

# Council



**Forest Heath**  
District Council

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Wednesday 20 March 2019</b>
<b>Time:</b>	<b>6.00 pm</b>
<b>Venue:</b>	<b>Council Chamber</b> <b>District Offices</b> College Heath Road Mildenhall
<b>Membership:</b>	<p><b>All Councillors</b></p> <p>You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.</p>  <p><b>Ian Gallin</b> <b>Chief Executive</b> <b>12 March 2019</b></p>
<b>Quorum</b>	One quarter of the total number of Members
<b>Committee administrator:</b>	<p><b>Helen Hardinge</b> Democratic Services Officer <b>Tel:</b> 01638 719363 <b>Email:</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a></p>

# Public Information



**Forest Heath**  
District Council

<b>Venue:</b>	<b>District Offices</b> College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 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 above address 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 speaking:</b>	<p>At ordinary meetings of the Council, members of the public who live or work in the District may put questions about the work of the Council to members of the Cabinet or any Committee. 30 minutes will be set aside for this. 30 minutes will also be set aside for questions at extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting. A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done by sending the request to:</p> <p><a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> or by telephoning 01638 719363 or in person by telling the Democratic Services Officer present at the meeting. Written questions, detailing the full question to be asked, may be submitted by members of the public to the Service Manager (Democratic Services) no later than 10.00am on the previous working day to the meeting of the Council.</p> <p>Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Phone: 01638 719363</p>	
<b>Disabled access:</b>	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.	
<b>Induction loop:</b>	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.	
<b>Recording of meetings:</b>	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>	
<b>Personal Information</b>	<p>Any personal information processed by Forest Heath District Council or St Edmundsbury Borough Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website:</p> <p><a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Data Protection Officer.</p>	

# Agenda

## Procedural Matters

### Part 1 - Public

- 1. Minutes** **1 - 6**  
To confirm as a correct record the minutes of the Council meeting held on 19 December 2018 (copy attached).
  
- 2. Chairman's Announcements** **7 - 12**  
Report No: **COU/FH/19/001**
  
- 3. Apologies for Absence**
  
- 4. Declarations of Interest**  
Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
  
- 5. The Leader's Report** **13 - 14**  
Report No: **COU/FH/19/002**

**Council Procedure Rule 8.2** states that *'the Leader of the Council will introduce the statement and members may ask the Leader questions on the content of both his/her introductory remarks and the written report. All questions will be answered immediately by the Leader or by the relevant Cabinet Member if the Leader refers any question to him or her, unless sufficient information to give an answer is not available. In these circumstances the member asking the question will receive a response in writing within five working days of the Council meeting at which the question was asked.'*

**8.3** - *A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. The member asking the original question may put a supplementary question arising from the reply so long as the five minute limit is not exceeded.*

## 6. Public Participation

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

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

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

**Written questions** may be submitted by members of the public to the Service Manager (Democratic Services) **no later than 10.00am Tuesday 19 March 2019.** The written notification should **detail the full question** to be asked at the meeting of the Council.\*

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

## 7. Referrals Report of Recommendations from Joint Executive (Cabinet) Committee 15 - 38

Report No: **COU/FH/19/003**

### **Referrals from Joint Executive (Cabinet) Committee: 12 March 2019**

1. Treasury Management Report 2018-2019 and Investment Activity (1 April – 31 December 2018)  
**Cabinet Member:** Councillor Stephen Edwards
2. West Suffolk Joint Pay Policy Statement: 2019/2020  
**Cabinet Member:** Councillor Stephen Edwards  
*(For ease of reference, Appendix 1 to Report No: CAB/JT/19/015 is attached to this Referrals Report at **Appendix 1**)*
3. Newmarket Cinema and Restaurant Development: Outline Business Case  
**Cabinet Member:** Councillor Lance Stanbury  
*(For ease of reference, Report No: CAB/JT/19/018 is attached to this Referrals Report at **Appendix 2** together with CAB/JT/19/018's Exempt Appendix A which is also attached to this Referrals Report at **Exempt Appendix 3**)*

**8. Questions to Chairmen of other Committees**

Questions to Chairmen on the business transacted by their Committees since the last ordinary meeting of Council:

Development Control Committee	2 January 2019
	6 February 2019
Overview & Scrutiny Committee	10 January 2019
	14 March 2019
Licensing & Regulatory Committee	29 January 2019
Performance & Audit Scrutiny Committee	31 January 2019

**9. Urgent Questions on Notice**

The Council will consider any urgent questions on notice that were notified to the Service Manager (Democratic Services) by 11am on the day of the meeting.

**10. Recognising the History of Forest Heath District Council and Long Service Awards**

Report No: **COU/FH/19/004**

**11. Vote of Thanks to the Retiring Chairman and Vice-Chairman**

As there will be no further meetings of Forest Heath District Council prior to its dissolution on 31 March 2019, the Council will be asked to consider separate Votes of Thanks to the retiring Chairman and Vice-Chairman who will remain in office until 31 March 2019.

*Note: The current Chairman and Mayor of St Edmundsbury Borough Council will be the nominated civic representatives of the new West Suffolk Council until the new Council's Annual General Meeting on 22 May 2019.*

(a) **Retiring Chairman**

*(At this point, the Vice-Chairman will take the Chair.)*

**Councillor James Waters will move,**

"That the Council, in recognising the most able and diligent manner in which the retiring Chairman, Councillor Brian Harvey has carried out the duties of Chairman of the District during the past year, record its thanks and deep appreciation of his services as Chairman."

**Councillor David Bowman will second.**

The Vice-Chairman will then put the motion to the vote and, on its being carried by a show of hands **the Vice Chairman will then present Councillor Brian Harvey with his past Chairman's Badge.** Councillor Harvey will then acknowledge his year in office.

*(The Chairman will then re-take the Chair.)*

(b) **Vice-Chairman**

**Councillor Rona Burt will move,**

"That the Council, in recognising the most able and diligent manner in which the retiring Vice-Chairman, Councillor Chris Barker has carried out the duties of Vice-Chairman of the District during the past year, record its thanks and deep appreciation of his services as Vice-Chairman."

**Councillor Carol Lynch will second.**

The Chairman will then put the motion to the vote and, on its being carried by a show of hands, Councillor Chris Barker will then acknowledge his year in office.

