

# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Tuesday 22 May 2018</b>
<b>Time:</b>	<b>6.00 pm</b>
	<p><b>6.00 pm</b> <b>Open Forum</b> At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussion with, non-Cabinet members in <b>Part 1(A)</b> of the agenda only. Members wishing to speak during this session should, if possible, give notice in advance. <b>Who speaks and for how long will be at the complete discretion of the person presiding.</b></p>
	<p><b>6.00 pm</b> <i>(or at the conclusion of the Open Forum, whichever is the later)</i> Members of the public who live or work in the District (or St Edmundsbury Borough) are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in <b>Part 1(A)</b> of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.</p> <p><b>There is an overall limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.</b></p>
	<p><b>6.00 pm</b> The formal meeting of the Cabinet will commence at 6.00 pm or immediately following the conclusion of the informal discussions, whichever is the later, in the Conference Chamber West.</p>
<b>Venue:</b>	<p><b>Conference Chamber West (F1R09)</b> West Suffolk House Western Way Bury St Edmunds IP33 3YU</p>

<p><b>Membership:</b></p>	<p style="text-align: center;"><b>Leader</b> James Waters  <b>Deputy Leader</b> Robin Millar</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><b><u>Councillor</u></b></th> <th style="text-align: left;"><b><u>Portfolio</u></b></th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Ruth Bowman J.P.</td> <td>Future Governance</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Robin Millar</td> <td>Families and Communities</td> </tr> <tr> <td>Lance Stanbury</td> <td>Planning and Growth</td> </tr> </tbody> </table>	<b><u>Councillor</u></b>	<b><u>Portfolio</u></b>	David Bowman	Operations	Ruth Bowman J.P.	Future Governance	Stephen Edwards	Resources and Performance	Andy Drummond	Leisure and Culture	Robin Millar	Families and Communities	Lance Stanbury	Planning and Growth
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<p><b>Interests – Declaration and Restriction on Participation:</b></p>	<p>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.</p>														
<p><b>Quorum:</b></p>	<p>Three Members</p>														
<p><b>Committee administrator:</b></p>	<p><b>Sharon Turner</b>  Democratic Services Officer (Cabinet)  <b>Tel:</b> 01638 719237  <b>Email:</b> <a href="mailto:sharon.turner@westsuffolk.gov.uk">sharon.turner@westsuffolk.gov.uk</a></p>														

# Public Information



**Forest Heath**

District Council

<b>Venue:</b>	<b>West Suffolk House</b> Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01638 719237 Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Web: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a>
<b>Access to agenda and reports before the meeting:</b>	Copies of the agenda and reports are open for public inspection at the following address: <b>College Heath Road</b> Mildenhall Bury St Edmunds Suffolk IP28 7EY at least five clear days before the meeting. They are also available to view on our website.	
<b>Attendance at meetings:</b>	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.	
<b>Public participation:</b>	Members of the public who live or work in the District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
<b>Disabled access:</b>	West Suffolk House has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons.  Visitor parking is at the car park at the front of the building and there are a number of accessible spaces.	
<b>Induction loop:</b>	An Induction loop is available for meetings held in the Conference Chamber.	
<b>Recording of meetings:</b>	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

# Agenda

## Procedural Matters

All Members of St Edmundsbury Borough Council's Cabinet will be in attendance to enable informal discussions on the reports listed in Items 5. to 6. inclusive below to take place between the two authorities:

<u>Councillor*</u>	<u>Portfolio*</u>
Carol Bull	Future Governance
Robert Everitt	Families and Communities
John Griffiths	Leader
Ian Houlder	Resources and Performance
Sara Mildmay-White	Housing
Alaric Pugh	Planning and Growth
Jo Rayner	Leisure and Culture
Peter Stevens	Operations

*QUORUM: Three Members*

*(\*Note: The constitution of the St Edmundsbury Borough Council's Cabinet is to be announced at their Annual Council meeting on 17 May 2018. As this Cabinet agenda was prepared prior to that meeting, it reflects the Portfolio Holders and the Portfolios held immediately prior to the Annual Meeting)*

On the conclusion of the informal joint discussions, the Cabinet will hold its formal meeting in the Conference Chamber West as follows:

**1. Apologies for Absence**

**2. Minutes**

**1 - 18**

To approve as a correct record the minutes of the Cabinet meetings held on 27 February 2018, 13 March 2018 and 3 April 2018 (attached).

### Part 1 (A) - Public

**3. Open Forum**

*(This item was undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the non-Cabinet members in relation to Items 5. and 6.inclusive. The Open Forum on Items 7. to 11. inclusive will be subject to the following rules)*

At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussion with, non-Cabinet members in **Part 1(B)**. Members wishing to speak during this session should if possible, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.

#### 4. Public Participation

*(Public speaking on Items 5. and 6. inclusive was undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the members of the public. Public speaking on Items 7. to 11. Inclusive will be subject to the following rules)*

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

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

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

***(Following the informal discussions held with St Edmundsbury Borough Council's (SEBC) Cabinet on Items 5. to 6. inclusive below, Members are asked to refrain from partaking in any further discussion. Separate informal meetings of both SEBC and Forest Heath District Councils' Cabinets will then commence with Members being requested to formally resolve Items 7. to 11. inclusive below)***

#### KEY DECISIONS

#### 5. Building Control Resourcing 19 - 24

Report No: **CAB/FH/18/028**

Portfolio Holder: Lance Stanbury                      Lead Officer: David Collinson  
*(For reference purposes, St Edmundsbury Borough Council's Report Number is CAB/SE/18/028)*

#### NON KEY DECISIONS

#### 6. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 27 March 2018 25 - 32

Report No: **CAB/FH/18/029**

Portfolio Holder: Stephen Edwards                      Lead Officer: Jill Korwin  
*(For reference purposes, St Edmundsbury Borough Council's Report Number is CAB/SE/18/029)*

**Part 1(B) - Public**

NON-KEY DECISIONS

- |            |   |                 |
|------------|---|-----------------|
| <b>7.</b>  | <b>Report of the Extraordinary Overview and Scrutiny Committee: 16 April 2018</b>                             | <b>33 - 38</b>  |
|            | Report No: <b>CAB/FH/18/030</b>   |                 |
|            | Chairman of the Committee: Simon Cole<br>Lead Officer: Christine Brain  |                 |
| <b>8.</b>  | <b>Report of the Overview and Scrutiny Committee: 19 April 2018</b>   | <b>39 - 44</b>  |
|            | Report No: <b>CAB/FH/18/031</b>   |                 |
|            | Chairman of the Committee: Simon Cole<br>Lead Officer: Christine Brain  |                 |
| <b>9.</b>  | <b>Annual Review and Appointment of the Cabinet's Working Group, Joint Committees/Panels and Other Groups</b> | <b>45 - 78</b>  |
|            | Report No: <b>CAB/FH/18/032</b>   |                 |
|            | Portfolio Holder: James Waters      Lead Officer: Leah Mickleborough  |                 |
| <b>10.</b> | <b>Decisions Plan: 1 May 2018 to 31 May 2018</b>  | <b>79 - 94</b>  |
|            | Report No: <b>CAB/FH/18/033</b>   |                 |
|            | To consider the most recently published version of the Cabinet's Decisions Plan                               |                 |
|            | Portfolio Holder: James Waters      Lead Officer: Ian Gallin  |                 |
| <b>11.</b> | <b>Solar for Business - Participation of Members and Officers</b>   | <b>95 - 104</b> |
|            | Report No: <b>CAB/FH/18/034</b>   |                 |
|            | Portfolio Holder: Lance Stanbury      Lead Officer: Peter Gudde   |                 |

# (Informal Joint) Cabinet



Forest Heath  
District Council

**Notes** of informal discussions of the **SEBC/FHDC Cabinets** held on  
**Tuesday 27 February 2018 at 6.00 pm** in the **Conference Chamber West,**  
**West Suffolk House,** Bury St Edmunds, IP33 3YU

**Present:**

**Councillors**

St Edmundsbury Borough Council (SEBC)

Sara Mildmay-White (*in the Chair for the informal discussions*)

Carol Bull  
Ian Houlder  
Alaric Pugh

Joanna Rayner  
Peter Stevens

Forest Heath District Council (FHDC)

James Waters

David Bowman  
Stephen Edwards

Robin Millar

**In attendance:**

(SEBC)

Mike Chester  
Mary Evans  
Paula Fox  
Susan Glossop  
David Roach  
Clive Pollington

(FHDC)

Ruth Bowman  
Brian Harvey

*(Immediately prior to the informal discussions at 6pm, the Cabinets received a briefing from representatives of the Ministry of Housing, Communities and Local Government (MHCLG) on the current position regarding the creation of a single council for West Suffolk. Non-Cabinet Members were also invited to attend this briefing, which provided the opportunity for Members to ask questions of the representatives of MHCLG on the legislative process and current progress.)*

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

- (1) Referrals Report of Recommendations from Council to Cabinet: Single Council for West Suffolk: Legislative Process;
- (2) Fair Funding Review – Response to Government Consultation; and
- (3) Gender Pay Gap Report.

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/Deputy 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**

A brief discussion was held on the format for delivering the single council briefing that had been provided immediately prior to this meeting by representatives of the MHCLG.

2. **Public Participation**

There were no members of the public in attendance.

3. **Referrals Report of Recommendations to Cabinet: Single Council for West Suffolk: Legislative Process (Report Nos: CAB/SE/18/014 and CAB/FH/18/016, and Addendums to CAB/SE/18/014 and CAB/FH/18/016)**

The Cabinets considered the above report, which sought approval for the draft Orders to create West Suffolk Council. The report contained a referral from both FHDC and SEBC Councils, following their endorsement of the policy requirements and next steps set out in the respective Council Report Nos: COU/SE/18/003 and COU/FH/18/005 (and Addendums), to create a single council for West Suffolk.

Following the publication of the agenda and papers for this meeting, the legislative process for moving towards creating a single council for West Suffolk had progressed more quickly than anticipated, which meant that rather than seeking approval for appropriate delegations to be put in place to authorise the relevant Orders on the condition they remained in line with the policy requirements within Report Nos: COU/SE/18/003 and COU/FH/18/005 (and Addendums), the draft Orders were now ready for approval by both Cabinets so they could then be submitted to the Houses of Parliament for consideration.



A revised recommendation was therefore considered by both Cabinets, which had been previously circulated as an Addendum to Report Nos: CAB/SE/18/014 and CAB/FH/18/016 respectively setting out the updated position, which was:

*It is RECOMMENDED that Cabinet:*

*Approves the draft orders to create West Suffolk Council, as attached as Appendices 1 and 2 to Report No: CAB/SE/18/014 (Addendum) [CAB/FH/18/016 (Addendum)], and authorises the Chief Executive, in conjunction with the Leaders of Forest Heath District and St Edmundsbury Borough Councils, and the Chairman and Vice-Chairman of the Future Governance Steering Group, to agree (where required to do so) any subsequent minor amendments arising during the legislative process.*

To accord with the above, the draft Orders were attached to the addendum as Appendices 1 and 2 for approval.

Councillor Carol Bull, SEBC's Portfolio Holder for Future Governance, drew relevant issues to the attention of the Cabinets, including expressing her thanks to the Service Manager (Democratic Services) and the single council project team, and to the representatives of MHCLG for the extensive work that had been undertaken to support Members' decisions in reaching this point in the process. Councillor Bull reiterated that approval of the draft Orders was an executive decision, hence the referral being recommended to the Cabinets for a decision by both Councils following their endorsement of the policy requirements and next steps.

The Cabinets fully supported approval of the draft Orders, as proposed in the revised recommendation.

4. **Fair Funding Review – Response to Government Consultation (Report Nos: CAB/SE/18/015 and CAB/FH/18/017)**

The Cabinets considered the above report, which sought agreement to a draft response to the Government's Fair Funding Review consultation, which was attached as Appendix A.

Councillor Ian Houlder, SEBC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinets, including the background to the review and the set of principles by which the Government was being guided by as part of the work, as summarised in paragraphs 1.3 and 1.4 of the report.

Councillor Houlder added that consideration of this paper would provide the Cabinets with an opportunity to ensure the specific challenges facing West Suffolk were fed into this process and the potential impact on the funding allocation that would be received following the review. It was noted however, that given the timing of the review, any changes that were implemented would only relate to the new West Suffolk Council and not to FHDC and SEBC.

A detailed discussion was held on the proposed response, particularly regarding issues in respect of the baseline funding allocation provided did not take into account the impact of the council tax-exempt American Service personnel living within the area, which had been emphasised within the response at Appendix A.

Recognition was also given to incorporating the following into the response:

- (a) taking into account the sustainability of rural communities and their rural economies; and
- (b) looking at the areas where the Councils were required by the Government to provide services compared to the grant which was actually provided, ie Internal Drainage Boards (IDB).

The Cabinets also recognised the importance of lobbying MPs regarding issues associated with local government finance, particularly around the need to factor in the impact of the US Visiting Forces and rurality.

The Fair Funding Review consultation response, would be submitted to the Ministry of Housing, Communities and Local Government by 12 March 2018, subject to the incorporation of, or greater emphasis placed upon, as appropriate, the additional comments summarised in (a) and (b) above, the final wording of which would be determined by the Assistant Director (Resources and Performance) under delegated authority.

5. **Gender Pay Gap Report (Report Nos: CAB/SE/18/016 and CAB/FH/18/018)**

The Cabinets received and noted the above report, which presented gender pay gap data for the West Suffolk organisation.

Under the Equalities Act 2010 (Specific Duties and Public Authorities) Regulations 2017, Forest Heath District Council and St Edmundsbury Borough Councils were each required to publish gender pay gap information by 31 March 2018.

Councillor Stephen Edwards, FHDC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinets, including that the data, which was attached as Appendix A to the report, was only meaningful when analysing the shared workforce of the entire West Suffolk organisation (FHDC and SEBC), however each Council, as employers, was required to report and publish its data separately. The Gender Pay Gap data for West Suffolk showed no disadvantage for women in the workforce.

A discussion was held on how the data was gathered and the median and mean average figures calculated, as detailed in Appendix A.

On the conclusion of the informal joint discussions at 6.41 pm, the Chairman then formally opened the meeting of St Edmundsbury Borough Council's Cabinet at 6.41 pm in the Conference Chamber West, which upon conclusion at 6.45 pm, was immediately followed by Forest Heath District Council's Cabinet, also in the Conference Chamber West.

# Cabinet



**Forest Heath**

District Council

**Minutes** of a meeting of the **Cabinet** held on  
**Tuesday 27 February 2018 at 6.45 pm** at the **Council Chamber, District  
Offices, College Heath Road, Mildenhall, IP28 7EY**

Present: **Councillors**

**Chairman** James Waters  
**Vice Chairman** Robin Millar

David Bowman

Stephen Edwards

**In attendance:**

Ruth Bowman

(Vice Chairman of the Overview and  
Scrutiny Committee)

Brian Harvey

**418. Apologies for Absence**

Apologies for absence were received from Councillors Andy Drummond and Lance Stanbury.

**419. Open Forum**

This item had already been considered during the informal discussions in relation to Items 4. to 6. on the agenda (Item 1. above within the notes of the informal discussions refers).

**420. Public Participation**

This item had already been considered during the informal discussions in relation to Items 4. to 6. on the agenda (Item 2. above within the notes of the informal discussions refers).

**421. Referrals Report of Recommendations from Council to Cabinet: Single Council for West Suffolk: Legislative Process (Report No: CAB/FH/18/016) and (Addendum)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/016 and its addendum, it was proposed, seconded and with the vote being unanimous, it was

**RESOLVED:**

That:-

1. The draft Orders to create West Suffolk Council, as attached as Appendices 1 and 2 to Report No: CAB/FH/18/016 (Addendum), be approved.
2. The Chief Executive be authorised, in conjunction with the Leaders of Forest Heath District and St Edmundsbury Borough Councils and the Chairman and Vice Chairman of the Future Governance Steering Group, to agree (where required to do so) any subsequent minor amendments arising during the legislative process.

