to the concerns of residents on the proposals, and their perception of Councillor numbers in future.

The survey identified that one of the most significant concerns associated with becoming a single Council was the potential loss of local Councillors, and in particular the concern that a reduction in the number of Councillors would result in the loss of a local voice and a perceived loss of political accountability. Quotes from local residents include “fewer Councillors in a bigger area of governance will mean it’s less personal and there are fewer people for local issues. They might be less able to maintain a connection with the localities” and “it will take away the localness of the councils and their local knowledge of the area”

When asked what they felt the impact would be if the number of Councillors was reduced, those who were opposed to the creation of a single Council were particularly concerned that there would be a negative impact through a reduction in the number of Councillors. This may lead to the inference that reduced Councillor numbers was a key concern in the minds of those opposed to a single Council.

Whilst, overall, a reduction in the number of Councillors was perceived in fairly neutral terms (34% felt there would be a positive impact; 34% felt there would be no difference, 26% were opposed), we believe this outcome demonstrates that whilst there may be some support towards a reduction in the number of

Councillors, there may be public concern if Councillor numbers were reduced to a significant degree.

At the same time as the ComRes phone poll residents were asked to make comments and concerns online. The feedback from this showed that people were worried there would be a reduction of local representation in a new single council, with too few local councillors being able to champion their area or issues.

How our argument creates a Council Size

The narrative above sets out our rationale for having Councillors that have sufficient capacity to discharge an effective local ward representative role, and ensuring there is sufficient flexibility within our Councillor numbers to manage our committees and workload.

To draw this argument into an overall Council number, we have reflected on a potential committee structure that may operate for a new Council. This should be seen entirely as a possible structure; for example, in terms of development control, a proposed structure with one Development Control Committee could comprise of 15 Councillors, but a structure with two Committees could involve 24-26 Councillors. As such, a figure of 20 has been proposed to strike a proportionate balance between the two positions.

First, we recognise the importance of ensuring that our Committee structure is understandable, and ensures transparent and open decision making by ensuring independence between decision makers and those who hold decision makers to account. For this reason, we have identified a set of core committees on which we would expect no overlap between Committee members:

Cabinet	10	As set out above, we want to ensure our executive has sufficient capacity to deliver. We believe a structure of 10 Cabinet members with up to a further 5 support roles provides sufficient scope for a future Council executive.
Cabinet Support Roles	5	
Figurehead roles	2	The Chairman / Vice-Chairman of the Council (or Mayor / Deputy Mayor if a Borough Council) – we recognise that this role would be significant for the individual, who may have limited capacity to take other committee appointments.
Overview & Scrutiny	15	We believe this would be sufficient representation to discharge the roles set out above, ensuring a strong balance between executive decision makers and scrutiny bodies. This would also give sufficient scope for scrutiny committees
Audit Committee	10	

		to be able to consider task and finish groups, or to undertake detailed reviews.
Total	42	

In addition, we believe the further Committee roles would also be required:

Development Control	20	As set out above, earmarking committees of this size would give sufficient flexibility in terms of the arrangements we choose to employ
Licensing	20	
Standards	8	
Statutory Appointments / Dismissal	6	
Working parties/committees	45	We would expect further places on working parties, groups and panels to be appointed depending on the nature of work. Earmarking this figure would again give us sufficient flexibility to constitute a range of working groups to effectively engage members on matters – for example: <ul style="list-style-type: none"> • Working groups related to developing local planning policies • Working groups to oversee major change projects • Working groups to consider local issues or Council issues in depth At present, there are 45 places allocated on joint working groups across both Councils.
Total	99	

As such, overall, there is a total of 141 places we would expect to be filled on Committees in this model.

If the 42 members on non-overlapping committees also took a place each on one of the regulatory or working party committees (so 84 places in total), there would still be a further 57 committee places that would require member allocation. On the basis that backbench members would have capacity to take a further 2-3 committee places each on average, between a further 19 and 29 Councillors would be required to discharge the Council’s work effectively.

We recognise that workloads will vary, and as such, believe that it would be feasible to discharge the Council’s functions with 64 Councillors.

Conclusion

A figure of 64 represents an 11% reduction compared to the current total of Councillors across both Councils.

Our case has recognised there may be some savings in the workload of Councillors as a result of the coming together of Committees; however, many of our working parties are already collaborating across both parties and as such savings will not be significant in this area. Further, the expectations of a new Council – gaining influence on a wider basis – places new demands on Councillors, both in leading such a body and holding it to account.