**12. Chairman's Closing Remarks**

The Chairman will make his closing remarks to signify the dissolution of Forest Heath District Council, which will be replaced by the creation of West Suffolk Council from 1 April 2019.

**Part 2 – Exempt**

**13. Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee - Newmarket Cinema and Restaurant Development: Outline Business Case (Exempt: Para 3) (Report No: COU/FH/19/003)**

**39 - 74**

*Report No: CAB/JT/19/018's Exempt Appendix A attached as **Exempt Appendix 3** to Report No: COU/FH/19/003.*

# Council



**Forest Heath**  
District Council

**Minutes** of a meeting of the **Council** held on  
**Wednesday 19 December 2018** at **6.00 pm** at the **Council Chamber,**  
**District Offices,** College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

**Chairman** Brian Harvey

**Vice Chairman** Chris Barker

Ruth Allen	Victor Lukaniuk
Michael Anderson	Carol Lynch
Andrew Appleby	Robert Nobbs
John Bloodworth	Colin Noble
David Bowman	David Palmer
Ruth Bowman J.P.	Peter Ridgwell
Rona Burt	Nigel Roman
Louis Busuttill	Lance Stanbury
Roger Dicker	James Waters
Stephen Edwards	

## 335. **Minutes**

The minutes of the meeting held on 26 September 2018 were unanimously received as an accurate record and were signed by the Chairman.

## 336. **Chairman's Announcements (Report No: COU/FH/18/020)**

The Chairman gave thanks to the Vice-Chairman for ably covering civic duties during the period in which he was recovering from an operation.

The Chairman also drew attention to the Christmas Post Office visits he had undertaken and explained how interesting he had found them.

The report was noted.

## 337. **Apologies for Absence**

Apologies for absence were received from Councillors Simon Cole, Andy Drummond, Christine Mason and Robin Millar.

Councillors Louise Marston and Reg Silvester were also unable to attend the meeting.

**338. Declarations of Interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

**339. The Leader's Report (Report No COU/FH/18/021)**

The Leader presented his statement to the meeting as set out in Report No COU/FH/18/021 and gave thanks to all Members and Officers for their work over the past year.

Councillor Victor Lukaniuk posed a question with regard to the 'Social Prescribing Initiative' as made reference to in the statement.

In the absence of the relevant Cabinet Member, the Assistant Director (Families & Communities) responded and provided further detail on what the scheme entailed. Councillor Lukaniuk was advised that it was yet to have commenced in Brandon or Mildenhall and further information would be circulated to Members prior to it launching.

Councillor Peter Ridgwell asked a question with regard to the Cambridge metro link as written in the Leader's opening paragraph.

In response, the Leader explained that it was currently an aspiration of the Cambridge and Peterborough Combined Authority and he would update Council as and when he was provided with further information.

Councillor Lukaniuk also asked that his thanks be recorded to Councillor David Bowman, Cabinet Member for Operations, for the resurfacing of Brandon Country Park's car park.

**340. Public Participation**

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

**341. Referrals Report of Recommendations from Joint Executive (Cabinet) Committee (Report No: COU/FH/18/022)**

The Council considered the referrals report of recommendations from the Joint Executive (Cabinet) Committee as set out in Report No COU/FH/18/022 in respect of:

1. West Suffolk Gambling Act 2005: Statement of Policy 2019 to 2022  
(Joint Executive (Cabinet) Committee: 2 October 2018)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Michael Anderson and with the vote being unanimous, it was



**RESOLVED:**

That the revised West Suffolk Gambling Act 2005: Statement of Policy for the period 2019 to 2022, as contained in Appendices 1 and 3 to Report No: COU/FH/18/022, be adopted.

2. Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area  
(Joint Executive (Cabinet) Committee: 6 November 2018)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Michael Anderson and with the vote being unanimous, it was

**RESOLVED:**

That:-

1. The draft overarching Statement of Licensing Policy for Forest Heath 2019-2022, as set out in Appendix 1 to Report No: CAB/JT/18/041, be adopted; and
2. The existing Newmarket Cumulative Impact Assessment (CIA) Area (as incorporated within Appendix 1 to Report No: CAB/JT/18/041) be:
  - (a) renewed; and
  - (b) reviewed again within approximately 18 months.
3. Recommendations of the St Edmundsbury and Forest Heath Overview and Scrutiny Committees: 7 and 8 November 2018 – West Suffolk Housing Strategy 2018-2023  
(Joint Executive (Cabinet) Committee: 11 December 2018)

The Chairman welcomed Councillor Sara Mildmay-White to the meeting, who was in attendance in her capacity as the West Suffolk Lead for Housing.

Councillor Mildmay-White presented this referral item which sought adoption of the West Suffolk Housing Strategy 2018-2022. Attention was drawn to the supplementary paper circulated after the agenda had been published, which set out a correction to the report before Council.

Councillor Mildmay-White outlined the consultation which had been undertaken as part of the strategy's development and gave thanks to Officers, consultees and the Overview & Scrutiny Committee.

Councillor Victor Lukaniuk questioned why Brandon's allocation of new homes was so low in comparison to other areas of West Suffolk. In response Councillor Lance Stanbury, Cabinet Member for Planning and Growth, explained that development for Brandon was severely

constrained in the North of the town due to the USAF Air Base noise contours and Stone Curlew habitats.

Councillor Colin Noble spoke on the importance of the strategy and remarked on the need in future versions to expand on the aging population element of the document.

On the motion of the Councillor Lance Stanbury, seconded by Councillor David Bowman and with the vote being unanimous, it was

**RESOLVED:**

That the West Suffolk Housing Strategy 2018-2022, attached as Appendix 1 to Report No CAB/JT/18/051 be adopted.

4. Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 28 November 2018 – Mid- Year Treasury Management Report and Investment Activity (1 April – 30 September 2018)  
(Joint Executive (Cabinet) Committee: 11 December 2018)

Councillor Stephen Edwards, Cabinet Member for Resources and Performance, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Louis Busuttil and with the vote being unanimous, it was

**RESOLVED:**

That the Mid-Year Treasury Management Report 2018-2019 and Investment Activity (1 April to 30 September 2018), as set out in Report No OAS/FH/18/040, be approved.