422. **Fair Funding Review - Response to Government Consultation (Report No: CAB/FH/18/017)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/017, it was proposed, seconded and with the vote being unanimous, it was

**RESOLVED:**

That:-

1. The Fair Funding Review consultation response attached as Appendix A to Report No: CAB/FH/18/017, be submitted to the Ministry of Housing, Communities and Local Government (MHCLG) by 12 March 2018, subject to the incorporation of, or greater emphasis placed upon, as appropriate the following additional comments (*briefly – final wording to be determined by the Assistant Director (Resources and Performance) under delegated authority*):
  - (a) The sustainability of rural communities and their rural economies to be taken into account.
  - (b) To look at the areas where the Councils are required by the Government to provide services compared to the grant which is actually provided, ie, in addition to the Internal Drainage Board (IDB) reference.
2. Proposals for wider influencing associated with local government finance, including the Leaders lobbying MPs, be agreed.

423. **Gender Pay Gap Report (Report No: CAB/FH/18/018)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CB/FH/18/018), it was agreed that the contents of the Gender Pay Gap information, as set out in Appendix A to Report No: CAB/FH/18/018 for Forest Heath District Council, be **noted**, prior to publication by 31 March 2018.

The Meeting concluded at 6.46 pm

**Signed by:**

**Chairman**



# Extraordinary Cabinet



Forest Heath  
District Council

**Minutes** of an extraordinary meeting of the **Cabinet** held on  
**Tuesday 13 March 2018 at 5.00 pm** in the **Training Centre, District  
Offices**, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

**Chairman** James Waters  
**Vice Chairman** Robin Millar

David Bowman  
Stephen Edwards

Lance Stanbury

**By Invitation:**

Simon Cole

Chairman of the Overview and Scrutiny  
Committee

Ruth Bowman

Vice-Chairman of the Overview and  
Scrutiny Committee

Sara Mildmay-White

West Suffolk's Lead Member for Housing

424. **Apologies for Absence**

Apologies for absence were received from Councillor Andy Drummond.

425. **Open Forum**

No non-Cabinet Members in attendance wished to speak under this item; however, the Chairman considered it appropriate for the non-Cabinet Members in attendance to speak on Item 5, *Investing in our Commercial Asset Portfolio*, once the item was reached in private session.

426. **Public Participation**

There were no members of the public in attendance.

427. **Exclusion of the Press and Public**

As the next item on the agenda was exempt, it was proposed, seconded and

**RESOLVED:**

That the press and public be excluded during the consideration of the following item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of

Schedule 12A of the Local Government Act 1972, and indicated against the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

*(Councillors Stephen Edwards and Robin Millar joined the meeting during the consideration of this item. With the agreement of the Chairman, Councillors Ruth Bowman, Simon Cole and St Edmundsbury Borough Councillor Sara Mildmay-White were invited to partake in the discussions on the next agenda item in private session.)*

**428. Investing in Our Commercial Asset Portfolio (para 3) (Exempt Report No: CAB/FH/18/019) (Special Urgency Notice published 9 March 2018)**

Councillor James Waters, Chairman/Leader of the Council, presented this report which sought endorsement of the use of the Chief Executive's urgency powers to purchase a property in Newmarket at auction.

An opportunity had arisen for the Council to purchase the freehold of 113 High Street and 3 The Avenue in Newmarket, which was due to be auctioned on 14 March 2018. If purchased, this was considered to offer an opportunity for the Council to increase the number of temporary accommodation units available as well as providing a rental income to the Council. It also supported the West Suffolk Strategic Framework 2018-2020 and the Overarching West Suffolk Growth Investment Strategy in that it was considered to provide much needed housing, future revenue and capital income as well as supporting business with retail accommodation.

The Chairman, and Councillor Sara Mildmay-White, West Suffolk's Portfolio Lead for Housing drew relevant issues to the attention of Cabinet, including placing emphasis on the potential benefits of investing in this property.

Questions were asked regarding the suitability of the property as temporary accommodation and those expected to occupy the premises. Members felt reassured however, that two floors of the property had been licensed as a House of Multiple Occupation and therefore already met a number of public safety standards.

The ground floor of the property comprised two separate retail units which were currently leased and occupied. This led to a discussion on rental agreements presently in place and income currently achieved by the occupiers of the retail units, and the potential income from a Registered Provider that would manage the accommodation units. These details were summarised in the report.

Councillors Simon Cole and Ruth Bowman, Chairman and Vice-Chairman of the Overview and Scrutiny Committee were invited to speak and they both demonstrated their support for the proposal.

Having sought clarification on further matters such as the structural soundness of the property and the due diligence measures that would be undertaken by officers, the Cabinet unanimously supported the proposal and



as recommended, endorsed the use of the Chief Executive's urgency powers to authorise a bid of up to a maximum of £810,000 for the purchase, plus fees, thus allowing a maximum budget of £850,000.

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

**RESOLVED:**

That:-

- (1) The intention for the Chief Executive to use his powers of urgency to negotiate at auction, the purchase of the identified property at 113 High Street/3 The Avenue, Newmarket, be endorsed;
- (2) It be noted that having obtained this endorsement, the Chief Executive will authorise a budget up to a maximum of £850,000, to be made available to facilitate the purchase, including fees and Stamp Duty Land Tax, to be funded from the Investing in the Growth Agenda fund; and
- (3) It be noted that should the purchase be made, the Council's Section 151 Officer will make the necessary changes to the Council's prudential indicators as a result of Recommendation 2.

The Meeting concluded at 5.36 pm

**Signed by:**

**Chairman**

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# Cabinet



**Forest Heath**  
District Council

**Minutes** of a meeting of the **Cabinet** held on  
**Tuesday 3 April 2018 at 6.00 pm** at the **Council Chamber, District**  
**Offices**, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

**Chairman** James Waters  
**Vice Chairman** Robin Millar

David Bowman

Stephen Edwards

**By Invitation:**

Simon Cole

(Chairman of the Overview and  
Scrutiny Committee)

Ruth Bowman

(Vice Chairman of the Overview and  
Scrutiny Committee)

Sara Mildmay-White

(West Suffolk Lead for Housing)

429. **Apologies for Absence**

Apologies for absence were received from Councillor Lance Stanbury.

Councillor Andy Drummond was also unable to attend the meeting.

430. **Minutes**

The minutes of the meetings held on 9 January 2018 and 13 February 2018 were unanimously confirmed as a correct record and signed by the Chairman.

431. **Open Forum**

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

432. **Public Participation**

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

433. **Report of the Overview and Scrutiny Committee: 8 March 2018**  
**(Report No: CAB/FH/18/020)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following substantive items discussed by the Committee on 8 March 2018:

- (1) Barley Homes Group Limited Annual Report 2018.
- (2) Lettings Policy.

- (3) Annual Presentation by the Cabinet Member for Resources and Performance.
- (4) West Suffolk Information Framework – Report from the Joint Task and Finish Group.
- (5) Work Programme Update.

Councillor Cole drew relevant issues to the attention of the Cabinet, including that separate reports containing recommendations of the Committee were included on this Cabinet agenda for Items (2) and (4) above.

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

**RESOLVED:**

That the contents of Report No: CAB/FH/18/020, being the report of the Overview and Scrutiny Committee, be noted.

**434. Recommendations of the Overview and Scrutiny Committee: 8 March 2018 - West Suffolk Information Framework (Report No: CAB/FH/18/021)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval for a new West Suffolk Information Framework.

A joint Task and Finish Group, comprising Members of Forest Heath District and St Edmundsbury Borough Councils' Overview and Scrutiny Committees, had been established to devise a new Information Framework. The Framework represented a revised approach to data and the way the West Suffolk Councils used it. It provided a high level summary of the current position and proposed an approach that sought to maximise the Councils' data assets through aligning data across the West Suffolk Councils and its partners to improve the services provided and create better outcomes for residents, customers, visitors, businesses, partners and communities.

The vision and key principles of the Information Framework were summarised in paragraph 1.1.3 of the Cabinet report. Its aim was to provide Councillors, staff, partners and interested members of the public with an overview of the Councils' direction of travel and its intent with regards to data and information and was, therefore, not a delivery document. Detailed individual plans, strategies and service-specific business cases that accorded with this framework would come forward at a later stage.

Councillor Edwards also wished to express his thanks to both Overview and Scrutiny Committees for their involvement and input into this document.

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

**RESOLVED:**

That the West Suffolk Information Framework, attached as Appendix A to Report No: OAS/FH/18/007, be approved.

435. **Recommendations of the Overview and Scrutiny Committee: 8 March 2018 - Lettings Policy (Report No: CAB/FH/18/022)**

Councillor Sara Mildmay-White, West Suffolk Lead for Housing, presented this report which sought approval for a revised Lettings Policy.

On 8 March 2018, the Overview and Scrutiny Committee considered Report No: OAS/FH/18/005, which set out proposed revisions to the Lettings Policy. These revisions were required as a result of recent case law and to ensure that the Policy was compliant with the requirements of the Homelessness Reduction Act 2017, which came into force on 3 April 2018. The Overview and Scrutiny Committee had considered the draft policy in detail and recommended its adoption.

Councillor Mildmay-White drew relevant issues to the attention of the Cabinet, including that the revisions, as summarised in Section 1.1.2 of the Cabinet report, had been subject to consultation and agreement of the Home-Link (Choice Based Lettings Scheme) partners of the Cambridge and West Suffolk sub-region.

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

**RESOLVED:**

That the revised Lettings Policy, attached at Appendix 1 to Report No: OAS/FH/18/005, be approved.

436. **Tackling Rogue Landlords: Civil Sanctions Policy (Report No: CAB/FH/18/023)**

Councillor Sara Mildmay-White, West Suffolk Lead for Housing, presented this report which sought approval for a new Civil Sanctions Policy, which if adopted, would help tackle rogue landlords.

The adoption of a new Civil Sanctions Policy, attached as Appendix A to the report, would enable the West Suffolk Councils (Forest Heath District and St Edmundsbury Borough) to make use of new powers under the Housing and Planning Act 2016 to tackle a small number of rogue landlords in the private rented sector in West Suffolk and improve the well-being of tenants. On 9 January 2018, the Cabinet had approved the draft Policy for consultation and the outcome of this engagement exercise was contained in Section 5 of the report.

Councillor Mildmay-White drew relevant issues to the attention of the Cabinet, including that the engagement process on the draft Policy with landlords, tenants, interested groups and other stakeholders, had largely been positive and had provided the opportunity to promote the Housing Standards service offered by the Councils and the most effective way to enforce the new legislation. Promotion of the preventative and reactive regulatory agendas was key and better landlords involved in the process, had identified that the Councils wished to work with them, not only to achieve compliance, but to deliver a sector that provided an adequate supply of decent homes.

The Cabinet supported its adoption (with new delegated powers to Officers for incorporation into their respective Constitutions being presented to each Council for approval). Due to its importance, the Cabinet were also keen to ensure that this Policy was widely communicated within the District, so that people were aware that it was in operation.

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

**RESOLVED:**

That the Housing Standards – Civil Sanctions Policy contained in Appendix A to Report No: CAB/FH/18/023, which describes the new measures and sanctions which will support existing enforcement work and pro-active inspection programmes, be adopted.

and

**RECOMMENDED TO COUNCIL:** (25 April 2018)

That the new delegations regarding the enforcement powers be incorporated into the Scheme of Delegation, contained in Part 3 of the Constitution, to enable these sanctions to be enforced.

**437. Workforce Strategy 2018-2020 (Report No: CAB/FH/18/024)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval of a new Workforce Strategy.

The Strategy, attached at Appendix 1 to the report, set out the West Suffolk Councils' vision for their people and identified the areas needed to focus on to achieve their ambitions. It looked at the composition of the workforce and the current skills set and the skills needed for the future. It identified how the Councils would continue to recruit and develop their workforce and work with their communities to make sure the right people, the right skills and the right behaviours were in place.

Councillor Edwards drew relevant issues to the attention of the Cabinet, including that the Strategy aimed to enable West Suffolk to be a confident, co-operative and high performing organisation in every aspect of its work addressing the needs of its customers and communities, together with promoting West Suffolk as an employer of choice.

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

**RESOLVED:**

That the Workforce Strategy as contained in Appendix 1 to Report No: CAB/FH/18/024, be approved.

**438. Decisions Plan: April 2018 to May 2018 (Report No: CAB/FH/18/025)**

The Cabinet considered Report No: CAB/FH/18/025, which was the Cabinet's Decisions Plan covering the period 1 April 2018 to 31 May 2018.

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

439. **Revenues Collection Performance and Write-Offs (Report No: CAB/FH/18/026)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval for the write-off of uncollectable amounts in respect of Council Tax and Business Rates and the overpayment of Housing Benefit.

Councillor Edwards also referred to paragraphs 3.2 and 3.3 of the report which set out the collection rates for the National Non Domestic Rates (NNDR) and Council Tax as at 28 February 2018.

Whilst considering this report, the Cabinet indicated that they would also wish to discuss the content of the exempt Appendices and as reference was to be made to specific detail, it was proposed, duly seconded and unanimously **RESOLVED** for these discussions to be held in private session and for the press and public to be excluded from the meeting (see Minute Numbers 440. and 441. below).

Following the conclusion of the discussions in the private session, the press and public were re-admitted to the meeting, where it was proposed, seconded and with the vote being unanimous, it was

**RESOLVED:**

That the write-off of the amounts detailed in the exempt Appendices to Report No: CAB/FH/18/026 be approved, as follows:

1. Exempt Appendix 1: Council Tax totalling £10,297.99.
2. Exempt Appendix 2: Business Rates totalling £24,032.49.
3. Exempt Appendix 3: Overpayment of Housing Benefit totalling £13,613.62.

440. **Exclusion of the Press and Public**

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

**RESOLVED:**

That the press and public be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information, as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972 and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

441. **Exempt Appendices 1, 2 and 3 : Revenues Collection Performance and Write-Offs (paras 1 and 2) (Report No: CAB/FH/18/026)**

The Cabinet considered the exempt Appendices to Report No: CAB/FH/18/026, where reference was made to the specific detail contained therein.

Particular discussion was held in relation to the arrears relating to Council Tax and Officers received agreement from the Cabinet to progress 'test cases' in relation to the action being taken by the ARP to recover outstanding debt.

Once the discussions were concluded in the private session, the meeting then moved back into the open session, where the press and public were re-admitted and the Cabinet then voted on the recommendations contained within the report (see Minute Number 439. above).