A Council Size of this number enables us to maintain our strong and powerful local ward member role; to maintain our strong links with our local communities; to balance the growing expectation on Councillors under a single Council; to enable transparency and independence in decision making; and to recognise some saving in capacity. We recognise this reduction is not as significant as some Councils may put forward, however we believe it is appropriate for West Suffolk and reflects closely what the public have recently told us in our consultation for the new Council.

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Extraordinary Council



Forest Heath
District Council

Title of Report:	Constitutional and Administrative Matters	
Report No:	COU/FH/17/030	
Report to and date/s:	Council	18 October 2017
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 Service Manager, Democratic Services / Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	This report seeks the agreement of Council to a small number of minor Constitution and other administrative matters	
Recommendation:	<p>It is recommended that, Council:</p> <p>(1) Agrees to add those matters addressed within Paragraph 1.3 below to the scheme of delegation for the Assistant Director (Planning and Regulatory) and the Service Manager, Housing Standards ;</p> <p>(2) Agrees to increase the delegated limit for the Service Manager, Shared Legal, to negotiate and settle miscellaneous disputes to £50,000; and</p> <p>(3) Agrees to nominate a Councillor to sit on the Shareholder Advisory Group for Verse Facilities Management Ltd</p>	

Key Decision:	<i>Is this a Key Decision and, if so, under which definition?</i> No it is not a Key Decision - <input checked="" type="checkbox"/>
Consultation:	The matters within this report have been subject to consultation with the Joint Constitution Working Group
Alternative option(s):	None
Implications:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •
Risk/opportunity assessment:	No risks identified
Ward(s) affected:	None
Background papers:	Appendix A of Report No: AGM/FH/17/002 to Annual Council on 10 May 2017
Documents attached:	None

1. Landlord Redress Scheme Powers

- 1.1 In 2014, the Government made it a legal requirement for all letting agencies and property managers to join a redress scheme. This allows residents the safety of knowing that should their landlord fail to act appropriately, they will be allowed to complaint to an independent body.
- 1.2 In making these powers, the Government identified that the vast majority of letting agencies and property managers acted very well, but a safety net was required where things went wrong. The Government gave local authorities the power to take action where landlords failed to join a redress scheme, and fine landlords up to £5,000 for failing to do so.
- 1.3 The present constitution has not provided officers the delegation to take action against those "rogue" landlords that have deliberately failed to avoid joining such a scheme, and as such it is now being requested that the Assistant Director (Planning and Regulatory) and Service Manager, Housing Standards, are delegated to take enforcement action under the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc)(England) Order 2014

2. Minor Disputes

- 2.1 The Service Manager, Legal has delegated authority "To negotiate and settle miscellaneous disputes not covered by any statutory or contractual procedure and where no insurance implication exists up to a limit of £500 after consultation with the Chief Finance Officer and the relevant Assistant Director."
- 2.2 In practice, this limit is very small and gives very little scope to resolve minor matters of dispute which may be time-bound to avoid the matter escalating. Such matters may have to be dealt with under the Chief Executive's Urgency Powers, in lieu of any other powers delegated to officers.
- 2.3 It is therefore suggested to increase this limit to £50,000 which accords with the key decision threshold – any matters above this threshold would have to be dealt with by Cabinet (or via the urgency powers). Given this increase in threshold, it is suggested that the power should only be used after consultation with the relevant portfolio holder and it is emphasised that such matters are fairly unusual, and the Council takes all necessary steps to minimise any settlements made.

Verse Facilities Management Ltd

3. In 2015, Officers were delegated the authority to establish the Verse Facilities Management Ltd, a joint venture, to deliver facility management services to Forest Heath and St Edmundsbury Council sites. Further delegations were provided to officers to resolve the legal and governance matters associated with forming this company.
- 3.1

The Verse arrangements are now operating, and as a final part of the governance structure, it is now required to appoint representatives to the Shareholder Advisory Group, who will act on behalf of the Councils in their

- 3.2 oversight of the company. One member is being sought from each of Forest Heath and St Edmundsbury Councils, whilst two members will also be sought from Suffolk County Council.

- The Verse arrangements are now operating, and as a final part of the governance structure, and as presented in [Appendix A](#) of Report No: AGM/FH/17/002 to Annual Council on 10 May 2017, it is now required to
- 3.3 appoint representatives to the Shareholder Advisory Group, who will act on behalf of the Councils in their oversight of the company. One Member is being sought from each of Forest Heath and St Edmundsbury Councils, whilst two members will also be sought from Suffolk County Council.