5. West Suffolk Local Development Scheme (LDS) December 2018: Adoption  
(Joint Executive (Cabinet) Committee: 11 December 2018)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Rona Burt and with the vote being unanimous, it was

**RESOLVED:**

That the West Suffolk Local Development Scheme (LDS), as set out in Working Paper 1 to Report No CAB/JT/18/054, be adopted.

6. Statement of Community Involvement (SCI) December 2018: Adoption  
(Joint Executive (Cabinet) Committee: 11 December 2018)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Rona Burt and with the vote being unanimous, it was

**RESOLVED:**

That the West Suffolk Statement of Community Involvement (SCI) as set out in Working Paper 1 to Report No CAB/JT/18/055, be adopted.

**342. West Row: Reorganisation Order (Report No: COU/FH/18/023)**

*(Councillor Ruth Bowman declared a non-pecuniary interest in this item as she was the current Chairman of Mildenhall Parish Council. She indicated that she would remain in the meeting and would speak on the item, but would abstain from the voting thereon.)*

The Leader presented this report which sought to bring into effect the decision of Council in July 2017 to create a new Parish for West Row.

Councillor Ruth Bowman spoke in her capacity as Chairman of Mildenhall Parish Council and advised Members that the Parish Council wished West Row every success.

On the motion of the Leader, seconded by Councillor David Bowman and with 20 voting for the motion and with 1 abstention, it was

**RESOLVED:**

That:-

1. The Forest Heath District Council (Reorganisation of Community Governance) Order 2019 ("the Order") be approved; and
2. The Service Manager (Democratic Services) make the Order as soon as practicable after the West Suffolk (Electoral Changes) Order 2019 is made.

**343. LATE URGENT ITEM - Forest Heath Single Issue Review and Site Allocations Local Plan (Report No: COU/FH/18/024)**

*(Councillor Robert Nobbs declared a non-pecuniary interest in this item in that he had made comments in the past in relation to this matter. He indicated that he would remain in the meeting but would abstain from voting on the report.)*

The Chairman agreed that this item could be considered by Council as a matter of urgency, in accordance with S100B(4) of the Local Government Act 1972, in order that this matter could be resolved within the necessary timescale.

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this item which set out the submission from Newmarket Horseman's Group to the Inspectors who carried out the Examination into the

Forest Heath Single Issue Review (SIR) and Site Allocations Local Plan (SALP) and sought endorsement of the Council's response and approach to this.

Councillor Rona Burt spoke in her capacity as Chairman of the FHDC Local Plan Working Group and voiced disappointment and frustration at the delay that the submission would cause, which was shared by the Cabinet Member.

Councillor Andrew Appleby inquired as to whether this matter would delay the Hatchfield Farm Planning Inquiry, scheduled for Spring 2019, but was advised that it would not.

On the motion of the Cabinet Member, seconded by Councillor Rona Burt and with 20 voting for the motion and with 1 abstention, it was

**RESOLVED:**

That:-

1. The Newmarket Horseman's Group submission to the Inspectors dealing with the Forest Heath Single Issue Review (SIR) and Site Allocations Local Plan (SALP) on matters relating to Habitat Regulations Assessment be noted; and
2. The Council's response and approach to the HRA matters raised be endorsed in that:
  - i. In light of the recent European judgements, the Council is now required to review and update the Habitat Regulations Assessment. This update may result in modifications to the SIR and SALP; and
  - ii. The Council expects that the updated HRA and any suggested modifications will be complete and submitted to the Inspectors March 2019.

**344. Questions to Chairmen of other Committees**

There were no questions to Chairmen of other Committees.

**345. Urgent Questions on Notice**

There were no urgent questions on notice.

The Chairman concluded the meeting by reminding Council that their meeting in January had been cancelled, although the West Suffolk Shadow Council meeting was still taking place that month, and wished all present a very Merry Christmas and Happy New Year.

The meeting concluded at 6.55pm

**Signed by:**

**Chairman**

# Council



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Chairman's Announcements and Itinerary</b>	
<b>Report No:</b>	<b>COU/FH/19/001</b>	
<b>Report to and date:</b>	<b>Council</b>	<b>20 March 2019</b>

**Chairman of the Council's Itinerary for December 2018 (part) to end March 2019**

- Wed 19 December 2018

Forest Heath Council  
Council Chamber - College Heath Road
- ▲

Tue 15 January 2019

Meet with Gabrielle Lever re Civic Dinner  
Bedford Lodge Hotel, Newmarket
- ▲

Mon 28 January 2019

Holocaust Memorial Service  
Abbey Gardens
- ▲

Sun 24 February 2019

Bury St Edmunds and West Suffolk Samaritans "Someone in the Crowd"  
The Racing Centre, Fred Archer way,  
Newmarket CB8 8NT
- ▲

Sun 3 March 2019

Diss Town Mayor's Civic Service 2019  
St Mary's Church, Mount Street, Diss  
IP22 4QG
- ▲

Fri 15 March 2019

Mildenhall & District Museum Reception  
Mildenhall & District Museum, 6 King Street,  
Mildenhall, IP28 7EX
- ▲

Sun 17 March 2019

Choral Evensong for Her Majesty's Courts of Justice  
St Edmundsbury Cathedral
- ▲

Wed 20 March 2019	RAF Mildenhall - Orientation Flight 100th Air Refueling Wing, RAF Mildenhall
▲	
Wed 20 March 2019	FHDC Councillor Group Photograph FHDC Council Chamber, College Heath Road
▲	
Wed 20 March 2019	Forest Heath Special Council & Forest Heath Council Council Chamber - College Heath Road
▲	
Thu 21 March 2019	Cheque Presentation to My WiSH West Suffolk Hospital
▲	
Fri 22 March 2019	Chairman's Civic Dinner Bedford Lodge Hotel, Newmarket
▲	
Thu 28 March 2019	Official Opening of the Animal Health Trust Wooldridge Building Lanwades Park, Kentford, Newmarket, Suffolk

**Vice Chairman of the Council's Itinerary for December 2018 (part) to end March 2019**

Wed 19 December 2018	Forest Heath Council Council Chamber - College Heath Road
▲	
Tue 5 February 2019	Chinese New Year Dinner Zen Noodle Bar, Bury St Edmunds
▲	
Wed 20 March 2019	FHDC Councillor Group Photograph FHDC Council Chamber
▲	
Wed 20 March 2019	Forest Heath Special Council & Forest Heath Council Council Chamber - College Heath Road
▲	
Fri 22 March 2019	Chairman's Civic Dinner Bedford Lodge Hotel, Newmarket