The Meeting concluded at 6.35 pm

**Signed by:**

**Chairman**

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# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Building Control Resourcing</b>	
<b>Report No:</b>	<b>CAB/FH/18/028</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Portfolio holder:</b>	Councillor Lance Stanbury Portfolio Holder for Planning and Growth <b>Tel:</b> 07970 947704 <b>Email:</b> <a href="mailto:lance.stanbury@forest-heath.gov.uk">lance.stanbury@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	David Collinson Assistant Director (Planning and Regulatory) <b>Tel:</b> 01284 757306 <b>Email:</b> <a href="mailto:david.collinson@westsuffolk.gov.uk">david.collinson@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	To request Cabinet approval to increase the permanent resource within the Building Control Service by 1 Full-Time Equivalent (FTE) with the necessary budget adjustments of £57,000 to support this.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that:</b></p> <p><b>(1) approval be given to increase the permanent establishment of the Building Control Service by one Full-Time Equivalent (FTE); and</b></p> <p><b>(2) Subject to the agreement of Recommendation (1), that an additional £57,000 corporate savings/income target is added to the revenue budgets in order to create the funding required to support the additional post.</b></p>	
<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> 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 checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p>	

	<p>(a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</p> <p>(i) be significant in terms of its effects on communities living or working in an area in the Borough/District; or</p> <p>(ii) result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme;</p>
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>	
<b>Consultation:</b>	<b>N/A</b>
<b>Alternative option(s):</b>	Not to increase the establishment. This will restrict capacity to meet growth demand and not address resilience of the team.
<b>Implications:</b>	
<p>Are there any <b>financial</b> implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>Up to £57,000 salary and training costs for additional staff. Cost shared between the two Councils, Forest Heath District Council (FHDC) 35%, St Edmundsbury Borough Council (SEBC) 65%.</li> <li>Funded within the revenue budget, however in order to continue to deliver a balanced medium term position further savings or income proposals will be suggested by Leadership Team for Members' consideration in due course.</li> </ul>
<p>Are there any <b>staffing</b> implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>Permanent increase of establishment</li> </ul>
<p>Are there any <b>ICT</b> implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>Additional ICT equipment allowed for within costing.</li> </ul>
<p>Are there any <b>legal and/or policy</b> implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Are there any <b>equality</b> implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk (before controls)</b>	<b>Controls</b>	<b>Residual risk (after controls)</b>
Resilience of team to respond effectively to market demands and statutory response areas. Further loss of market share could result with service being left with mainly non fee earning statutory work.	High	Development plan to support maintaining/ increasing market share, including joint working across Suffolk; Implementation of a quality control procedure; Increase capacity of team; Apprentice development to support workforce planning. Further review on effectiveness of measures.	Medium
<b>Ward(s) affected:</b>		All Wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		None	
<b>Documents attached:</b>		None	

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Role of the Building Control Service**

1.1.1 The purpose of the local authority building control service is to provide essential protection for the public in and around buildings. The majority of this work involves ensuring that new building works meet the minimum standards laid down in the national Building Regulations. However the local authority is also solely responsible for:

- Enforcing the regulations
- Dangerous structures
- Disabled adaptations/extensions
- Demolition notifications
- Maintaining a register of all works carried out
- Advice and support for Safety Advisory Groups/Sports grounds

1.1.2 Building Control is a statutory service provided by all local authorities to enforce the Building Regulations within their area. Only the local authority has the obligation to take enforcement action over non-compliance with Building Regulations, and this cannot be delegated to a private sector provider. As a statutory service, it remains a core function of an authority's responsibilities.

1.1.3 Building approvals for new build is a fee earning function and we are in competition with Approved Inspectors for the share of the available market.

### **1.2 Service Development Plan**

1.2.1 Our objective is to provide a modern, resilient, commercial building control service meeting the growth needs of West Suffolk and assuring public protection. Working in collaboration with the LA Building Control services in Suffolk we have established a development plan of joint work.

Success outcomes for our development plan include:

- Trusted 'go-to' brand with a strong visible presence
- Resilient and financially sustainable (income supporting team growth in line with demand)
- Commercially aware with a strong and growing customer base and quick to grasp opportunities
- Strong professional relationships with trades - flexible and responsive
- Collaborative, sharing resource, skills and experience
- Employers of choice – with a highly skilled and motivated workforce

1.2.2 The development priorities for West Suffolk Building Control Service include:

1. Marketing/Commerciality to retain and increase market share
2. Systems development to improve efficiency
3. Workforce development - skills
4. Shared model/working practices across Suffolk LA's
5. Implementation of a Quality Assurance framework

A service action plan, delivered jointly with other LA's across Suffolk details the delivery of these areas

### 1.3 **Capacity Review**

- 1.3.1 Emerging from our service development review, we have identified that current service demand for the West Suffolk Building Control team is exceeding capacity and greater resilience is required in the team to ensure business as usual and to support service improvement and growth including:
- Capacity to respond to statutory functions;
  - Maintaining and recovering market share;
  - Increasing income in a targeted manner;
  - Implementing the Local Authority Building Control Quality Management System (ISO 9001 based implementation Toolkit). We are in the first tranche of authorities implementing this in response to the Hackitt review, following Grenfell;
  - Building capacity to respond to West Suffolk Growth/key projects.
- 1.3.2 We have secured the work to oversee Mildenhall Hub and West Suffolk Operational Hub and aim to be a crucial part in any future Growth investments and developments. These projects will also have significant impacts on resourcing within the team but are seen as a key opportunity to provide a high quality and integrated service for such projects.
- 1.3.3 The service is at a crucial point in its future development and would benefit significantly from specific additional resource for 2018/19 namely:
- An additional surveyor at either trainee or qualified level – estimated cost range for 1 FTE Band E to G – currently up to £57,000 (on costed) for mid-scale appointment. This would be a new additional permanent post for West Suffolk.
- 1.3.4 This investment would increase the resilience and capacity of the West Suffolk service and supporting maintaining and penetration of existing market.
- 1.3.5 If approved by Cabinet, the additional permanent post (up to £57,000) will be funded within the revenue budget and in order to continue to deliver a balanced medium term position further savings or income proposals will be suggested by Leadership Team for Members' consideration in due course.

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# (Informal Joint) Cabinet



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Report of the Anglia Revenues and Benefits Partnership Joint Committee: 27 March 2018</b>	
<b>Report No:</b>	<b>CAB/FH/18/029</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Portfolio holder:</b>	Councillor Stephen Edwards Portfolio Holder for Resources and Performance <b>Tel:</b> 07904 389982 <b>Email:</b> <a href="mailto:stephen.edwards@forest-heath.gov.uk">stephen.edwards@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Jill Korwin Director <b>Tel:</b> 01284 757252 <b>Email:</b> <a href="mailto:jill.korwin@westsuffolk.gov.uk">jill.korwin@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>On 27 March 2018, the Anglia Revenues and Benefits Partnership (ARP) Joint Committee considered the following substantive items of business:</p> <ol style="list-style-type: none"> <li>(1) Highlight Report, Balance Scorecard and Finance Report;</li> <li>(2) Welfare Reform Update;</li> <li>(3) Anglia Revenues Partnership Risk Register;</li> <li>(4) Forthcoming Issues;</li> <li>(5) Exempt: Risk Based Verification;</li> <li>(6) Exempt: ARP Briefing Note;</li> <li>(7) Exempt: Future of ARP Trading Limited</li> <li>(8) Exempt: ARP Trading Limited: Financial Implications</li> </ol> <p>This report is for information only. No decisions are required by the Cabinet.</p>	
<b>Recommendation:</b>	<b>The Cabinet is requested to <u>NOTE</u> the content of Report No: CAB/SE/18/029, being the report of the Anglia Revenues and Benefits Partnership Joint Committee.</b>	
<b>Key Decision:</b>	<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>	

<i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
<b>Implications:</b>	
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See reports of ARP Joint Committee at link provided under 'Background papers'</li> </ul>
<b>Risk/opportunity assessment:</b>	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>
See reports of ARP Joint Committee at link provided under 'Background papers'	
<b>Ward(s) affected:</b>	All Ward/s
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	Breckland DC Website: <a href="#">27 March 2018</a>
<b>Documents attached:</b>	None



## 1. Key Issues

### 1.1 Operational Highlight Report, Balance Scorecards and Finance Report (Agenda Item 5a, 5b, 5c)

#### (a) Operational Highlight Report

1.1.1 The Joint Committee had received and **noted** the Operational Highlight Report as at 28 February 2018. The report details ARP's key achievements in respect of Benefits and Fraud Performance; Revenues Performance and Support Performance, including Digital Transformation and Self-Service. This detailed report can be viewed on Breckland District Council's website at:

<http://democracy.breckland.gov.uk/documents/s47400/ARP%20Strategic%20Managers%20Highlight%20report%20March%202018%20draft.pdf>

1.1.2 Fraud and compliance performance had already exceeded targets for 2017/18 with total savings achieving £2,574,613 as at 28 February 2018, which had by far exceeded the total year end target of £1,300,000.

1.1.3 The Enforcement Team also continues to perform exceedingly well, having collected £9.3 million since the agency was established, of which £4 million has been collected in the 2017/18 financial year. A fifth Enforcement Agent has recently joined ARP and has now achieved certification. The team has also taken on the collection of Housing Benefit Overpayments where other methods have been successful, examples of which are contained in the report. The Partnership has also had enquiries from five other authorities with a view to taking on their enforcement work.

1.1.4 The new rate reliefs announced by the Government and the impact on ARP had also been noted, together with changes to the way in which customers are now able to view their Council Tax, Business Rates, benefits payments and E-billing on the ARP website.

1.1.5 The Annual Billing for 2018/19 had operated smoothly with all bills sent out on time and no issues had been raised. This included in excess of 10,000 council tax payers and housing benefits recipients opting entirely to receive their bills electronically thus saving postage. Use of the new on-line forms had been positive; however there has been issues with the provider, and work is being undertaken to resolve these issues.

#### (b) Balanced Scorecard

1.1.6 Members had **noted** that targets had largely been met by all partner authorities with the majority of indicators annotated green as at 28 February 2018, as shown on the Balanced Scorecard at:

<http://democracy.breckland.gov.uk/documents/s47401/ARP%20Balanced%20scorecard%20Feb%202017-18.pdf>

1.1.7 The above report provides further information on indicators relevant to each partner authority, which are grouped under the following headings:

- (a) **Financial:** Collection, Budget Management
- (b) **Customer:** Customer Satisfaction, Channel Shift
- (c) **Internal Process:** Collection, Fraud
- (d) **Learning and Growth:** Performance Management

1.1.8 Benefits performance was close to meeting the year-end targets; however, this was not the case for all partner Councils, as shown on the balanced scorecards. Four of the Councils, which included St Edmundsbury Borough Council's shared services partner, Forest Heath District Council, were unlikely to meet the target for processing council tax support cases. It was expected that the final year end figure for the time taken for council tax support cases to be processed by these Councils would be 9 days against a target of 8 days. Members had noted that this was largely due to the impact of staff vacancies during the first half of the reporting period together with the embedding and settling down of standardised work processes in ARP's document imaging system. Going into 2018/2019, appropriate measures have been put in place, largely in relation to recruiting additional temporary staff to help manage workloads during peak periods. Members also noted that new claims took approximately 18-20 days and a change in circumstance, around 5 days, which compared to a national average of 22 days and 9 days respectively. In view of this, the Operational Improvement Board will re-visit some of ARP's targets.

1.1.9 Other targets that had not been met related to business rates collection being slightly below target and this included the West Suffolk councils. The drop in collection was due to a significant level of refund payments being made as a result of successful appeals by ratepayers against their rateable values, often backdated to April 2010. For Forest Heath these refunds amounted to £703k and for St Edmundsbury the figure was £1.1m. It is a requirement of the Business Rates Retention scheme that councils make provision in their accounts to meet the cost of these successful appeals. Both Forest Heath and St Edmundsbury held adequate levels of appeals provision to mitigate the impact of these and any future refund payments (Forest Heath having a provision of £2.0m and St Edmundsbury holding £4.2m) and the level of these provisions will continue to be monitored and revised as necessary. This had been discussed at some length at the last meeting of the Joint Committee and Members had been satisfied with the mitigation measures put in place.

(c) Financial Performance

1.1.10 In respect of the financial performance report, the Joint Committee had **noted** the position as at 31 January 2018, which showed a current underspend of £410,001 against budget. The reasons for the specific variances, together with other details, are contained in the report at:

<http://democracy.breckland.gov.uk/documents/s47394/ARP%20Management%20Accounts%20201718%20as%20at%20January%20to%20JC.pdf>

An update had also been provided on committed expenditure for the Transformation Programme. The committed transformation funding is £180,529 as at 31 January 2018. If all of the identified expenditure goes through as planned by the end of 2018/2019, there will be £47,928 remaining for future projects.

In addition, Members had noted actual efficiencies identified to date against the original budget targets for 2017/2018 to 2019/2020.

## 1.2 **Welfare Reform Update (Agenda Item 6)**

1.2.1 The Joint Committee had received and **noted** an update on welfare reform, which included:

- (a) **Universal Credit (UC):** The current position regarding the timeline to move to the live operation of the full service for new claimants and those where circumstances had changed were discussed. Forest Heath DC are now expected to roll-out in December 2018, which was mainly due to the Government's budget announcement in December 2017. Waveney District Council, and now St Edmundsbury BC, who are already operating the full service have been experiencing difficulties; however they are not alone in this. Measures and controls have been put in place to address the issues and mitigate the risk of performance against target. Through working with Customer Service and Housing Options teams, the Department of Work and Pensions (DWP) and stakeholders; ARP has made plans to minimise the impact of UC. This has been ARP's template for the partner Councils, which was successfully used with St Edmundsbury at the end of last year, and will be replicated for all other partner Councils as the roll-out schedule continues throughout 2018.

The Joint Committee had discussed in some detail the Government Budget announcements where improvements were expected to be made, as outlined in the report at the link below:

<http://democracy.breckland.gov.uk/documents/s47395/Joint%20Committee%20Report%20Welfare%20Reform%20update%20March%202018%20draft.pdf>

- (b) **Discretionary Housing Payment:** Spend continues to be within the grant provided by the DWP, and is forecast to be closer to, but within the grant. This grant is designed to help customers remain in their homes or to move to affordable and sustainable accommodation. The main area of expenditure continues to be to assist customers with rent shortfalls, in particular due to restrictions on Housing Benefit rent levels. Generally the allocations for 2018/2019 have been reduced.
- (c) **Benefit Cap:** In November 2016, the maximum family income before the Benefit Cap applies reduced from £26,000 to £20,000 (£13,400 for single adults with no children). The Benefit Service continues to work with colleagues in Customer Service and Housing Options teams to seek to avoid homelessness and the cost of temporary housing.

DWP has provided New Burdens funding to assist councils with extra administrative costs and have increased Discretionary Housing Payment grants to help customers with the reduction; however, it should be noted that the increase does not cover all reductions.

- (d) **Two Child Limit:** From April 2017, the DWP introduced legislation to restrict benefits to families having a third child from April 2017 to the two child rate. There are exceptions, such as multiple births. New claims for Universal Credit where an applicant has more than two children will be redirected to legacy benefits, i.e. housing benefit.
- (e) **Social Rented Sector Rent Restrictions:** The Government has responded to consultation on funding for supported housing and it has indicated it will not implement Local Housing Allowance rates in social housing. Further proposals are outlined in the [report](#) noted by the Joint Committee. An implementation date for the proposals has been indicated as April 2020.

In respect of the Government's approach to supported accommodation (i.e. hostels) ARP is waiting to how this looked and there could be grants available to upper tier councils. DWP needs to ensure that it is capturing the correct data.

### 1.3 **Anglia Revenues Partnership Risk Register (Agenda Item 7)**

- 1.3.1 In June 2014, the Joint Committee had agreed that Members would be updated every six months on the risk assurance so that the risk can be reviewed regularly.
- 1.3.2 The Risk Register is attached as [Appendix A](#) to that report. [Appendix B](#) shows the criteria used to apply a risk score by analysing the likelihood of a risk occurring and the potential impact of the risk to ARP and to the partner Councils.
- 1.3.3 A number of high risks remain since last reported; however, a process of mitigation and monitoring is in place to eliminate some of these risks.
- 1.3.4 A risk relating to income from business rates has reduced now that the April 2017 revaluation has been completed; however, there is still a risk in relation to subsequent appeals that may be received and reduce rates payable. Provision has been made for this (see 1.1.9 above).
- 1.3.5 The risk relating to business continuity has risen because of recent cyber-attacks. West Suffolk Councils has already updated the software; however this will be continually monitored and reviewed in light of the recent increase in attacks to ensure the system remains secure.
- 1.3.6 The Joint Committee had **RESOLVED that the report be noted and the Risk Assurance Register be agreed.**

### 1.4 **Forthcoming Issues (Agenda Item 8)**

- 1.4.1 No issues had been reported on this occasion.

