
Extraordinary Cabinet



Minutes of an extraordinary meeting of the **Cabinet** held on
Tuesday 9 January 2018 at 6.00 pm in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman John Griffiths (Leader of the Council) (in the Chair)
Vice Chairman Sara Mildmay-White (Deputy Leader)

Carol Bull
Robert Everitt
Ian Houlder

Alaric Pugh
Joanna Rayner
Peter Stevens

By Invitation:
Sarah Broughton

Chairman of the Performance and Audit
Scrutiny Committee

In attendance:
Susan Glossop

Sarah Broughton
David Nettleton

Extraordinary (Informal Joint) Cabinet



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

Present: **Councillors**

St Edmundsbury Borough Council (SEBC)

John Griffiths (in the Chair for the informal discussions)

Carol Bull
Robert Everitt

Alaric Pugh
Joanna Rayner

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Sara Mildmay-White
Ian Houlder

Peter Stevens

Forest Heath District Council (FHDC)

James Waters

David Bowman
Andy Drummond
Stephen Edwards

Robin Millar
Lance Stanbury

By invitation:

Sarah Broughton (SEBC)

Chairman of SEBC's Performance
and Audit Scrutiny Committee

Louis Busuttil (FHDC)

Chairman of FHDC's Performance
and Audit Scrutiny Committee

In attendance:

Susan Glossop (SEBC)

David Nettleton (SEBC)

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

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

All Members of Forest Heath District Council's Cabinet had been invited to attend St Edmundsbury Borough Council's Offices at West Suffolk House, Bury St Edmunds to enable joint informal discussions on the reports to take place between the two authorities, prior to seeking formal approval at their respective separate Cabinet meetings, immediately following the informal discussions.

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

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

1. Open Forum

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

2. Public Participation

There were no members of the public in attendance.

3. Tackling Rogue Landlords: Civil Sanctions Policy

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

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

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

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

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

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

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

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

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

Councillors Stephen Edwards (FHDC) and Ian Houlder (SEBC), Portfolio Holders for Resources and Performance, drew relevant issues to the attention of the Cabinets, including that the Joint Committee had set its budget for the

2018/2019 year and approved a revised Service Delivery Plan and Risk Register.

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

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

The item was duly noted by both Cabinets.

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

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

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

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

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

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

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

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

See overleaf for formal minutes.....

418. Apologies for Absence

No apologies for absence were received.

419. Open Forum

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

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

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

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

420. Public Participation

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

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

421. Tackling Rogue Landlords: Civil Sanctions Policy

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

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

RESOLVED:

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

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

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

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

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

Report No: CAB/SE/18/003

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

- (1) External Quality Assessment of Internal Audit against the Public Sector Internal Audit Standards;
- (2) Mid-year Internal Audit Progress Report 2017-2018;
- (3) Balanced Scorecard and Quarter 2 Performance Report 2017-2018;
- (4) West Suffolk Strategic Risk Register Monitoring Report – September 2017;
- (5) Work Programme Update;
- (6) Building Control – Improvement Plan;
- (7) Ernst and Young – Presentation of Annual Audit Letter 2016-2017;
- (8) Financial Performance Report (Revenue and Capital) – Quarter 2 2017-2018;
- (9) Delivering a Sustainable Medium Term Financial Strategy 2018-2021; and
- (10) Mid-year Treasury Management Report and Investment Activity (April to September 2017).

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

The Cabinet particularly noted that the Committee had:

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

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

Report No: CAB/SE/18/004

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

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

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

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

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

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

RESOLVED:

That:

- (1) The Grant Working Party continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/SE/18/004.
- (2) The existing West Suffolk Joint Growth Steering Group be disbanded and replaced by the Growth and Innovation Group, in accordance with the new Terms of Reference contained in Appendix B.
- (3) The Future Governance Steering Group continues to operate, in accordance with the amended Terms of Reference contained in Appendix C.

- (4)
 - (a) The West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices D and E respectively; and
 - (b) periodical meetings of the Joint Panels continue to be scheduled as and when required but with regard to the discussion outlined in Section 1.3.16.
- (5)
 - (a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.4.2; and
 - (b) provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout the remainder of 2017/2018.
- (6)
 - (a) St Edmundsbury Borough Council's membership (including substitutes) of the Grant Working Party, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel, West Suffolk Joint Staff Consultative Panel, The Apex Performance Panel and Joint Member Development Group, as set out in Table 1 of Appendices A, C, D, E, F and G respectively, be re-appointed for the remainder of 2017/2018;
 - (b) should any future changes to membership of the bodies listed in (6)(a) above be required in the remainder of 2017/2018, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders; and
 - (c) such appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/SE/18/004.

425. **Newbury Community Centre Project**

Report No: CAB/SE/18/005

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

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

The Cabinet fully supported the recommendations, as proposed.

RESOLVED:

That:

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

426. Revenues Collection Performance and Write Offs

Report No: CAB/SE/18/006

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

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

RESOLVED:

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

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

427. Exclusion of Press and Public

See minute 428 below.

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

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

The meeting concluded at 6.47 pm

Signed by:

Extraordinary
CAB.SE.09.01.2018

Chairman