**Leader of the Council's Itinerary for December 2018 (part) to end March 2019**

*Christmas Day 25 December*

*Boxing Day 26 December*

*New Years Day 1 January 2019*

Monday	7 January	Joint Conservative Group District Offices, College Heath Road, Mildenhall
Tuesday	8 January	Cabinet Members only meeting West Suffolk House, Bury St Edmunds  Joint Cabinet Planning West Suffolk House, Bury St Edmunds  Extraordinary Shadow Executive West Suffolk House, Bury St Edmunds
Monday	14 January	Photo Opportunity, Mildenhall Hub On Site
Tuesday	15 January	Leader & Officer meeting West Suffolk House, Bury St Edmunds  Shadow Council West Suffolk House, Bury St Edmunds
Monday	21 January	Broadlands & South Norfolk Officer and Member visit West Suffolk House, Bury St Edmunds
Tuesday	22 January	County Lines Member Development Session District Offices, College Heath Road, Mildenhall  Joint Cabinet Planning District Offices, College Heath Road, Mildenhall  Joint Executive Committee District Offices, College Heath Road, Mildenhall
Friday	25 January	Suffolk Public Sector Leaders Meeting District Offices, College Heath Road, Mildenhall
Tuesday	5 February	Leader & Officer Meetings West Suffolk House, Bury St Edmunds  Joint Cabinet Planning West Suffolk House, Bury St Edmunds

		Shadow Executive West Suffolk House, Bury St Edmunds
		Extraordinary Joint Executive Committee West Suffolk House, Bury St Edmunds
Thursday	7 February	Joint Conservative Group West Suffolk House, Bury St Edmunds
Monday	18 February	Forest Heath Conservative Group meeting District Offices, College Heath Road, Mildenhall
Tuesday	19 February	Leader & Officer meetings West Suffolk House, Bury St Edmunds
		Shadow Council West Suffolk House, Bury St Edmunds
Tuesday	26 February	Joint Cabinet Planning District Offices, College Heath Road, Mildenhall
		Extraordinary Joint Executive Committee District Offices, College Heath Road, Mildenhall
Friday	1 March	Suffolk Public Sector Leaders Meeting Ipswich Town Hall, Cornhill, Ipswich
Thursday	7 March	Joint Conservative Group meeting District Offices, College Heath Road, Mildenhall
Friday	8 March	Photo opportunity with Matt Hancock MP Mildenhall Hub site
Tuesday	12 March	Joint Cabinet Planning West Suffolk House, Bury St Edmunds
		Joint Executive Committee West Suffolk House, Bury St Edmunds
Monday	18 March	Forest Heath District Council Quarterly Scrutiny Meeting District Offices, College Heath Road, Mildenhall

Leader & Officer meetings



Wednesday	20 March	District Offices, College Heath Road, Mildenhall
		Forest Heath Member Photograph Forest Heath Special Council Meeting Forest Heath Council Meeting District Offices, College Heath Road, Mildenhall

**Deputy Leader of the Council's Itinerary for December 2018 (part) to end March 2019**

*Christmas Day 25 December*

*Boxing Day 26 December*

*New Years Day 1 January 2019*

Monday	7 January	Joint Conservative Group Meeting District Offices, College Heath Road, Mildenhall
Tuesday	8 January	Cabinet Member only meeting West Suffolk House, Bury St Edmunds  Joint Cabinet Planning West Suffolk House, Bury St Edmunds  Extraordinary Shadow Executive West Suffolk House, Bury St Edmunds
Tuesday	15 January	Shadow Council meeting West Suffolk House, Bury St Edmunds
Monday	21 January	Ward Site meeting (Yellow Brick Road) On site  Newmarket Vision Steering Group Rutland Arms Hotel, 33 High Street, Newmarket, CB8 8NB  Member Development Session: County Lines District Offices, College Heath Road, Mildenhall
Tuesday	22 January	Deputy Leader and Officer meeting District Offices, College Heath Road, Mildenhall  Joint Cabinet Planning District Offices, College Heath Road, Mildenhall

Thursday	24 January	Shadow Executive Meeting District Offices, College Heath Road, Mildenhall
		Deputy Leader and Officer meeting West Suffolk House, Bury St Edmunds
Tuesday	29 January	Families & Communities Portfolio Holder meeting West Suffolk House, Bury St Edmunds
Monday	18 January	Forest Heath District Council Conservative Group meeting District Offices, College Heath Road, Mildenhall
Tuesday	19 February	Shadow Council meeting West Suffolk House, Bury St Edmunds
Tuesday	26 February	Joint Cabinet Planning District Offices, College Heath Road, Mildenhall
		Extraordinary Joint Executive Committee District Offices, College Heath Road, Mildenhall
Tuesday	5 March	Joint Families & Communities Portfolio Holder Briefing West Suffolk House, Bury St Edmunds
Thursday	7 March	Joint Conservative Group meeting District Offices, College Heath Road, Mildenhall
Monday	11 March	Newmarket Looking For Change Media Launch Newmarket High Street
Tuesday	12 March	Joint Cabinet Planning West Suffolk House, Bury St Edmunds
		Joint Executive Committee West Suffolk House, Bury St Edmunds
Monday	18 March	Newmarket Vision Steering Group Newmarket Academy, Exning Road
Wednesday	20 March	Forest Heath Member Photograph Forest Heath Special Council Meeting Forest Heath Council Meeting

# Council



<b>Title of Report:</b>	<b>Leader's Statement</b>	
<b>Report No:</b>	<b>COU/FH/19/002</b>	
<b>Report to and date:</b>	<b>Council</b>	<b>20 March 2019</b>

Today is a historic day for Forest Heath. But we are not shy of being at the forefront of historic moments.

Forest Heath has always been a dynamic council, looking to innovate and improve but always with our residents and businesses at the heart of what we do. We have always been looking to the future while making sure we protect those things in our past that makes our area so unique.

We are surrounded by heritage, visited by royalty for centuries and played our part by supporting military personnel past and present. At the same time we have brought world class industries to the area, have invested in largest of its kind solar farm and new technology and will be welcoming the latest fighter aircraft in the world. This has meant and will mean millions of pounds of investment to bring economic growth, jobs and prosperity for our residents.