1.5 **Exempt Report (para 3): Risk Based Verification (Agenda Item 11)**

- 1.5.1 This, together with the next three items had been considered in private session, therefore the information contained in this report is limited and based on the content of the public minutes.
- 1.5.2 The Department of Work and Pensions (DWP) requires Councils to review their Risk Based Verification Policies annually and requires Members to approve the continuance or revision of their Policy.
- 1.5.3 In March 2017, the Joint Committee had approved expanding the Risk Based Verification Policy to include changes of circumstances as well as new claims; however, due to the change in the forms and the continuous work with the provider (see 1.15 above) it is anticipated that this functionality will be introduced in spring 2018.
- 1.5.4 The Joint Committee had **RESOLVED that:**

- (1) it be noted that the Policy remains unchanged in 2017/2018; and**
- (2) the Housing Benefit Risk Based Verification Policy for 2018/19 for Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, St Edmundsbury Borough Council, Suffolk Coastal District Council and Waveney District Council, be approved.**

1.6 **Exempt Report (para 3): ARP Briefing Note (Agenda Item 12)**

- 1.6.1 The Joint Committee had received and **noted** this exempt report, which provided details on the proposals to create two new district-level councils for West Suffolk and East Suffolk. Members had been provided with a detailed overview of the proposals and the processes being put in place in relation to the procurement of an additional resource.
- 1.6.2 A more detailed report will be discussed at the Operational Improvement Board (OIB) meeting in April and a further report would be provided at the next Joint Committee meeting in June 2018.

1.7 **Exempt Report (para 3): Future of ARP Trading Limited (Agenda Item 13)**

- 1.7.1 The Joint Committee had considered this exempt report, which had provided options for the future of ARP Trading Limited and the rationale behind each option.
- 1.7.2 A discussion had been held on the governance structure and that this should be addressed prior to the company being revived. Members had been informed that legal advice was awaited in terms of process. A Shareholders Advisory Group meeting was to be convened immediately following the Joint Committee meeting.
- 1.7.3 The Joint Committee had **RESOLVED that Option B of the report be adopted.**

1.8 **Exempt Report (para 3): ARP Trading Limited: Financial Implications (Agenda Item 14)**

1.8.1 The Joint Committee had received and **noted** this exempt report, which had provided the financial implications relating to ARP Trading Limited.

1.8.1 The report highlighted that there will be a small financial impact to each of the Partner Authorities now that the recommendation at Agenda Item 13 (see 1.7 above) had been adopted; however, this is more than offset by the saving for each partner from the ARP Partnership budget.

**2. Minutes**

2.1 For further information on the discussions held at the Anglia Revenues and Benefits Partnership Joint Committee meeting on 27 March 2018, the draft minutes of the meeting may be viewed on Breckland District Council's website at the following link:

<http://democracy.breckland.gov.uk/documents/g4090/Printed%20minutes%2027th-Mar-2018%2010.00%20Anglia%20Revenues%20and%20Benefits%20Partnership%20Joint%20Committee.pdf?T=1>

# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Report of the Extraordinary Overview and Scrutiny Committee: 16 April 2018</b>	
<b>Report No:</b>	<b>CAB/FH/18/030</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Chairman of the Committee:</b>	Councillor Simon Cole Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 07974 443762 <b>Email:</b> <a href="mailto:simon.cole@forest-heath.gov.uk">simon.cole@forest-heath.gov.uk</a>	
<b>Lead Officer:</b>	Christine Brain Democratic Services Officer (Scrutiny) <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:christine.brain@westsuffolk.gov.uk">christine.brain@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	On 16 April 2018, the Overview and Scrutiny Committee held an Extraordinary Committee meeting at Palace House, The Mews, Newmarket to consider the following item:  (1) National Heritage Centre, Newmarket	
<b>Recommendation:</b>	<b>The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/18/030, being the report of the Extraordinary Overview and Scrutiny Committee.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Report for information only.	
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	

<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Reports listed under background papers below	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Reports listed under background papers below	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Reports listed under background papers below	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Reports listed under background papers below	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> • See Reports listed under background papers below	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
See Reports listed under background papers below			
<b>Wards affected:</b>		All Wards, but Newmarket in particular	
<b>Background papers:</b>		Please see background papers, which are listed at the end of the report.	
<b>Documents attached:</b>		None	



## **1. Key issues and reasons for recommendation**

### **1.1 National Heritage Centre, Newmarket (Report No: OAS/FH/18/009)**

1.1.1 The Committee received Report No: OAS/FH/18/009, which provided information on the background to the scrutiny exercise to review the Home of Horseracing Project, now referred to as the National Heritage Centre for Horseracing and Sporting Art, which proposed two objectives for this review:

1. To carry out a routine post implementation scrutiny review of the Council's involvement in the Home of Horseracing Project, a year after its official opening; and
2. To review the National Heritage Centre's future plans and how the Council can assist in their delivery as a partner.

1.1.2 It was proposed that this piece of scrutiny be carried out over two sessions. The first higher priority session being carried out at this meeting, and involving external partners would look at:

- a) Whether the Council's involvement in the project had resulted in the desired objectives?
- b) What role the Council could have in supporting the National Heritage Centre's future plans for growing visitor numbers, in the context of the wider Newmarket Vision?

Once the capital project was formally closed down, a second, internally focused scrutiny session would be held to look at any learning that could be applied to future Council projects.

1.1.3 At this session the review started at 5pm with Scrutiny members being given a tour of the facility and at 6pm the formal Scrutiny Committee commenced with a presentation from the National Heritage Centre and discussions took place between the Committee and partners to explore the following main issues:

1. How had the capital project achieved the original objectives set for it by the partnership?
2. How had the National Heritage Centre performed in its first 18 months against its original business plan?
3. What does the National Heritage Centre's new business plan say?
4. Where does this fit into the Newmarket Vision and the Council's strategic plan?
5. How would the Council be involved in taking this forward, and what specific assistance does the National Heritage Centre need?

1.1.4 The Chairman of the Committee thanked Chris Garibaldi (Director of the National Horseracing Centre for Horseracing and Sporting Art) and Peter

Jensen (Chairman of the Home of Horseracing Trust) for giving the Committee the opportunity to visit the National Heritage Centre and for the opportunity to scrutinise the project.

- 1.1.5 The Committee received a detailed presentation from Chris Garibaldi which included information on the context of the project; project partners; where the capital came from to fund the project; work carried out by the three existing charities; key achievements (including being shortlisted for the 2017 Art Fund Museum of the Year within a few months of opening, and winning Suffolk Museum of the year 2017); visitor numbers; admission tickets; repeat visitors; where visitors came from; gift aid collected on tickets; visitor spend and what it was worth to the local economy; special exhibitions; National Portfolio Organisation status from the Arts Council; fund raising initiatives; the importance of volunteers in running the site and with over 9,000 hours gifted; engagement with the local community; the learning offer and the focus of the new business plan.
- 1.1.6 Members considered the information provided on the tour and the presentation in detail and asked a number of questions of Messrs Garibaldi and Jensen to which comprehensive responses were provided. These included opening times, booking arrangements and support for visitors.
- 1.1.7 The Committee asked Messrs Garibaldi and Jensen what more the Council could do to help the Centre further? In response three areas were raised where they felt the Council might be able to provide assistance:

- 1) Palace Street: There were concerns about safety issues in Palace Street. It would be a huge advantage to the Centre if Palace Street was pedestrianised or closed to through traffic when the Centre was open, say between 10am and 5pm. The Centre was also keen to understand liability if accidents occurred.

In response the Chairman of the Committee agreed that there needed to be some form of dialogue on traffic calming, perhaps rising bollards. He also stated that the Council might be able to help with pre-planning advice / consultation with Suffolk County Council.

The Committee was advised that Suffolk County Council was carrying out a road study in the area and the Centre would be a key consideration in the work on the town centre as part of the Newmarket Vision.

- 2) Improved signage in terms of a sign over Palace Street marketing the entrance / directing people to the Centre.
- 3) General marketing support within West Suffolk and specifically road signage outside of Newmarket on the major arterial roads, and within the town particularly to car parks. Currently there are three signs along the A14/A11 which are old, advertising the old museum (Home of Horseracing), and to replace them would cost the Centre around £50,000 per sign.

In response the Chairman suggested that the Council might be able to help negotiate with Suffolk County Council/Highways England regarding the replacement of the signs with the new branding.

1.1.8 Councillor Andy Drummond, Cabinet Member for Leisure and Culture and Mr Jensen informed the Committee that the original idea for the Centre, and setting up the Home of Horseracing Trust, arose after Forest Heath District Council's compulsory purchase of Palace House in the 190's, and therefore the Council had itself played a key part in the project from start to finish, including the vision of developing a world class museum. Alex Wilson, Director at Forest Heath District Council stated that the project had been an excellent partnership and the fund raising achievements of the Trust had been phenomenal.

1.1.9 It was then **RESOLVED** That:

- 1) The Committee **noted** the Council's involvement in the original objectives set by the partnership had been met.
- 2) The Committee would look at how best to progress the areas of assistance requested by the National Heritage Centre and recorded in the minutes.

## **2. Background Papers**

2.1.1 Report No: [OAS/FH/18/009](#) and [Appendix A](#) to the Extraordinary Overview and Scrutiny Committee: National Heritage Centre, Newmarket

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# (Informal Joint) Cabinet



<b>Title of Report:</b>	<b>Report of the Overview and Scrutiny Committee: 19 April 2018</b>	
<b>Report No:</b>	<b>CAB/FH/18/031</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Chairman of the Committee:</b>	Councillor Simon Cole Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 07974 443762 <b>Email:</b> <a href="mailto:simon.cole@forest-heath.gov.uk">simon.cole@forest-heath.gov.uk</a>	
<b>Lead Officer:</b>	Christine Brain Democratic Services Officer (Scrutiny) <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:christine.brain@westsuffolk.gov.uk">christine.brain@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	On 19 April 2018, the Overview and Scrutiny Committee considered the following items:  (1) Monitoring Community Safety Activities including Western Suffolk Community Safety Partnership  (2) Car Parking Update;  (3) Review of Bury St Edmunds Christmas Fayre – Scoping Report;  (4) Work Programme Update.	
<b>Recommendation:</b>	<b>The Cabinet is requested to <u>NOTE</u> the contents of Report CAB/FH/18/031, being the report of the Overview and Scrutiny Committee.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/> Report for information only.	

<b>Consultation:</b>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>See Reports listed under background papers below</li> </ul>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
See Reports listed under background papers below			
<b>Wards affected:</b>		All Wards	
<b>Background papers:</b>		Please see background papers, which are listed at the end of the report.	
<b>Documents attached:</b>		None	

## **1. Key issues and reasons for recommendation**

### **1.1 Monitoring Community Safety Activities including Western Suffolk Community Safety Partnership (Report No: OAS/FH//18/010)**

- 1.1.1 It is the duty of the Committee, as the Council's Crime and Disorder Committee designated under the Police and Justice Act 2006, to scrutinise the work of the Partnership.
- 1.1.2 Over the past year the WSCSP continued to meet and discharge its statutory duties by carrying out an annual assessment of crime, producing an annual plan and carrying out Domestic Homicide Reviews, as required.
- 1.1.3 The Committee received and **noted** the update on the community safety activity in West Suffolk, including the Western Suffolk Community Safety Partnership (WSCSP) from April 2017 to March 2018.
- 1.1.4 In May 2017, the WSCSP completed and published its partnership plan and project plan for identified community priorities for 2017-2018, which was attached as Appendix A to the report.
- 1.1.5 The report also set out the work of the Strong and Safe Communities Group; the multi-agency Anti-Social Behaviour Group and Public Space Protection Orders.
- 1.1.6 During their discussions on this item, reference was made to Appendix A particularly in relation to the work being undertaken in relation to domestic abuse. To assist with the understanding of the nature of this issue, Members requested as to whether further quantitative data for the area of Forest Heath/St Edmundsbury could be provided to the Committee. Officers confirmed that they would enquire as to what level of data could be made available and would circulate this through to the Overview and Scrutiny Committee Members accordingly.
- 1.1.7 It was also noted that the Portfolio Holder for Families and Communities would be making their annual presentation on this portfolio to the meeting on 12 July 2018, where Members would also be able to ask questions of the Portfolio Holder. Therefore, thought should be given in advance of that meeting, of particular questions which Members would like to see specifically covered by the Portfolio Holder on the subject of domestic abuse.

### **1.2 Car Parking Update (Report No: OAS/FH/18/011)**

- 1.2.1 The Committee received and **noted** Report No: OAS/FH/18/011, which provided Members with an update of the car parking service across 2017, off-street parking outcomes and work priorities.
- 1.2.2 The report included information on transactions and usage, issue of fines, car park improvements (credit card enabled pay machines and RingGo cashless payments, electric charging points, Park Mark, Disabled Parking Accreditation and Vinery Road car park), planning for future car parking provision, Civic Parking Enforcement and future work streams.

- 1.2.3 The Committee asked a number of questions to which comprehensive responses were provided. Discussions were particularly held around the following areas:
- Concerns around the current car parking capacity within Brandon.
  - The results of the occupancy testing undertaken in Newmarket and the modelling of future car park capacity.
  - The consideration of introducing shorter term car parking in Newmarket (ie 30 minutes).
  - Preparation for the implementation of Civil Parking Enforcement, including the potential for vehicle displacement from on-street parking to the car parks in Newmarket.
  - The increase in the number of cars parking on grass verges in Newmarket.

1.2.4 The Town Council Manager from Newmarket Town Council had also taken the opportunity to address the Committee (under 'Public Participation') to make Members aware of the thoughts of the Town Council on car parking in Newmarket. The Town Council had also recently completed the Suffolk County Council questionnaire on parking policies and the Town Centre Manager also briefly informed the Committee of the comments which had been submitted by the Town Council.

1.3 **Review of Bury St Edmunds Christmas Fayre – Scoping Report (Report No: OAS/FH//18/012)**

1.3.1 The Committee received Report No: OAS/FH/18/012, which sought the establishment of a West Suffolk Joint Task and Finish Group to conduct a review into delivery of the Bury St Edmunds Christmas Fayre for 2019.

1.3.2 The Bury St Edmunds Christmas Fayre has been running since 2004. St Edmundsbury Borough Council organises the event and commits staff and resources to running it. It is currently run as a not-for-profit community event and attracts over 120,000 visitors to Bury St Edmunds over a four day period. As such, it was reported by the National Association of British Markets Authorities in 2015 to be in the top dozen Christmas Markets in the UK in terms of its size and economic contribution.

1.3.3 A formal review of the Fayre was last carried out in 2015 by a Task and Finish Group consisting of 6 members of St Edmundsbury Overview and Scrutiny Committee and concluded that "*St Edmundsbury Borough Council should commit to the Christmas Fayre for the remainder of the current administration*" (i.e. May 2019) and made a number of recommendations that have been, or are being implemented.