Equally we have attracted and managed growth in our area making sure we get the homes we need now and for the generations that will be West Suffolk's future.

Having listened and taken part in impassioned debates around our council chamber we have held I know that we are all united by that desire to do the best for the communities we serve. I know that is why I became a councillor.

The work we and our officers carry out directly affect the lives our residents. We recognise we have a duty, entrusted in us, to look beyond the simple high quality services we deliver. Forest Heath has always been about looking forward. We have engaged with partners such as health, education, the police and county council colleagues to bring benefits greater than the sum of our parts.

We were in the vanguard of councils taking the bold step to fully share services with St Edmundsbury Borough Council that has brought millions of pounds of savings so we could invest in services. We have pioneered families and communities work, finding with our communities and local organisations shared initiatives and hundreds of thousands of pounds of funding over the years. A way of working that many councils are just catching up on.

It is an emotional day for many of us. I have been honoured and proud to lead this council. The dedication and passion councillors and officers show in doing the best job they can has always impressed me. Equally the compassion we have to help those in need is humbling. You only have to see how we work with the most vulnerable, those who often have nowhere to turn to, to see how we touch lives and make a difference.

Thank you to all of you who have served as councillors. I wish all of you good luck in the upcoming elections and for those not standing my sincere gratitude on behalf of the people you have served.

I think as we sit here tonight we can all reflect on those councillors and officers that have gone before us. Many of the names on the boards in and around the chamber or on dusty agendas may not be well known to all but each and every one stepped forward to give public service. We have, together, built on their achievements and legacy.

I believe the future is a bright and exciting one, full of opportunities and, as always in local government, challenges to meet and overcome. But I know the new West Suffolk Council is the best way to seize those challenges, to make sure we invest in the future and not only face those challenges, but in the same way as we always have, show how innovative we can be. We have already shown how by working across West Suffolk we are greater than the sum of our parts with a shared goals and ambitions for West Suffolk. Our new Council will build on that legacy and make a new shared history that I know other authorities will want to emulate.

Thank you all.

*Councillor James Waters*  
*Leader of Forest Heath District Council*

# Council



<b>Title of Report:</b>	<b>Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee</b>	
<b>Report No:</b>	<b>COU/FH/19/003</b>	
<b>Report to and date:</b>	<b>Council</b>	20 March 2019
<b>Documents attached:</b>	<p><b>Appendix 1:</b> Appendix to Joint Executive (Cabinet) Committee Report No: CAB/JT/19/015 West Suffolk Joint Pay Policy Statement 2019/2020</p> <p><b>Appendix 2:</b> Joint Executive (Cabinet) Committee Report No: CAB/JT/19/018 'Newmarket Cinema and Restaurant Development: Outline Business Case'</p> <p><b>Exempt Appendix 3:</b> Exempt Appendix A to Joint Executive (Cabinet) Committee Report No: CAB/JT/19/018 'Newmarket Cinema and Restaurant Development: Outline Business Case'</p>	

**(A) Referrals from Joint Executive (Cabinet) Committee:**

*(These referrals have been compiled before the meeting of the Joint Executive (Cabinet) Committee on 12 March 2019 and are based on the recommendations contained within each of the reports listed below. Any amendments made by the Joint Executive (Cabinet) Committee to the recommendations within these reports will be notified to Members accordingly)*

## **1. Treasury Management Report 2018-2019 and Investment Activity (1 April – 31 December 2018)**

**Portfolio Holder:** Cllr Stephen Edwards

**Report No:**  
**CAB/JT/19/010**

**Performance and Audit  
Scrutiny Committee**

**Report No:**  
**PAS/FH/19/008**

### **RECOMMENDED, that:**

**The Treasury Management Report for 2018-2019 for the period 1 April to 31 December 2018, as detailed in Report No: PAS/FH/19/008, be approved.**

- 1.1 Report No: PAS/FH/19/008 provides a summary of investment activities for the first nine months of 2018-2019.
- 1.2 The total amount invested at 1 April 2018 was £16.005m and at 31 December 2018 £19.800m. The increase in balances over this period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme.
- 1.3 The 2018/19 Annual Treasury Management and Investment Strategy Statements sets out the Council's projections for the current financial year. The budget for investment income in 2018/19 was £224,000 which was based on a 0.75% target average rate of return on investments.
- 1.4 As at the end of December 2018 interest actually earned during the first nine months of the financial year amounted to £102,266 against a profiled budget for the period of £168,000; a budgetary deficit of £65,734. This was due to lower cash balances as a result of re-phasing of some income generated projects:

<b>INTEREST EARNED &amp; AVERAGE RATE OF RETURN SUMMARY</b>			
<b>Investment Category</b>	<b>Total Average Investment</b>	<b>Average Rate of Return (%)</b>	<b>Interest Earned</b>
City Deposit Cash Managers	2,000,000	0.798%	4,328.10
Temporary Investments	1,178,835	0.721%	69,196.99
Lloyds 95 Day Account	2,463,163	0.778%	14,436.21
NatWest LSA	41,756	0.062%	19.37
Barclays FIBCA	1,824,487	0.400%	5,498.45
Santander 180 Day Account	1,000,000	0.811%	6,109.59
Santander 95 Day Account	500,000	0.711%	2,678.08
<b>Total Overall Average Return on Investments %</b>			<b>0.704%</b>
<b>Total Interest Earned - 1 April 2018 to 30 Sept 2018</b>			<b>102,266.79</b>
<b>LIBOR 3 Month Average</b>			<b>0.722%</b>

- 1.5 The report also included assumptions on borrowing for capital projects included within it. The borrowing was based around four specific projects

as per their agreed business cases (West Suffolk Operational Hub; Mildenhall Hub; Barley Homes - Loan Facility; Investing in our Growth Fund). The report included a summary of the capital borrowing budget for 2018-2019, and a summary of capital borrowing for Quarter Three. As at the end of quarter three, there had been no requirement to borrow externally over and above the £4.0m Barclays loan. Therefore the only interest payable for Quarter Three was the £85,032.33 relating to this loan. The detail on these budgets are laid out below:

<b>SUMMARY OF CAPITAL BORROWING BUDGET 2018/19 (including c/f amounts)</b>			
<b>Project</b>	<b>Borrowing</b>	<b>Minimum Revenue Provision (MRP)</b>	<b>Interest Payable</b>
West Suffolk Operational Hub	£2,585,263	£0	£0
Mildenhall Hub*	£4,560,000	£0	£0
Mildenhall Swimming Pool	£24,000	£0	£0
The Flowerpot – Brandon*	£50,000	£0	£0
Wellington Street Pedestrian Scheme – Newmarket*	£150,000	£0	£0
Barley Homes – Loan Facility*	£1,695,750	£0	£0
Investing in our Growth Fund	£20,000,000	£600,000	£412,500
Newmarket Leisure Centre (relating to £4m from 2008)	£4,000,000	£122,250	£169,600
Toggam Solar Farm (amount carried forward from 2017/18)	£2,290,041	£436,000	£202,000
<b>Total</b>	<b>£35,355,054</b>	<b>£1,158,250</b>	<b>£784,100</b>

*\*These projects were originally to be funded from capital receipts, however the Council took advantage of utilising capital receipts available at the time to finance the solar farm projects – creating additional (albeit temporary) savings in borrowing costs. The borrowing costs to fund these projects sits within the Toggam Solar Farm line.*

- 1.6 Members may also view the full reports on the Council’s website via the above links or may request a paper copy from Democratic Services.

## **2. West Suffolk Joint Pay Policy Statement: 2019/2020**

**Portfolio Holder:** Cllr Stephen Edwards

**Report No: CAB/JT/19/015 and Appendix 1** (which is also attached to this referrals report at Appendix 1)

### ***RECOMMENDED, that:***

***The West Suffolk Joint Pay Policy Statement for 2019/2020, as contained in Appendix 1 to Report No: CAB/JT/19/015, be approved.***

- 2.1 The Localism Act and supporting guidance provides details of matters that must be included in this statutory pay policy, but, also, emphasises that each local authority has the autonomy to take its own decisions on pay and pay policies. The Pay Policy Statement must be approved formally by full Council each year. The statement can be amended in year, must be published on the Council's website and must be complied with when setting the terms and conditions of Chief Officers.
- 2.2 This Pay Policy Statement includes a policy on:-
  - (a) the level and elements of remuneration for Chief Officers (senior staff);
  - (b) the remuneration of the lowest paid employees;
  - (c) the relationship between the remuneration of the highest and lowest paid employees; and
  - (d) other specific aspects of Chief Officer remuneration, fees and charges and other discretionary payments.
- 2.3 This Pay Policy Statement, which for ease of reference is attached as Appendix 1 to this report, is a joint statement with Forest Heath District Council and St Edmundsbury Borough Council, which covers our integrated workforce and Leadership Team.
- 2.4 The Code of Practice for Local Authorities on Data Transparency provides guidance on good practice in this area. The Council's approach to data transparency is to establish the Council as an open and transparent Council that, in time, not only embraces the principles of the Code, but, publishes all information that is likely to be of benefit to the communities and economy of our area.
- 2.5 Data can already be access through the "open data" link on our website. The Pay Policy Statement is published in that section annually.
- 2.6 Members may also view the full report and its Appendix (which is also attached to these referrals report), on the Council's website via the above links or may request a paper copy from Democratic Services.



### **3. Newmarket Cinema and Restaurant Development: Outline Business Case**

**Portfolio Holder:** Cllr Lance Stanbury

**Report No:**  
**CAB/JT/19/018** (which is also attached to this Referrals report at Appendix 2)  
**and**  
**Exempt Appendix A** (which is also attached to this Referrals report at Exempt Appendix 3)

**RECOMMENDED, that:**

- (1) The project objectives to continue to work towards bringing a cinema and restaurant development to the heart of Newmarket be endorsed.**
- (2) The Outline Business Case for the development of a 3 or 4 screen cinema, as contained in Exempt Appendix A to Report No: CAB/JT/19/018, be approved;**
- (3) A budget of up to £190,000 be approved, funded by Strategic Priorities and MTFS reserve, to deliver the further design and study work as set out in paragraph 6.1 and Table 11 of the Outline Business Case; and**
- (4) An additional £20,000 be approved, funded by Strategic Priorities and MTFS reserve, to undertake a condition and options review of the Guineas multi-storey car park.**

- 3.1 For ease of reference, the full Joint Executive (Cabinet) Committee report (attached as Appendix 2) and its Exempt Appendices (attached as Exempt Appendix 3) are attached to this referrals report.
- 3.2 Whilst being attached to this report, Members may also view the full report (but not the Exempt Appendices) on the Council's website via the above link.

This page is intentionally left blank

## **West Suffolk Councils**

### **Joint Pay Policy Statement 2019/2020**

#### **1. Introduction**

- 1.1 We recognise that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public, but at the same time needs to avoid being unnecessarily generous or otherwise excessive.
- 1.2 It is important that local authorities are able to determine their own pay policies and structures in order to address local priorities and to compete in the local labour market.
- 1.3 In particular, it is recognised that senior management roles in local government are complex and diverse functions in a highly politicised environment where often national and local pressures conflict. Our ability to continue to attract and retain high calibre leaders, capable of delivering this complex agenda, particularly during times of financial challenge, remains crucial if we are able to retain their current high performance levels and ensure that West Suffolk Services are protected during this continuing period of economic uncertainty.
- 1.4 In June 2013, a single pay and reward strategy was secured through collective agreement with Unison for all staff, except the Leadership Team, whose pay had been brought together in October 2012.

#### **2. Legislation**

- 2.1 Section 38/11 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement annually. This pay statement must be prepared and approved for the end of the 31 March immediately preceding the financial year to which it relates. The data in this report therefore represents the period 1 April 2018 to 31 March 2019.
- 2.2 The Act, and supporting statutory guidance, provides details of matters that must be included in this statutory pay policy, but, also, emphasises that each local authority has the autonomy to take its own decisions on pay and pay policies. The Pay Policy Statement is approved formally by full Council annually. It must be published on the Council's website and be complied with when setting the terms and conditions of Chief Officer employees.

- 2.3 In October 2014 the Department for Communities and Local Government (DCLG), issued a Transparency Code for all public sector bodies. This code required us to publish specific data on our website from February 2015. We have published data on how we organise our structures, our senior salaries for those whose remuneration is at least £50,000; the pay multiple and any trade union facility time given. The code was issued to as part of a drive to increase local accountability, giving local people the opportunity to contribute to the local decision making process and help shape their public services.
- 2.4 The National Minimum Wage applies for those aged 21 to 24 at £7.38 per hour with effect from 1 April 2018 (18-20) £5.90; Under 18 £4.20 and Apprentice rate for first year - £3.70)
- 2.5 The National Living Wage applies for those aged 25 and over at £7.83, with effect from 1 April 2018.