1.3.4 It was now proposed that a further review of the Christmas Fayre be carried by way of a West Suffolk Joint Task and Finish Group to look at:

- i) The current commitment to continue with the Fayre only runs until April 2019, so decisions are needed as to what should take place in winter 2019;



- ii) Planning for the Christmas Fayre starts in the preceding year. As such, a decision will need to be made in 2018 for the 2019 Fayre;
  - iii) If the event goes ahead as planned, the 2019 Christmas Fayre will be the first to be run by the new West Suffolk Council as opposed to St Edmundsbury Borough Council. For this reason, current members from across West Suffolk need to be involved in the decisions about the future of the Fayre; and
  - iv) The new anti-terrorist requirements for large scale events were not in place in 2015 when the previous review was carried out. These requirements have financial and other implications and it would be helpful to consider these alongside a wider review of the Fayre.
- 1.3.5 The Director updated the Committee of the discussions by St Edmundsbury Borough Council's Overview and Scrutiny Committee at their meeting which had been held on the previous evening. It was explained that discussion had been held as to the membership of the Task and Finish Group and the importance of ensuring that rural areas and other towns were represented. However, the precise extent of involvement of Forest Heath Members was also carefully considered, to balance the fact that the event had historically been led by St Edmundsbury, versus the benefits from Forest Heath Members giving a different perspective. Various options were discussed, including splitting the review into retrospective and forward looking elements; the former being considered by St Edmundsbury Members only and the latter being constituted by the Shadow Authority.
- 1.3.6 Therefore, to reflect the outcome of the discussion, St Edmundsbury Borough Council's Overview and Scrutiny Committee had **resolved that a Joint West Suffolk Task and Finish Group be established with six members from St Edmundsbury Borough Council's Overview and Scrutiny Committee and up to six members from Forest Heath District Council's Overview and Scrutiny Committee, to carry out a review of the Bury St Edmunds Christmas Fayre and to make recommendations for 2019.**
- 1.3.6 The FHDC Overview and Scrutiny Committee acknowledged the importance of the Christmas Fayre for Bury St Edmunds and the surrounding area and expressed their appreciation for having the opportunity to be involved in this review, particularly taking into account that the 2019 Christmas Fayre will be the first to be run by the new West Suffolk Council.
- 1.3.7 The Chairman expressed concerns to ensure that the size of the Task and Finish Group did not become too unwieldy and would not wish to see the size exceed to more than 10 Members, but did indicate that in terms of the FHDC representation on the Group, then he would wish to at least have Members who represented the towns of Brandon, Mildenhall and Newmarket.
- 1.3.5 The Committee considered the report in detail and asked a number of questions to which Officers duly responded and **RESOLVED that**
- 1. A Joint West Suffolk Task and Finish Group be established, with up to four Members from Forest Heath District Council's Overview**

**and Scrutiny Committee (Councillors David Palmer, Robert Nobbs, John Bloodworth and Christine Mason) and six Members from St Edmundsbury Borough Council's Overview and Scrutiny Committee, to carry out a review of the Bury St Edmunds Christmas Fayre and to make recommendations for 2019.**

**2. Final confirmation of the Members nominated to sit on the West Suffolk Task and Finish Group be delegated to the Chairmen of both St Edmundsbury Borough Council's and Forest Heath District Council's Overview and Scrutiny Committees.**

**1.4 Work Programme Update (Report No: OAS/FH/18/013)**

1.4.1 The Committee received and **noted** Report No: OAS/FH/18/013, which updated Members on the current status of its rolling work programme of items for scrutiny during 2018-2019 (Appendix 1).

1.4.2 It was also noted that at the meeting on 12 July 2018, along with the Annual Portfolio Holder presentation on Families and Communities (where it was again reiterated that thought should be given in advance of that meeting, of particular questions which Members would like to see specifically covered by the Portfolio Holder), there would also be a Families and Communities Evaluation Report, which will also give Members the opportunity to provide input and scrutiny on the monitoring information contained within this document.

**2. Background Papers**

2.1.1 Report No: [OAS/FH/18/010](#) and [Appendix A](#) to the Overview and Scrutiny Committee: Monitoring Community Safety Activities including Western Suffolk Community Safety Partnership

2.1.2 Report No: [OAS/FH/18/011](#) to the Overview and Scrutiny Committee: Car Parking Update

2.1.3 Report No: [OAS/FH/18/012](#) to the Overview and Scrutiny Committee: Review of Bury St Edmunds Christmas Fayre – Scoping Report

2.1.4 Report No: [OAS/FH/18/013](#) to the Overview and Scrutiny Committee: Work Programme Update

# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Annual Review and Appointment of the Cabinet's Working Group, Joint Committees/Panels and Other Groups</b>	
<b>Report No:</b>	<b>CAB/FH/18/032</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Portfolio holder:</b>	Councillor James Waters Leader of the Council <b>Tel:</b> 07771 621038 <b>Email:</b> <a href="mailto:james.waters@forest-heath.gov.uk">james.waters@forest-heath.gov.uk</a>	
<b>Lead officers:</b>	Leah Mickleborough Service Manager (Democratic Services) / Monitoring Officer <b>Tel:</b> 01284 757162 <b>Email:</b> <a href="mailto:leah.mickleborough@westsuffolk.gov.uk">leah.mickleborough@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>The Cabinet is requested to review the membership and Terms of Reference of its Working Group, Joint Committees/Panels and other Groups for the year 2018/2019.</p> <p>The existing Terms of Reference (ToR) for each body are contained in Appendices A to E inclusive.</p> <p>Recommendations are contained within appropriate Sections of this report and further summarised in the recommendations listed below.</p>	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u>:</b></p> <p><b><u>Current Cabinet Working Group: Forest Heath District Council Membership only</u></b></p> <p><b>(1) That:</b></p> <p><b>(a) The Local Plan Working Group continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix A to Report No: CAB/FH/18/032.</b></p>	

- (b) The future direction of the Local Plan Working Group, as outlined in Section 1.2.2 of Report No: CAB/FH/18/032, be noted.

**Current Joint Panels and Steering Group: Joint Membership with St Edmundsbury Borough Council**

- (2) That the Growth and Innovation Group continues to operate in accordance with its amended Terms of Reference contained in Appendix B to Report No: CAB/FH/18/032.
- (3) The Future Governance Steering Group continues to operate in accordance with its current Terms of Reference contained in Appendix C.
- (4) That:
- (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 to Report No: CAB/FH/18/032 respectively.
- (b) Periodical meetings of the Joint Panels continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.18.

**Joint Committees: Anglia Revenues and Benefits Partnership Joint Committee**

- (5) That:
- (a) The Portfolio Holder for Resources and Performance be re-appointed as the full Member and the Portfolio Holder for Operations and the Leader of the Council be re-appointed as the two substitute Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2018/2019.
- (b) The proposal to establish and appoint to a Joint Executive (Cabinet) Committee for consideration by Council at its Annual Meeting on 9 May 2018, be noted.
- (c) Should any future changes to membership of the bodies listed in (a) and (b) above be required during

**2018/2019, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nomination of the Leader of the Council.**

**Other Informal Working Groups**

**(6) That:**

**(a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2 of Report No: CAB/FH/18/032.**

**(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 2018/2019.**

**Joint Committees/Panels**

**(7) That:**

**(a) Forest Heath District Council's membership (including substitutes) of the Local Plan Working Group, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel, West Suffolk Joint Staff Consultative Panel, as set out in Table 1 of Appendices A, C, D and E respectively, be re-appointed for 2018/2019.**

**(b) Should any future changes to membership of the bodies listed in (1) above be required in the remainder of 2018/2019, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders.**

**(c) Such appointments be made on the basis of political balance requirements, where applicable and identified in Report No CAB/FH/18/032.**

**Political Balance and Appointment of Membership**

**(8) That:**

**(a) Forest Heath District Council's membership (including substitutes) of the Local Plan Working Group, Future Governance Steering Group, West**

	<p><b>Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel, as set out in Table 1 of Appendices A, C, D and E respectively, be re-appointed for 2018/2019.</b></p> <p><b>(b) Should any future changes to membership of the bodies listed in (a) above be required for the remainder of 2018/2019, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders.</b></p> <p><b>(c) Such appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/FH/18/032.</b></p> <p><b><u>Re-appointment of Representatives to Outside Bodies</u></b></p> <p><b>(8) The Members stated in Section 1.7.2 of Report No: CAB/FH/18/032 be re-appointed as 'Observers' to the respective outside bodies listed and to <u>NOTE</u> the Leader or ex-officio appointments to the project or partnership groups listed in Section 1.7.3.</b></p>
<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> 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><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>	
<p><b>Consultation:</b></p>	<ul style="list-style-type: none"> <li>• Consultation has been undertaken with the Portfolio Holders and other Cabinet Members.</li> </ul>
<p><b>Alternative option(s):</b></p>	<ul style="list-style-type: none"> <li>• Not to undertake a review. However it is considered sensible to review the purpose and remit of the Cabinet's Working Groups, Joint Committees/Panels and other Groups to ensure that they remain productive and in line with the Council's strategic priorities.</li> </ul>

<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets.</li> </ul>	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Sections 1.1.1 and 1.1.2 below</li> </ul>	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Opportunities for joint working are missed	Medium	Consider the creation of joint committees, panels and working parties wherever possible.	Low
Duplication of effort between member bodies	Medium	Carry out a review of 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 eg 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
<b>Ward(s) affected:</b>		All Wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		Extraordinary (Informal Joint) Cabinet: 30 May 2017 <a href="#">Report No: CAB/FH/17/026</a> – The Future of Local Government in West Suffolk  Extraordinary (Informal Joint) Cabinet: 9 January 2018 <a href="#">Report No: CAB/FH/18/005</a>	

	Annual Council: 9 May 2018 <a href="#">Report No: AGM/FH/18/002</a>
<b>Documents attached:</b>	Terms of Reference: <ul style="list-style-type: none"><li>• <b>Appendix A:</b> Local Plan Working Group</li><li>• <b>Appendix B:</b> Growth and Innovation Group</li><li>• <b>Appendix C:</b> Future Governance Steering Group</li><li>• <b>Appendix D:</b> West Suffolk Joint Health and Safety Panel</li><li>• <b>Appendix E:</b> West Suffolk Joint Staff Consultative Panel</li></ul>

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## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

1.1.1 Under Article 6 (The Cabinet) (paragraph 6.5.2) of the Council's Constitution, it states that:

*"The Cabinet may carry out its functions:*

*d. by delegating power to a joint committee, area committee or another local authority".*

1.1.2 Under Article 10 (Joint Arrangements and Working Groups) of the Council's Constitution, it states that:-

**"10.2 Joint Arrangements**

*10.2.3 ... the Cabinet may only appoint Cabinet Members to a joint committee and those Members need not reflect the political balance of the Council as a whole."*

**"10.3 Working Groups**

*10.3.1 The Council, Cabinet or Committees may appoint from time to time such working groups as they think fit, including joint working groups with St Edmundsbury Borough Council...."*

1.1.3 The following Working Group, Joint Committees/Panels and other Groups, either report to the Cabinet or exercise Executive functions:

(a) Exercise Executive functions on behalf of the Cabinet

- Anglia Revenues and Benefits Partnership Joint Committee
- Joint Executive (Cabinet) Committee

(b) Report to the Cabinet

- Local Plan Working Group
- Growth and Innovation Group
- Future Governance Steering Group
- West Suffolk Joint Health and Safety Panel
- West Suffolk Joint Staff Consultative Panel
- Other informal working groups (as detailed in Section 1.5 below)

1.1.4 The Cabinet is requested to review the membership and the terms of reference for its Working Group, Joint Committees/Panels and other Groups for the year 2018/2019 as set out below.

### **1.2 Current Cabinet Working Group: District Council Membership only**

1.2.1 The following Cabinet Working Group currently operates in accordance with Appendix attached as indicated in the table below:

<b>FHDC Working Group</b>	<b>Members</b>	<b>Terms of Reference and Membership</b>
Local Plan Working Group <i>(Membership appointed with regard to the political balance as set out in Section 1.6 below)</i>	9	Appendix A

1.2.2 As the Council's Local Plan is due for adoption in 2018, it is recommended that the Local Plan Working Group (LPWG) continues to remain in operation and meetings be arranged, if and when, substantive business dictates. Following adoption of the Local Plan it would then be the intention for the Working Group to be disbanded as its primary purpose would no longer be required.

1.2.4 It is **RECOMMENDED** that:

**(a) The Local Plan Working Group continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix A to Report No: CAB/FH/18/032.**

**(b) The future direction of the Local Plan Working Group, as outlined in Section 1.2.2, be noted.**

### 1.3 **Current Joint Panels and Steering Group: Joint Membership with St Edmundsbury Borough Council**

1.3.1 The following Joint Panels and Steering Group have been established with St Edmundsbury Borough Council. It should be noted that none of the following Panels/Groups' meetings are open to the public:

<b>Joint Panels and Steering Group</b>	<b>District Council Members</b>	<b>Substitutes</b>	<b>Terms of Reference</b>
Growth and Innovation Group	None defined	None defined	Appendix B
Future Governance Steering Group	3	1	Appendix C
West Suffolk Joint Health and Safety Panel	3	1	Appendix D
West Suffolk Joint Staff Consultative Panel	3	2	Appendix E

#### 1.3.2 **Growth and Innovation Group**

On 9 January 2018, the Cabinet approved new proposed draft Terms of Reference for a new joint 'Growth and Innovation Group', which had evolved from the former West Suffolk Joint Growth Steering Group (WSJGSG). The prime purpose of this Group is to develop and push thinking by considering other best practice and using personal insights to inform debate on issues relating to the West Suffolk Councils' Growth agenda. It is not a decision making body nor a duplicate of Cabinet

decision making. The Group will, through debate and discussion, inform Portfolio Holders' recommendations to Cabinet on strategy and policy, thus according more suitably to the revised Strategic Priorities contained in the new adopted West Suffolk Strategic Framework 2018-2020 (Council: 20 December 2017) and the West Suffolk Growth Investment Strategy (Council: 21 February 2018).

1.3.3 There is no defined membership of the Growth and Innovation Group, therefore, there is no requirement for the Group to have regard to the political balance of the Council. Agenda topics will be given to all Members, who may attend wherever the subject matter is of interest to them.

1.3.4 As was the case with the former WSJGSG, the relatively new Growth and Innovation Group is not a decision making body. However, unlike the WSJGSG, meetings are not to be open to the public. Where appropriate, Officers and the Portfolio Holders may, however, request that other stakeholders attend meetings. Issues under consideration will obviously become public when they reach a formal decision-making stage and be subject to all the normal transparency and scrutiny rules in the Constitution at this point.

1.3.5 Some aspects of the new Group's work may require the formation of sub-groups to assess detailed proposals with their own separate ToR.

In certain circumstances, such as when development plan documents require consideration that may inform the development of a new West Suffolk Local Plan, it may be more appropriate for such a sub-group to be constituted by the Cabinet and operate in a traditional committee format, with nominated Members, a Chairman, voting arrangements and operate to the Council's standard rules of debate.

1.3.6 In relation to the development of a new West Suffolk Local Plan, it should be noted that further discussions will be held with Portfolio Holders and Cabinet later in 2018 regarding engaging Members with the detail of its development.

1.3.7 The Terms of Reference are shown in Appendix B attached. Membership is not listed as there is no defined membership and no regard to the political balance.

1.3.8 As the Group is in the early stages of its inception, it has not yet met in its present form. However, a first meeting, including an insightful visit to a self and custom build development in a neighbouring district, will be held in Summer 2018.

1.3.9 It is **RECOMMENDED** that the Growth and Innovation Group continues to operate in accordance with its current Terms of Reference as detailed in Appendix B to Report No: CAB/FH/18/032.

#### 1.3.10 **Future Governance Steering Group**

On 30 May 2017, both Forest Heath District and St Edmundsbury Borough Councils' Cabinets approved the establishment and ToR for the Future

Governance Steering Group (Report No: [CAB/FH/17/026](#)) refers. Its principal remit was to assess the technical requirements involved in moving forward the proposals for the creation of a single council for West Suffolk, the business case for which as approved by both Forest Heath and St Edmundsbury Councils in September 2017.

- 1.3.11 It has been established that the FGSG has functioned extremely well since its inception and has undertaken the requirements and responsibilities set out in its original ToR to the letter.
- 1.3.12 As matters for creating a single council for West Suffolk are progressing rapidly with a view to the new Council being formed from April 2019, the role and remit of the FGSG has evolved to enable it to consider a wider range of technical issues to ensure the appropriate governance is in place for the new Council.
- 1.3.13 To facilitate this, on 9 January 2018, the FGSG's Terms of Reference were amended and approved and these and its current membership, are shown in Appendix C attached. Now it has a much wider remit, the workload for this informal Group is expected to increase considerably during the single Council transition period. Whilst non-decision making, the Group has an important role in working through the technical requirements of creating the single council. Meetings have therefore been arranged to reflect this increase in workload accordingly.
- 1.3.14 Similarly with the Growth and Innovation Group, whilst meetings of this Group are not open to the public, issues under consideration will be published when they reach a formal decision-making stage and be subject to all the normal transparency and scrutiny roles in the Constitution at this point.
- 1.3.15 It is **RECOMMENDED** that **the Future Governance Steering Group continues to operate in accordance with its current Terms of Reference contained in Appendix C.**
- 1.3.16 **West Suffolk Joint Health and Safety Panel and West Suffolk Joint Staff Consultative Panel**
- 1.3.17 It is suggested that the West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate to consider policy matters for recommending to Cabinet/Council for approval, in accordance with the remit of each Panel's ToR.
- 1.3.18 Where recommendations to Cabinet and/or Council are not required, the greater use of electronic means is exercised to keep Members informed of issues that would usually be noted by these Joint Panels. With greater emphasis now placed on Members' use of electronic devices, such information can be accessed more easily by e-mail, or within dedicated areas on the West Suffolk intranet. This practice has been exercised in previous years, however the importance of maintaining positive face-to-face engagement between employer (council) and employee (staff) representatives on both of these Panels is recognised.