### **3. Scope**

- 3.1 This Pay Policy Statement includes:-
- (a) the level and elements of pay for each Chief Officer;
  - (b) the pay of the lowest paid employees;
  - (c) the relationship between the pay of Chief Officers and other officers; and
  - (d) other specific aspects of Chief Officer remuneration, fees and charges and other discretionary payments.
- 3.2 Remuneration in this context is defined widely to include not just pay, but also charges, fees, allowances, benefits in kind, increases in enhancements of pension entitlements and termination payments.

### **4. Principles**

- 4.1 The following principles were agreed with Unison to guide the development of the single pay and reward policy.
- Single terms and conditions across both workforces
  - Affordable: within the Mid Term Financial Strategy (MTFS)
  - Attractive: to recruit and retain
  - Responsible: maintains reputation
  - Legal: satisfies equality requirement
  - Fair: minimises risk of challenge
  - Drives: new organisational values
  - Rewards excellent performance
  - Manages unacceptable performance; and
  - Capable of achieving collective agreement
- 4.2 The remuneration of Chief Officers has been agreed outside of the collective agreement process and in regard to pay, based on

Leadership Team pay correlating to the CE pay; local arrangements are in place, as agreed by Councils in 2012, when the joint Chief Executive and the Leadership Team were appointed.

**5. Senior Pay**

5.1 In this policy the senior pay group covers posts in the top three tiers of the organisation. These include the Chief Executive, Directors and Assistant Directors.

5.2 The Council currently has the following number of posts at this level, 1 x Chief Executive, 2 x Directors, 6 x Assistant Directors.

5.3 The management structure of the Councils can be found on the Councils website and on the intranet.

**5.4 Chief Executive**

(a) The salary for this joint post was established when the joint Chief Executive was appointed in April 2012. This is a local grade, established in February 2012, following an analysis of the degree of responsibility in the role, the downward movement in market rates, benchmarking with other comparators and the ability to recruit and retain an exceptional candidate. Following the uplift of the cost of living rises, as applied to all other employees, the range is £112,773 - £123,513.

(b) The current salary (as at 1 April 2018) of the Chief Executive, is at the top point of the band (£123,513). There have been no additional bonuses, performance, honoraria or ex-gratia payments made.

(c) Other Conditions of Service are as prescribed by the Joint National Council (JNC) for Local Authority Chief Executives National Conditions, apart from those determined locally, as detailed in this policy.

(d) The employment costs (salary and on-costs) of the Chief Executive are shared between Forest Heath District Council and St Edmundsbury Borough Council, which significantly reduces the cost of employing a Chief Executive for each Council.

**5.5 Directors and Heads of Service**

(a) The salary for these posts has been established as a local grade following an analysis of the degree of responsibility in correlation to the CEO, using the LGA national recommended job evaluation scheme for senior posts.

The posts fall within the following ranges and incremental points:-

Chief Officer Role	£	£	£
Director	80,552	83,237	85,923
Head of Service HS3	69,812	72,498	75,182
Head of Service HS2	64,442	67,127	69,812
Head of Service HS1	59,071	61,757	64,442

The current Assistant Directors are all paid within band HS3 £69812 - £75182 p.a. HS1 and HS2 were historically grades set prior to the last Leadership Team restructure in 2014 which reduced nine Assistant Directors to the current six.

An additional payment of £5,000 per year is payable to those undertaking the statutory Monitoring Officer and Section 151 roles.

- (b) There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments, emergency call rota, etc, paid to these senior staff, as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.
- (c) Other terms and conditions are as prescribed by the NJC for Local Authority Services apart from those terms agreed locally, as detailed in this policy.
- (d) The employment costs (salaries and on-costs) of the Directors and Assistant Directors are shared between Forest Heath District Council and St Edmundsbury Borough Council, which reduces the cost of employing the Leadership Team to each Council.
- (e) It is important to ensure that our Leadership Team salaries remain competitive and are set at a level that will continue to attract highly effective and experienced applicants for these roles in the challenging local government labour market. Marketing testing and data analysis on labour market rates for salaries will be independently obtained from the LGA as required in order to ensure salaries are competitive at this level and this has led to a new pay model effective from 1 April 2019.
- (f) Whilst recruitment to recent Assistant Director and Service Manager posts have been successful, starting salaries, whilst within the current pay bands, have had to be reflect the shortage of potential applicants and the demand to attract the right calibre of candidates.

## **5.6 Additional Fees**

- (a) The fees payable to the Returning Officer are set by statute for national elections, and are paid by central government. Fees are, also, payable to the Councils' Returning Officer for local elections.

These fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Council, the role of the Returning Officer is one which involves, and incurs, personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the Council. As Returning Officer, he/she is paid a separate allowance for each election for which he/she is responsible.

**6. Pay Structure**

- 6.1 The pay structure for all contractual employees, except those staff in the senior posts detailed above, is established using NJC for Local Authorities Services National Pay Spine from spinal column point 9 (£16,755 per annum) to spinal column point 58 (£56,119 per annum). The lowest paid contractual employee will be paid at spinal point 9 (£8.68 per hour), at a full time equivalent basic pay rate of £16,755 per annum. This is within Grade A of the locally agreed pay structure, which ranges from Grade A to I. Casual staff, aged 25 and over, will be paid at the National Living Wage of £7.83 per hour. Under age 25 will be paid the national minimum wage of £7.38.
- 6.2 All posts, other than the senior posts, are evaluated using the NJC Job Evaluation Scheme, which is recognised by employers and trades unions nationally. This Scheme allows for robust measurement against set criteria resulting in fair and objective evaluations and satisfies equal pay requirements.
- 6.3 All employees, under NJC terms and conditions, receive the national NJC cost of living award. The value of the scale points in these pay grades are up lifted by the pay awards notified from time to time by the National Joint Council for Local Government Services. The National Employers made a pay offer covering the period 1 April 2018 to 31 March 2020 of 2% a year with those on lower salaries receiving higher increases. The National Employers have also recommended changes to the national pay spine to address the compacting of differentials at the lower end of the spine, which are to be implemented on 1 April 2019 together with a new West Suffolk Council pay model.
- 6.4 Progression within the grade for all staff is subject to performance, which is assessed annually, in accordance with the performance review scheme, which came into effect in April 2014. The first performance assessment progression payments were effective from 1 October 2014.
- 6.5 There is no 'time served' progression at either Council.