1.3.19 It is therefore suggested that this arrangement continues to operate for 2017/2018. However, subject to the agreement of the relevant Chairman of each of the Joint Panels, this does not preclude Members suggesting that meetings be convened to discuss a specific topic that may arise from information provided electronically.

1.3.20 It is **RECOMMENDED** that:

**(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.**

**(b) Periodical meetings of the Joint Panels continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.18.**

#### 1.4 **Joint Committees**

1.4.1 To comply with the Constitution, the Council's Joint Committees exercise executive functions on behalf of the Cabinet. Forest Heath District Council's membership of the Joint Committees indicated in Section 1.4.2 below is therefore required to comprise Cabinet Members:

Joint Committee	FHDC Full Members	FHDC Substitutes
Anglia Revenues and Benefits Partnership Joint Committee	1	2
Joint Executive (Cabinet) Committee	7	0

#### 1.4.2 **Anglia Revenues and Benefits Partnership Joint Committee**

Following agreement in December 2015 by each of the seven Councils represented on the Partnership (Forest Heath District Council, St Edmundsbury Borough Council, Breckland Council, East Cambridgeshire District Council, Fenland District Council, Suffolk Coastal District Council and Waveney District Council), the Anglia Revenues and Benefits Partnership Joint Committee now comprises one Member and two Substitutes appointed from each of the partner Councils represented, with the option for one of the Substitutes to attend and take part in debate (but not vote).

1.4.3 This has since had a positive impact on the functionality of the Joint Committee.

#### 1.4.4 **Joint Executive (Cabinet) Committee**

At the Annual Meeting of Council on 9 May 2018, Council considered and approved a proposal to establish a Joint Executive Committee to comprise all current Members of Forest Heath District Council's (FHDC) and St Edmundsbury Borough Council (SEBC) Cabinets and will have executive decision making powers.

- 1.4.5 Report No: AGM/FH/18/002 explains that Members who have attended current FHDC/SEBC (Informal Joint) Cabinet meetings 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 had confirmed it was their intention to form a Joint Executive (Cabinet Committee) to make decisions that are currently made by their individual Cabinet meetings.
- 1.4.6 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.
- 1.4.7 Whilst it is within the gift of the Leaders to form such a joint committee, the necessary constitutional amendments require Council approval and these are contained in Appendix A to Report No: AGM/FH/18/002. 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.
- 1.4.8 Given this proposal, it is also considered sensible to re-assess the key decision making thresholds, which have not been revised from some significant time. As the two Cabinet meetings are coming together, Council considered a proposal to increase the threshold to £100,000 from the current £50,000 level as a way of not diluting the current key decision thresholds. Decisions below the £100,000 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.
- 1.4.9 As consideration of and the appointment to this Joint Executive (Cabinet) Committee has already been made by Annual Council on 9 May 2018, no decision is required by the Cabinet at this time. It should also be noted, that as this proposal will not be considered by the SEBC Council until 17 May 2018, it will not become effective until June 2018.
- 1.4.10 It is **RECOMMENDED** that:
- (a) The Portfolio Holder for Resources and Performance be re-appointed as the full Member and the Portfolio Holder for Operations and the Leader of the Council be re-appointed as the two substitute Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2018/2019.**
  - (b) The proposal to establish and appoint to a Joint Executive (Cabinet) Committee for consideration by Council at its Annual Meeting on 9 May 2018, be noted.**
  - (c) Should any future changes to membership of the bodies listed in (a) and (b) above be required during 2018/2019, the Service Manager (Democratic Services) be requested to exercise their**

**existing delegated authority to appoint on the nomination of the Leader of the Council.**

1.5. **Other Informal Working Groups**

1.5.1 The Cabinet also sets up from time to time informal Member/Officer Working Groups to consider specific issues usually on a task-and-finish basis and often as joint groups with St Edmundsbury Borough Council. These groups make recommendations directly to Cabinet or the appropriate Committee in the form of reports and it is proposed that the practice of setting up such informal groups to look at specific issues should continue as required, provided there are resources available to support them.

1.5.2 In relation to the groups currently operating, the situation for 2018/2019 is as follows:

- (a) **Joint Member Development Group:** This is a joint group with St Edmundsbury Borough Council which was established in December 2012 as an informal group to contribute to and support member development opportunities. It has met reasonably frequently in 2017/2018 and has recently considered the findings of the review undertaken by the Overview and Scrutiny Committee on implementing an effective member development programme, which included exploring alternative means of delivery to encourage greater engagement. **Retain.**

1.5.3 It is **RECOMMENDED** that:

- (a) **The Cabinet's existing informal Working Group be retained as indicated in Section 1.5.2.**
- (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 2018/2019.**

1.6 **Political Balance and Appointment of Membership**

1.6.1 The formula for the allocation of seats to the political groups of the Council was considered and approved at its Annual Meeting on 9 May 2018. Therefore the allocation of seats to the Local Plan Working Group has been calculated with regard to the political balance and that membership be re-appointed in accordance with Table 1 set out in Appendix A.

1.6.2 Although not required to have regard to the political balance, Table 1 contained in Appendices C to E to include the existing membership of each of these Joint Panels/Steering Group (Appendix B does not as it is proposed that the new Growth and Innovation Group does not have defined membership). It is proposed that the membership for each of these Panels/Groups be re-appointed.

1.6.3 Any future changes to membership of the Working Group/Joint Committees/Joint Panels/Steering Group, are suggested to be made under existing delegation, as reflected in the following recommendation.

1.6.4 It is **RECOMMENDED** that:

**(a) Forest Heath District Council's membership (including substitutes) of the Local Plan Working Group, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel, as set out in Table 1 of Appendices A, C, D and E respectively, be re-appointed for 2018/2019.**

**(b) Should any future changes to membership of the bodies listed in (a) above be required for the remainder of 2018/2019, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders.**

**(c) Such appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/FH/18/032.**

#### 1.7 **Re-appointment of representatives to outside bodies**

1.7.1 The Council is required by the Constitution at each Annual Meeting to:

- (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.

1.7.2 Council has delegated the appointment or re-appointment of 'Observers' to the Cabinet. The following Members are currently appointed by the District Council as 'Observers' to the following outside bodies:

- (a) Home of Horseracing Trust: Councillor Andy Drummond (*supported by Councillor Chris Barker*)
- (b) National Horseracing Museum: Councillor Andy Drummond (*supported by Councillor Chris Barker*)

1.7.3 The Leader, or a substitute appointed by the Leader, also represents the Cabinet on the informal partnership group which examines the 'One Public Estate' programme in West Suffolk (the West Suffolk Property Board). This is an ex-officio appointment, as the partnership arrangements require the Leaders of St Edmundsbury Borough Council and Forest Heath District Council to attend.



- 1.7.4 Cabinet is **RECOMMENDED** to re-appoint the Members stated in Section 1.7.2 above, as 'Observers' to the respective outside bodies listed and to **NOTE THE** Leader or ex-officio appointments to the project or partnership groups listed in Section 1.7.3.

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# Local Plan Working Group: Terms of Reference

## Terms of Reference

1. To consider the appropriate issues and to advise the Cabinet in relation to the Local Plan Review process, with the aim of producing an appropriate Local Plan (and related documentation).

## Membership

2. To comprise nine Members – politically balanced.

**Table 1: Membership as at 14 May 2018:**

<b>FHDC Local Plan Working Group (9)</b> (Politically balanced) (Named Substitute Members not appointed.)	
<b>Political Group</b>	<b>Full Member</b>
Conservative	Bowman, David
Conservative	Burt, Rona ( <i>Chairman</i> )
Conservative	Cole, Simon
Conservative	Lynch, Carol
Conservative	Marston, Louise
Conservative	Mason, Christine
Conservative	Millar, Robin ( <i>Vice-Chairman</i> )
West Suffolk Independent	Palmer, David
UKIP	Silvester, Reg

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# **Growth and Innovation Group: Terms of Reference**

Version approved by Cabinet: 9 January 2018

## **Purpose**

1. The prime purpose of the Growth and Innovation Group is to develop and push thinking by considering other best practice and using personal insights to inform debate on issues relating to the Councils' Growth agenda. It is not a decision making body nor a duplicate of Cabinet decision making. The Group will through debate and discussion inform Portfolio Holders' recommendations to both Cabinets on strategy and policy.
2. They may assist the Cabinets through:
  - Participating in strategic workshops and the development of new thinking on key growth issues which respond to Growth outcomes in the Strategic Plan and beyond.
  - Help shape the development of key strategies and policy documents which flow from the Strategic Plan such as the Investment and Housing Strategies as well as the emerging West Suffolk Local Plan.
  - Considering government consultations and assisting in developing potential responses to these.
  - Support the Councils' ambition in being trail blazing authorities in developing new and innovative ways to contribute to the Growth agenda.
  - Monitoring how the Councils and key stakeholders are delivering key growth priorities of the Councils.

## **Membership**

3. There is no defined membership of the Growth and Innovation Group. Agenda topics will be given to all members, who may attend wherever the subject matter is of interest to them. The following members would be expected to attend meetings on a regular basis:
  - FHDC and SEBC Portfolio Holders
  - SEBC's informal Assistant Portfolio Holders for Planning and Growth, and Leisure and Culture
  - FHDC and SEBC Chairmen and Vice-Chairmen of Development Control Committees
4. Members who wish to attend meetings are expected to be informed of the key issues at stake, through having read key strategy and policy documents in

advance of meetings, and undertaken necessary research or background reading (for example, through reading government white papers). Officers will assist members through providing links to key research materials in advance of meetings.

### **Facilitation**

5. Meetings shall be facilitated by the Portfolio Holders for Growth and lead officers for the subject area. The Portfolio Holder members will be responsible for steering the agenda for discussion at these meetings in consultation with the lead officers.

### **Decision Making**

6. The Growth Group is not a decision making body. Members are expected to express views, and be challenged on these. Robust discussions may take place in an atmosphere of mutual respect following "Chatham House" rules. Facilitators will be expected to draw conclusions from debate to facilitate Growth and Housing Portfolio Holders to take appropriate recommendations back to the Cabinets. Growth Group members should be aware that Cabinet may not draw the same conclusions as the Growth Group on matters under consideration.
7. Formal minutes of Growth Group meetings will not normally be taken. Officers will capture key actions and conclusions from debates.

### **Confidentiality**

8. As a non-decision making, forming Group, meetings shall not be open to the public. Where appropriate, officers and the Portfolio Holders may request that other stakeholders attend meetings.
9. Wherever matters under discussion are confidential, officers will endeavour to make this clear to members and similarly, members will be expected to maintain the confidentiality of the discussions that take place in line with the Code of Conduct for members.
10. Issues under consideration will obviously become public when they reach a formal decision-making stage, and be subject to all the normal transparency and scrutiny rules in the Constitutions at this point.

### **Quorum**

11. As an informal, confidential non-decision making body with no defined membership, there is no defined quorum as such; however, a minimum of three members from each authority will be its recognised quorum.

### **Sub-Groups**

12. Some aspects of the Group's work may require the formation of sub-groups to assess detailed proposals. It is expected that members of both Cabinets should be briefed by the Portfolio Holders on the purpose of any sub-group and terms of reference, which will require both Cabinets' endorsement and approval.

13. In certain circumstances, such as when consideration of development plan documents are required, it may be more appropriate for the sub-group to operate in traditional committee format, with nominated members, a chair, voting arrangements and operate to the standard Councils' rules of debate. Such sub-groups shall be formally constituted by the Cabinets.

### **Review**

14. As a Group appointed by the Cabinets, its role, remit and responsibilities will be subject to annual review at the Cabinets' first meeting of each municipal year as part of the composite review of all Cabinet Working Parties, Panels and Other Groups. Such reviews, which are subject to Cabinet approval, assess whether each body remains fit-for-purpose and whether they should continue to operate in their current or a revised form. Interim reviews may be undertaken at any other time of year as the Cabinets see fit.

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# Future Governance Steering Group: Terms of Reference

## Objective

1. To advise and support the Leaders of Forest Heath District Council and St Edmundsbury Borough Council on the arrangements being implemented to support the creation of a single Council for West Suffolk

## Terms of Reference

- To advise on recommendations Councils should make to the Secretary of State and / or Local Government Boundary Commission for England on the technical requirements for new future governance arrangements
- To oversee the development of an implementation plan to support the creation of a single Council, and monitor the delivery of the implementation plan
- To support the principles in developing new governance and decision making structures (the constitutional detail being reserved to the Joint Constitution Working Group to resolve)
- To make recommendations to the Leaders of the Councils accordingly

## Powers

3. The Technical Steering Group's role is advisory and thus will not have any delegated decision making responsibility.

## Membership

4. Membership shall be comprised of 6 members, three to be nominated by the Leader of each Council. The following members (unless otherwise appointed to the Group) shall be invited to each meeting as observers, and whilst they shall not take part in any formal voting at the group, they will be provided copies of papers presented to each meeting and be allowed to participate in group debates at the discretion of the Chairman:

- The Chairmen of the Overview and Scrutiny Committees of each Council; (or their Vice-Chairmen where they are unable to attend)
  - The Leaders of each recognised minority group (or their notified Deputies where they are unable to attend)
  - Members of each Cabinet
5. The Leader of each Council may also appoint one named substitute member of the Committee.

### **Chairman and Vice-Chairman**

6. The Chairman and Vice-Chairman shall be elected at the first meeting of the Group by a majority vote of the group members. Where the Chairman is a member of one Council, the Vice-Chairman shall be a member of the other Council. They shall hold office for a period of 6 months, and except where the members of the Group agree, the Vice-Chairman shall usually be expected to become the Chairman of the Group 6 months after his nomination as Vice-Chairman, the purpose being that each Council shall take it in turn to Chair the Group.

### **Quorum**

7. The quorum level for the Group shall be 3, to include at least 1 member from each Council.

### **Access to Information**

8. As a non-decision making body, the normal Access to Information Rules do not apply to the working group.
9. Officers should endeavour to make clear to members of the Group where matters under discussion are confidential, and should be treated by members privy to the information as such.

### **Frequency**

10. Meetings will be scheduled according to the demands of the work programme and decision making framework. It should be expected that this will require meetings on at least a monthly basis.

Version approved by Cabinet: 9 January 2018

**Table 1: Membership as at 14 May 2018:**

<p><b>Future Governance Steering Group (6)</b> (Group established 30 May 2017)</p> <p>(Not politically balanced) (To make recommendations to the Leaders of FHDC and SEBC)          (The following Members to be invited to meetings as observers:</p> <ul style="list-style-type: none"> <li>- The Chairmen of both FHDC and SEBC Overview and Scrutiny Committees (or Vice-Chairmen in their absence</li> <li>- The Leaders of each recognised minority group (or notified Deputies in their absence</li> <li>- Members of both FHDC and SEBC Cabinets)</li> </ul> <p>(Chairman/Vice-Chairman to alternate between each authority after a period of office of six months, after which the Vice-Chairman will become Chairman and vice-versa, or by other arrangements, as agreed by the Group)</p>		
<b>FHDC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Bowman, Ruth <i>(Vice-Chairman)</i>	Burt, Rona
Conservative	Busuttil, Louis	
Conservative	Harvey, Brian	
<b>SEBC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Bull, Carol <i>(Chairman)</i>	Fox, Paula
Conservative	Roach, David	
Conservative	Thorndyke, Jim	

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# West Suffolk Joint Health and Safety Panel: Terms of Reference

## 1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC).
- 1.2 The Panel will consider both authorities' health and safety arrangements and provide guidance to support the development of executive action by officers of both authorities, including policy guidance.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding of health and safety matters.
- 1.4 To make recommendations to the Cabinets and/or officers of both authorities about policies and actions required to develop and maintain effective health and safety arrangements.

## 2. Constitution

- 2.1 The West Suffolk Joint Health and Safety Panel shall comprise 12 Members. Three Councillors from both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC), to be the 'employers' side'. Six members of staff from across the two authorities to be the 'employees' side', drawn from the officer Joint Health and Safety Group.
- 2.2 A substitute Member from each authority on the employer's side and two substitutes from the employees' side to provide a total of six full members and two substitute members on each 'side' shall be permitted.
- 2.3 It shall be the Health and Safety Manager's duty to attend and advise the Panel.
- 2.4 The Panel shall appoint a Chairman from the Employer's Side and a Vice-Chairman from the Employees' Side. When the Chairman is a Member of one side of the Panel, the Vice-Chairman shall be a Member of the other side.

2.5 The Panel may invite attendance of any person whose particular knowledge or experience may assist the Panel in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration.

### **3. Terms of Reference**

3.1 The Panel shall keep under review all matters relating to the health, safety and welfare of the Councils' employees, and to the protection of other persons against risks arising out of the work activities of the employees and of persons working under contract.

3.2 To review and monitor the Joint Health and Safety Policy and recommend amendments to the Officers and/or Cabinet of both authorities in accordance with their respective schemes of delegation. Specifically, the Panel will work directly with the Health and Safety Manager to review and implement revisions to the operational instructions and annexes contained in Part 5 of the Policy ("Arrangements") under his/her delegated authority to make such changes.

3.3 Without prejudice to the foregoing terms, items for particular consideration may include:-

- (a) the study of accidents and diseases, and in particular those notifiable to the Health and Safety Executive;
- (b) considering and making recommendations in respect of items submitted by the staff Joint Health and Safety Group;
- (c) consideration of reports and information from the Inspectors of the Health and Safety Executive;
- (d) consideration of reports submitted by Safety Representatives;
- (e) the development of safety procedures and safe systems of work;
- (f) recommending and monitoring the effectiveness of employee safety training;
- (g) the presentation of publicity on safety matters; and
- (h) inspecting or arranging for an inspection of any particular area or activity.

#### 4. Arrangements and Procedures

- 4.1 Meetings shall normally be held three times a year but, exceptionally, the Chairman may decide, after consultation with the Health and Safety Manager, to convene an extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact. Meetings to alternate between a venue in SEBC and FHDC or as agreed by the Panel.
- 4.2 Agendas shall be prepared by the Democratic Services Section, after discussion with the Health and Safety Manager, and shall be made available at least five days before the meeting.
- 4.3 The quorum for the Joint Health and Safety Panel shall be four, comprising at least two employee representatives, and two Members, one from each authority.
- 4.4 Voting shall be by a show of hands and simple majority.
- 4.5 The report from the Joint Health and Safety Panel to the respective Cabinets shall be by way of presentation of the minutes or in a format agreed by the Cabinet.

Version approved by Cabinet: 9 January 2018

**Table 1: Membership as at 14 May 2018:**

<b>West Suffolk Joint Health and Safety Panel (6)</b> (Employee's side) (Not politically balanced.)		
<b>FHDC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Barker, Chris	Roman, Nigel
Conservative	Burt, Rona	
UKIP	Ridgwell, Peter	
<b>SEBC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Chung, Patrick <i>(Vice-Chairman)</i>	VACANCY
Conservative	Warby, Frank	
Charter	VACANCY	

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# West Suffolk Joint Staff Consultative Panel: Terms of Reference

## 1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC). The definition of 'staff' includes all groups of employees covered by the National Joint Council for Local Government Services.
- 1.2 The Panel will consider both authorities' staffing arrangements and provide a regular forum to secure the largest measure of agreement between the Councils as employers and Trade Union employees regarding matters directly affecting employment by the Councils.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding on staffing matters.
- 1.4 To make recommendations to the Cabinets of both authorities about policies and actions required to develop and maintain effective employee/employer arrangements.

## 2. Constitution

- 2.1 The Joint Staff Consultative Panel shall comprise 12 Members. Three Councillors from both FHDC and SEBC, which desirably reflects the political balance of each Council, to be the 'employers' side.
- 2.2 Six members of staff from across the two authorities to be the 'employees' side', nominated by the Trade Unions recognised by the Authorities in accordance with the formula set out below:-
  - (a) employee representatives appointed by each of the Trade Unions recognised by the authorities should be on a proportional basis to the total number of employees within the individual union compared to the total Trade Union membership; and
  - (b) each Trade Union recognised by the Authority shall have a minimum of one seat.

- 2.3 The Trade Unions recognised by the Authorities shall represent all Council employees. This will include raising issues on behalf of non-Trade Union members, should they be requested.
- 2.4 In the event of any failure to appoint/elect the number of representatives provided for by this Constitution, such failure to appoint/elect shall not invalidate the decisions of the Panel.
- 2.5 Two substitute Members shall be permitted from each authority on the 'employer's side' and four substitutes shall be permitted from the 'employees' side' to provide a total of 6 full Members and 4 substitute Members on each 'side'.
- 2.6 It shall be the duty of a senior Human Resource Officer to attend and advise the Panel.
- 2.7 The Panel shall elect a Chairman and Vice-Chairman from its members. When the Chairman is a Member of one side of the Panel, the Vice-Chairman shall be a Member of the other side. The Chairman of the Panel shall be rotated on an annual basis between the Employees' and Employers' side. The Chairman of the meeting shall not have a casting vote.
- 2.8 The Panel may invite attendance by any person whose particular knowledge or experience may assist the Panel in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration. In addition, the Employee side may arrange for the attendance of a Trade Union official at any meeting of the Panel, subject to the prior agreement of the Chairman and Vice Chairman.

### **3. Terms of Reference**

- 3.1 To establish and maintain methods of negotiation and consultation, to consult on matters affecting the employment of all groups of employees of the Councils, with a genuine commitment to seek consensus and enter into agreements, as appropriate.
- 3.2 These matters may include such subjects as:-
- (a) application or implementation of National Agreements;
  - (b) application or implementation of Local Agreements or local conditions of service;
  - (c) productivity or performance arrangements;
  - (d) issues referred to the Panel by the Trade Unions as provided for by the formal 'Consultation Procedures' (Employment Restructuring & Redundancy);
  - (e) working conditions;

- (f) welfare and health of employees;
  - (g) personnel procedures including recruitment, sickness, discipline and handling of grievances and redundancies;
  - (h) training & development of employees;
  - (i) equality issues; and
  - (j) any issue referred to the Joint Staff Consultative Panel by the Cabinets.
- 3.3 Issues affecting individuals (e.g. pay, discipline) are excluded from consideration unless they represent matters of principle which are of general application to employees.

#### **4. Authority of the Panel**

- 4.1 Decisions of the Joint Staff Consultative Panel shall be in accordance with the voting arrangements set out in paragraph 5.4 below and shall be subject to the approval of the Cabinets, as provided for by the Councils' Schemes of Delegation.

#### **5. Arrangements and Procedures**

- 5.1 Meetings shall normally be held quarterly but, exceptionally, the Chairman may decide, after consultation with a Senior Human Resources Officer to convene an extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact. Meetings to alternate between a venue in SEBC and FHDC or as agreed by the Panel.
- 5.2 Agendas shall be prepared by the appropriate Committee Services Section, after discussion with a Senior Human Resources Officer, Chairman and Vice Chairman, and shall be circulated at least five working days before the meeting.
- 5.3 The quorum for the Joint Staff Consultative Panel shall be four, comprising at least two Employee representatives and two Members, one from each authority.
- 5.4 Voting shall be by a show of hands and simple majority. No motion shall be regarded as carried unless it has been approved by a majority of Employer representatives and a majority of Employee representatives present and voting.
- 5.5 The report from the Joint Staff Consultative Panel to the respective Cabinets shall be by way of presentation of the minutes/draft minutes or by way of a brief report in a format agreed by the Cabinet.

5.6 If the Panel is unable to agree and no local settlement can be achieved, the matter may be referred by either side to the Cabinets.

Version approved by Cabinet: 9 January 2018

**Table 1: Membership as at 14 May 2018:**

<b>West Suffolk Joint Staff Consultative Panel (6)</b> (Employer's side) (Not politically balanced but is desirable.)		
<b>FHDC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Bowman, Ruth <i>(Vice-Chairman)</i>	Harvey, Brian
Conservative	Burt, Rona	Lynch, Carol
Conservative	Edwards, Stephen	
<b>SEBC</b>		
<b>Political Group</b>	<b>Full Member</b>	<b>Substitute Members</b>
Conservative	Springett, Clive	Hopfensperger, Beccy
Conservative	Warby, Patsy	Bull, Carol
Charter	VACANCY	



# Forest Heath District Council

**Report No: CAB/FH/18/033**

## **Decisions Plan**

### **Key Decisions and other executive decisions to be considered**

**Date: 1 May 2018 to 31 May 2018**

**Publication Date: 16 April 2018**

The following plan shows both the key decisions and other decisions/matters taken in private, that the Cabinet, Joint Committees or Officers under delegated authority, are intending to take up to 31 May 2018. This table is updated on a monthly rolling basis and provides at least 28 clear days' notice of the consideration of any key decisions and of the taking of any items in private. This Plan also includes Cabinet decisions expected beyond 31 May 2018.

Executive decisions are taken at public meetings of the Cabinet and by other bodies provided with executive decision-making powers. Some decisions and items may be taken in private during the parts of the meeting at which the public may be excluded, when it is likely that confidential or exempt information may be disclosed. This is indicated on the relevant meeting agenda and in the '*Reason for taking the item in private*' column relevant to each item detailed on the plan.

Members of the public may wish to:

- make enquiries in respect of any of the intended decisions listed below;
- receive copies of any of the documents in the public domain listed below;
- receive copies of any other documents in the public domain relevant to those matters listed below which may be submitted to the decision taker; or
- make representations in relation to why meetings to consider the listed items intended for consideration in private should be open to the public.

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format [firstname.surname@westsuffolk.gov.uk](mailto:firstname.surname@westsuffolk.gov.uk) or via Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date</b>  <b>(see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
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<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
15/05/18 <i>(Deferred from 03/04/18)</i>	<b>Investing in the Council's Commercial Asset Portfolio</b>  In line with the Council's West Suffolk Growth Investment Strategy, the Cabinet will be asked to consider a potential acquisition to the Council's commercial asset portfolio.	Paragraph 3	(R) - Council 13/06/18	Cabinet/ Council	James Waters Leader of the Council 07771 621038	Julie Baird Assistant Director (Growth) 01284 757613	All Wards	Report to Cabinet, with recommendations to Council
15/05/18	<b>Mildenhall Hub</b>  Following procurement and further design, the Cabinet will be provided with an update and will be asked to sign-off the final capital and revenue budgets for the Mildenhall Hub project before delivery begins.	Not applicable	(R) - Council 13/06/18 (as appropriate)	Cabinet/ Council	James Waters Leader of the Council 07771 621038	Alex Wilson Director 01284 757695	All Wards, but principally Mildenhall and the surrounding areas	Report to Cabinet, with recommendations to Council
15/05/18	<b>National Horseracing Museum</b>  To consider any recommendations from the Overview and Scrutiny	Not applicable	(R) - Council 13/06/18 (as appropriate)	Cabinet/ Council (as appropriate)	Andy Drummond Leisure and Culture 01638 666888	Alex Wilson Director 01284 757695	All Wards	Recommendations from the Overview and Scrutiny Committee to Cabinet/

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	Committee on the routine post implementation scrutiny review of the Council's involvement in the Home of Horseracing project and on the review of the Museum's future plans and how the Council can assist in their delivery as a partner.							Council, as appropriate.
22/05/18 <i>(Joint meeting with SEBC Cabinet)</i>	<p><b>Custom and Self Build Interim Policy Statement</b></p> <p>The Cabinet will be asked to agree an Interim Policy Statement which will be used to assess whether or not an application for self/custom build should be granted planning permission and how the West Suffolk Councils (Forest Heath and St Edmundsbury) plan to meet the self/custom build demand in West Suffolk.</p>	Not applicable	(D)	Cabinet	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613  Simon Phelan Service Manager (Strategic Housing) 01638 719440	All Wards	Report to Cabinet, including Interim Policy Statement



<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
22/05/18  <i>(Joint meeting with SEBC Cabinet)</i>	<b>Building Control Resourcing and Development Plan</b>  To provide the Cabinet with an overview of the Development Plan for the Building Control Service. As part of this, it has been identified for the need to increase resources within the Team to provide both capacity and resilience. Therefore, the Cabinet is being asked for the authority to increase the permanent establishment of the service.	Not applicable	(KD)	Cabinet	Lance Stanbury Planning and Growth 07970 947704	David Collinson Assistant Director (Planning & Regulatory) 01284 757306	All Wards	Report to Cabinet
22/05/18	<b>Annual Review of Cabinet's Working Group, Joint Committees/Panels and Other Groups</b>  The Cabinet will be asked to consider an annual review of its Working Group, Joint Committees/Panels and other Groups.	Not applicable	(D)	Cabinet	James Waters Leader of the Council 07771 621038	Leah Mickleborough Service Manager (Democratic Services)/ Monitoring Officer 01284 757162	All Wards	Report to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
26/06/18  <i>(Joint meeting with SEBC Cabinet)</i>	<p><b>West Suffolk Growth Investment Strategy - Energy Framework</b></p> <p>Within the West Suffolk Growth Investment Strategy, which was adopted in February 2018, reference was made to a number of opportunities linked to energy and recognised "<i>there is great scope to invest in energy and infrastructure to not only get an economic and financial return, but social benefits too.</i>"</p> <p>The proposed Energy Framework provides detail around that ambition and set out the policy context for investing in energy and within the local context for West Suffolk.</p> <p>The proposed Energy Framework provides detail around that ambition and set out the policy context</p>	Not applicable	(D)	Cabinet	Lance Stanbury Planning and Growth 07970 947704	David Collinson Assistant Director (Planning & Regulatory) 01284 757306	All Wards	Report to Cabinet, including Energy Framework

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	for investing in energy and within the local context for West Suffolk.							
26/06/18  <i>(Deferred from 03/04/18)</i>  <i>(Joint meeting with SEBC Cabinet)</i>	<p><b>Review of West Suffolk's Homelessness Strategy</b></p> <p>The Homelessness Act 2002 requires all councils to review and produce a new Homelessness Strategy at least every five years. A review of the existing Strategy is due in 2018.</p> <p>In addition to this, the Homelessness Reduction Act 2017 comes into force in April 2018 and there are a number of fundamental changes to legislation and additional duties that will need to be reflected in a new Homelessness Strategy for West Suffolk.</p> <p>The draft Strategy will have previously been</p>	Not applicable	(D)	Cabinet	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report to Cabinet with draft policy, overview of the existing Homelessness Strategy review and results of the consultation

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	considered by the FHDC and SEBC Overview and Scrutiny Committees.							
26/06/18  <i>(Joint meeting with SEBC Cabinet)</i>	<b>West Suffolk Annual Report 2017/2018</b>  Following scrutiny by the Overview and Scrutiny Committee, the Cabinet will be asked to consider the West Suffolk Annual Report 2017/2018, which has been jointly produced with St Edmundsbury Borough Council.	Not applicable	(D)	Cabinet	James Waters Leader of the Council 07771 621038	Davina Howes Assistant Director (Families and Communities) 01284 757070	All Wards	Report to Cabinet.
24/07/18	<b>Revenues Collection and Performance Write-Offs</b>  The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 07904 389982	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet, with exempt Appendices

<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date</b>  <b>(see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
04/09/18 <i>(Deferred from 26/06/18)</i>  <i>(Joint meeting with SEBC Cabinet)</i>	<b>West Suffolk Joint Affordable Housing Supplementary Planning Document (SPD)</b>  The Affordable Housing Supplementary Planning Document (SPD) provides additional guidance to Core Strategy Policies CS5 (St Edmundsbury Borough Council) and CS9 (Forest Heath District Council) 'Affordable Housing' to ensure that applicants and developers have a clear understanding of affordable housing requirements when considering the submission of a planning application. The Cabinet will be asked to recommend to Council approval of this SPD.	Not applicable	(R) - Council 26/09/18	Cabinet/ Council	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613  Simon Phelan Service Manager (Strategic Housing) 01638 719440	All Wards	Report to Cabinet, including Supplementary Planning Document
04/09/18 <i>(Deferred from</i>	<b>Housing Ten Unit Threshold</b>  The Cabinet will be asked	Not applicable	(D)	Cabinet	Sara Mildmay-White West Suffolk Lead for Housing	Julie Baird Assistant Director (Growth) 01283 757613	All Wards	Report to Cabinet

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
22/05/18  <i>(Joint meeting with SEBC Cabinet)</i>	to approve reverting back to applying approved affordable housing policies CS5 (St Edmundsbury Borough Council) and CS9 (Forest Heath District Council) (as applicable) in relation to developments of less than ten units and not applying the written Ministerial Statement which removes the requirement to provide any affordable housing on developments of less than ten units.				01359 270580	Simon Phelan Strategic Manager (Strategic Housing) 01638 719440		
02/10/18  <i>(Joint meeting with SEBC Cabinet)</i>	<b>Asset Management Strategy and Asset Management Plan</b>  The Cabinet will be asked to consider the recommendations of the Overview and Scrutiny Committee regarding the adoption of a new Asset Management Strategy and associated Asset Management Plan, which	Possible Exempt Appendices: Paragraph 3	(R) - Council 31/10/18	Cabinet/ Council	Lance Stanbury Planning and Growth 07970 947704	Julie Baird Assistant Director (Growth) 01284 757613	All Wards	Recommendations of the Overview and Scrutiny Committee to Cabinet and Council with the possibility of Exempt Appendices.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
	has been produced jointly with St Edmundsbury Borough Council.							
02/10/18  <i>(Deferred from 26/06/18)</i>  <i>(Joint meeting with SEBC Cabinet)</i>	<p><b>Review of the West Suffolk Housing Strategy</b></p> <p>The West Suffolk Housing Strategy is due to be reviewed in 2018. Through the review of the Housing Strategy, there will be the opportunity to reflect priorities, actions and projects set out in the recently adopted Strategic Plan 2018-2020. Furthermore, there are a number of additional changes to housing legislation that will be reflected in the Housing Strategy.</p> <p>The draft Strategy will have previously been considered by the FHDC and SEBC Overview and Scrutiny Committees.</p>	Not applicable	(R) - Council 31/10/18	Cabinet/ Council	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Davina Howes Assistant Director (Families and Communities) 01284 757070 David Collinson Assistant Director (Planning and Growth) 01284 757306	All Wards	Report to Cabinet with draft Strategy, overview of existing Housing Strategy review and results of consultation

<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date</b>  <b>(see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
02/10/18 <i>(Deferred from 26/06/18)</i>  <i>(Joint meeting with SEBC Cabinet)</i>	<b>West Suffolk Joint Tenancy Strategy</b>  The Localism Act (2011) introduced a duty for local authorities to produce a Tenancy Strategy. The Cabinet will be asked to consider a Strategy which outlines both the West Suffolk Councils' (Forest Heath and St Edmundsbury) and Registered Providers' approach to issues which affect tenants living in West Suffolk, including the management and allocation of affordable housing.	Not applicable	(D)	Cabinet	Sara Mildmay-White West Suffolk Lead for Housing 01359 270580	Julie Baird Assistant Director (Growth) 01284 757613  Simon Phelan Service Manager (Strategic Housing) 01638 719440	All Wards	Report to Cabinet, including Tenancy Strategy
06/11/18	<b>Revenues Collection and Performance Write-Offs</b>  The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 07904 389982	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet



<b>Expected Decision Date</b>	<b>Subject and Purpose of Decision</b>	<b>Reason for taking item in private (see Note 1 for relevant exempt paragraphs)</b>	<b>Decision (D), Key Decision (KD) or Rec (R) to Council on date  (see Note 2 for Key Decision definitions)</b>	<b>Decision Taker (see Note 3 for membership)</b>	<b>Portfolio Holder Contact Details</b>	<b>Lead Officer Contact Details</b>	<b>Wards Affected</b>	<b>Documents to be submitted</b>
11/12/18 <i>(Deferred from 22/05/18)</i>  <i>(Joint meeting with SEBC Cabinet)</i>	<b>Street Vending and Trading Policy</b>  The Cabinet will be asked to consider a revised street vending and trading policy. Consultation will take place with the Licensing and Regulatory Committee on the proposed content of the policy.	Not applicable	(D)	Cabinet	Lance Stanbury Planning and Growth 07970 947704	Peter Gudde Service Manager (Environment and Regulation) 01284 757042	All Wards	Report to Cabinet with revised policy
12/03/19	<b>Revenues Collection and Performance Write-Offs</b>  The Cabinet will be asked to consider writing-off outstanding debts detailed in the exempt Appendices.	Paragraphs 1 and 2	(KD)	Cabinet	Stephen Edwards Resources and Performance 07904 389982	Rachael Mann Assistant Director (Resources and Performance) 01638 719245	All Wards	Report to Cabinet

**NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS**

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

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

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

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

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

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

**NOTE 2: KEY DECISION DEFINITIONS**

Key decisions are:

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

**NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS**

**(a) Membership of the Cabinet and their Portfolios:**

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

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

<b>Full Breckland Cabinet Member</b>	<b>Full East Cambridgeshire District Council Cabinet Member</b>	<b>Full Fenland District Council Cabinet Member</b>	<b>Full Forest Heath District Council Cabinet Member</b>	<b>Full Suffolk Coastal District Council Cabinet Member</b>	<b>Full St Edmundsbury Borough Council Cabinet Member</b>	<b>Full Waveney District Council Cabinet Member</b>
Cllr Paul Classen	Cllr David Ambrose-Smith	Cllr Chris Seaton	Cllr Stephen Edwards	Cllr Richard Kerry (Chairman)	Cllr Ian Houlder	Cllr Bruce Provan (Vice Chairman)
<b>Substitute Breckland Cabinet Members</b>	<b>Substitute East Cambridgeshire District Council Cabinet Members</b>	<b>Substitute Fenland District Council Cabinet Members</b>	<b>Substitute Forest Heath District Council Cabinet Members</b>	<b>Substitute Suffolk Coastal District Council Cabinet Members</b>	<b>Substitute St Edmundsbury Borough Council Cabinet Members</b>	<b>Substitute Waveney District Council Cabinet Members</b>
Cllr Sam Chapman-Allen	Cllr Lis Every	Cllr John Clark	Cllr James Waters	Cllr Stuart Lawson	Cllr Sara Mildmay-White	Cllr Mark Bee
Cllr William Nunn	Cllr Julia Huffer	Cllr Will Sutton	Cllr David Bowman	Cllr Ray Herring	Cllr Robert Everitt	Cllr Chris Punt

Leah Mickleborough  
 Service Manager (Democratic Services)/Monitoring Officer  
 Date: 16 April 2018

# (Informal Joint) Cabinet



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Solar for Business – Participation of Members and Officers</b>	
<b>Report No:</b>	<b>CAB/FH/18/034</b>	
<b>Report to and date:</b>	<b>FHDC/SEBC (Informal Joint) Cabinets</b>	22 May 2018
<b>Portfolio holder:</b>	Councillor Lance Stanbury Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: <a href="mailto:lance.stanbury@forest-heath.gov.uk">lance.stanbury@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Peter Gudde Service Manager (Environmental Health) <b>Tel:</b> 01284 757042 <b>Email:</b> <a href="mailto:peter.gudde@westsuffolk.gov.uk">peter.gudde@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>Where an Officer or Member has a strong interest in any application for approval by the Council, the appropriate level of probity is ensured by requiring that the application be considered in public by the relevant committee.</p> <p>This report follows a request from Councillor Andy Drummond for his business to receive solar power through the Council’s Solar for Business Scheme at the tariff offered to other participants. Cabinet is the appropriate committee to consider this request.</p>	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that Cabinet gives consent for Councillor Andy Drummond to receive the discounted energy sales in accordance with the provisions of the Solar for Business Scheme.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> 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"/>	
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i>		

<b>Consultation:</b>	The Leader of Forest Heath District Council, the Monitoring Officer of Forest Heath District Council		
<b>Alternative option(s):</b>	Not giving consent to councillors of the council to participate in the Solar for Business Scheme.		
<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • As set out in this report, the scheme undertakes eligibility and due diligence checks on all prospective participants to establish their commercial probity and that the scheme meets the rates of return for the council prior to the council investing in a specific scheme.		
Are there any <b>staffing</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>ICT</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>legal and/or policy</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> In the interests of probity no councillor can use their official position to gain unfair financial advantage. A declaration and consent process is in place to ensure that this ensured.		
Are there any <b>equality</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  The Solar for Business Scheme has been designed with small and medium sized enterprises in mind. Not allowing an eligible business to participate in the scheme could be considered against the spirit of the scheme and lead to a challenge of unfairness.		
<b>Risk/opportunity assessment:</b>			
<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
<b>Risk area [may change to be linked to the decisions]</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
The Council not applying the appropriate public probity in respect of members gaining unfair advantage through their office	Medium	Ensure robust eligibility and due diligence processes are applied to all potential participants in the Solar for Business scheme.	Low
<b>Ward(s) affected:</b>		All Wards	

<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	<a href="#">Report No: CAB/FH/14/010</a> Developing a Community Energy Plan: Cabinet: 9 December 2014
<b>Documents attached:</b>	<b>Appendix 1</b> – Eligibility and Due Diligence Criteria. <b>Appendix 2</b> - Financial Assessment Process of Participants

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## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

- 1.1.1 In December 2014, Forest Heath District Council and St Edmundsbury Borough Council approved the implementation of the West Suffolk Community Energy Plan. The decision set out a shared aim for all in West Suffolk to be able to make sustainable energy choices, reduce the impact of energy cost volatility and move from fossil fuels. Based on the opportunities available to develop energy efficiency and renewable energy generation, an "invest to generate income" programme was established.
- 1.1.2 One of the schemes developed was the West Suffolk Solar for Business service which was launched in June 2015. The scheme is marketed to organisations across West Suffolk which, following assessment for eligibility and a due diligence process, act as a host for council-owned solar photovoltaics.
- 1.1.3 The Council and the host enter into a lease and power purchase agreement for a typical term of 20 years. The host receives the generated energy and pays the council for the energy at a price which is discounted from the price that they would pay if provided by their energy supplier. The council also receives any Feed-In Tariff which, with the revenue from energy sales, goes towards repaying the capital and interest and any ongoing costs to maintain the scheme in line with the council's investment objectives.
- 1.1.4 The scheme is designed to achieve investment returns for the council in line with the Medium Term Financial Strategy whilst offering discounted energy savings for the host companies of around 20-25%.
- 1.1.5 The scheme is open to all, whether a business or not-for-profit organisation. Members of the council who have an ownership or other controlling role within a business are not precluded from entering and are subject to the same eligibility and due diligence as any other participant.
- 1.1.8 This needs to be balanced to ensure there is appropriate probity in the decision making process where a member or officer of the Council has a strong interest in an application in hand. In the case of the Development Management process for example, where an officer or member submits a planning application, probity is ensured by requiring that the application be considered in public by the Development Control committee. Similarly, where an officer or member is wishing to participate in the Solar for Business scheme Cabinet is considered to be the appropriate decision making body.
- 1.1.9 Councillor Andy Drummond, through his business interest in Lettergold in Newmarket, has expressed an interest in the scheme. Officers have carried out the scheme's assessment to establish eligibility and ensure due diligence of the solar installation investment, the business and the property.
- 1.1.10 The assessment has confirmed that Councillor Drummond's business meets the eligibility and criteria that are set to allow participation and that a solar scheme is viable.
- 1.1.11 Councillor Drummond has gained the consent of the Leader of the Council to participate in the scheme and is now seeking the same from Cabinet.



- 1.1.12 Based on financial modelling undertaken for each site considered for the scheme, it is estimated that Lettergold would receive around £950 in energy savings in Year 1 through hosting a Solar for Business installation. The price that each participant pays is linked to Consumer Prices Index modelled at 2.75% per annum. This establishes a total value of benefit for Councillor Drummond's company over the 20 year project term at around £24,000.
- 1.1.13 An outline of the scheme's due diligence and financial assessments are presented in Appendices 1 and 2 respectively. These summarise the steps that are taken to ensure as far as is practicable that a prospective participant and the site are appropriate for the scheme and that the council has exercised its technical, commercial and legal duties.

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## Eligibility and Due Diligence Criteria

Rent-a-roof Checklist					
<b>Project name</b>					
<b>Host organisation</b>					
<b>Site Address</b>					
<b>Contact</b>					
	Status	Date	Comment	Action	Signed off
<b>Statutory permissions</b>					
Planning status sought from LPA					
If PP required, application submitted					
If Permitted Development, status confirmed					
If Building Regulations apply, application submitted					
Building Regulations approval received					
<b>Project financing</b>					
Host due diligence check completed					
Financial model approved					
Business case sent to Governance Panel					
Capital allocation approved					
<b>Legal permissions /agreements</b>					
Lease/PPA sent to host for review					
Lease/PPA agreed with host					
Lease/PPA signed					
Electricity sale pricing structure discussed with host					
Electricity sale pricing structure agreed					
Exit strategy/break clauses agreed					
Mortgage/covenants checked					
Business rates checked					
VAT implications checked					
Access restrictions identified					
Access agreements gained					
Land registry title checked					
Lease and PPA registered with Land Registry					
State Aid check					
Contract between council and installer agreed					
<b>Technical</b>					
Host energy data supplied					
Energy profile done					
EPC done					
Structural survey done					
DNO connection approved					
System design agreed					
Access arrangements agreed					

## Eligibility and Due Diligence Criteria

CDM requirements agreed					
<b>PV installation</b>					
PV installer procured					
Risk Assessment, Method Statement, relevant training and insurance from contractors					
Installation price agreed					
Contract let					
Contractor start date					
Installation completion date agreed					
Installation commissioned and completed					
<b>Post-installation</b>					
Insurance arranged					
O&M contract let					
Billing arrangements agreed with host					
System monitoring arrangements agreed					
FIT application submitted					
FIT registered					
Invoice Paid					

### Financial Assessment Process of Participants

Following expression of interest by an organisation, a financial assessment is undertaken to establish the organisation's financial position and determine the level of risk that it would represent, based on the capital outlay involved in installing the council-owned solar photovoltaics.

This financial assessment consists of a review of relevant and available financial information and this will generally consist of:

- most recent set of annual accounts
- credit rating report from a reputable credit rating agency
- internet searches to check there is no other publicly available information that we may wish to take into account when performing the financial assessment

Review of the accounts and the credit rating report will include consideration of relevant financial ratios as appropriate to conclude on the likely financial strength and financial structure of the organisation. The credit rating report will also give its view of the risk of business failure of the organisation in terms of whether it has an average, or more or less than average, risk.

Using professional judgement, the above information will all be considered and a recommendation of 'pass' or 'fail' given regarding the financial assessment.

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