**7. Gender Pay Gap**

- 7.1 By 1 April 2018 public, private and voluntary sector organisations with 250 or more employees were required to report on their gender pay gaps.
- 7.2 In 2016 the national gender pay gap for full time employees was 9.4%, meaning that average pay for full time female employees was 9.4% lower than for full time male employees.
- 7.3 Our combined mean gender pay gap for the period April 2016 - March 2017 was -1.00%, showing that the average hourly rate of females was 1.00% higher than the average hourly rate of males. The median gender pay gap was -10.22%.
- 7.4 For the period April 2017 - March 2018 our combined mean gender pay gap was -0.5%, showing that the average hourly rate of females was 0.5% more than the average hourly rate of males and the median gap. The median gender pay gap is zero, meaning there is no difference between males and females.

**8. Pay Protection**

- 8.1 Pay protection is applied to employees who are placed in a grade, through restructuring or a re-evaluation of a post, where the maximum salary of that grade is lower than their current earnings, in accordance with the Organisational Change and Redundancy Policies current at the time. Pay is protected for one year. Employees' pay is frozen at this rate, (with no cost of living or incremental increase) for up to one year, or until the maximum of the new grade has caught up or overtaken the current earnings due to annual pay increases.

Note: Pay protection excludes market supplement pay, essential user travel allowance, overtime allowances: it applies to basic pay only. These items are not protected.

**9. Allowances and Benefits in Kind**

- 9.1 Allowances and benefits typically follow nationally agreed rates. However, there are a number of locally agreed allowances which are payable following the collective agreement. Some are subject to eligibility criteria, as follows:

- Essential car user allowance at nationally prescribed lump sum and HMRC mileage rates, and
- Access to a lease car or a lease car scheme, both under strict eligibility criteria and where favourable to the Council.
- Casual user mileage allowance at HMRC rates.
- First Aid (an allowance paid to staff to act as First Aiders in the workplace).



- Reimbursement of one professional subscription fee if beneficial to the performance of the role.

## **10. Payments/Charges and Contributions**

- 10.1 The new Local Government Pension Scheme (LGPS) was implemented with effect from 1 April 2014.
- 10.2 The new LGPS is a 'CARE' (career average revalued earnings) scheme rather than a Final Salary Pension Scheme.

## **11. Multipliers**

- 11.1 The idea of publishing the ratio of the pay of an organisation's top earner to that of its median earner was recommended in order to support the principles of Fair Pay (The Hutton Review of Fair Pay in the Public Sector 2011), and transparency.
- 11.2 The single pay and reward strategy was based on modelling the joint workforce onto the new payline. In addition, the Chief Officers and staff are in shared, joint roles. The data, therefore, reflects the joint workforce and, as such, is the same for both Councils. The Councils current ratio in respect of the pay of the median earner compared to the pay of the highest earner is 5:1 ie the Chief Executive (top earner) earns 5 times as much as the Councils' median earner (£24,657 per annum).
- 11.3 The median salary ratio has remained the same since last year.
- 11.4 The ratio of the Councils' current highest paid employee (April 2018) to the lowest paid employee is 7.4:1. Compared with last year, (2017) which was 7.8:1, the ratio has decreased due to the commitment of the NJC pay award uplifting lower salaries.

The Hutton Review recommended that the average pay ratio between the chief executive of most public sector organisations and the lowest paid member of staff is below 12:1. By comparison, the average estimated top-to-bottom pay ratio in FTSE 100 companies (which disclosed data) was 262:1 in 2011 (source One Society – most recent data available).

We, therefore, compare very favourably to these statistics, although Hutton warned against the difficulty of making direct comparisons between authorities.

## **12. Discretionary Payments**

The policy for the award of any discretionary payments is the same for all staff, regardless of their pay level, up to a maximum of 104 weeks the following arrangements apply:

- 12.1 'Redundancy payments under regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006.'

As of 1 April 2015, this provides an overall lump sum of 1.5 times the statutory redundancy payment multiplier based on actual weeks pay. This is payable to employees made redundant with two or more years local government service regardless of their age.

- 12.2 Severance payments under regulation 6.

Severance payments with a value above £100,000 will be approved by Full Council, in accordance with guidance from the Secretary of State under Section 40 of the Localism Act 2011. Contractual and pension entitlements are not included in this figure as part of a severance payment requiring such approval.

No severance payments are routinely made, but employees aged 55 and over, who are retiring early in the interests of efficiency, receive immediate payment of their pension benefits, with no additional years service or compensatory payments. This forms part of the rules of the LGPS and in accordance with the Pensions Discretions Policy. The capital cost of the early payment of pension benefits will be met by the Council, but all such early retirements are subject to the costs being met by savings within a three-year period.

- 12.3 Additional membership for revision purposes under regulation 12 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007.

None awarded.

- 12.4 Additional pension under regulation 13 of same legislation.

None awarded.

### **13. Decision Making**

- 13.1 Decisions on remuneration are made as follows:-

- (a) Senior pay bands local level approved by Full Council;
- (b) Pay structure for all other posts approved by Full Council;
- (c) Performance progression, in accordance with the locally agreed scheme, and as approved by officers under existing delegated powers.

**14. Disclosure**

- 14.1 This Pay Policy Statement will be published on the Council's website. In addition, numbers and details of posts paid above £50,000 are disclosed on the council's website in the annual Statement of Accounts and as part of the requirements of the Transparency Code.

For further information please contact:-

Wendy Canham  
Service Manager HR & OD  
January 2019

**Comparison Data**

Most recent available information	Ratio to median	Ratio to Lowest paid employee
Ipswich	4.4:1	6.1:1
West Suffolk	5:1	7.4:1
Suffolk Coastal Waveney	5.03:1 5.17:1	8.26:1 7.92:1
Suffolk County Council	6.8:1	10:1
Breckland	Not disclosed	Within 10:1 actual figure not disclosed
East Cambs	Not disclosed	8.25:1 average
Babergh/Mid Suffolk	Actual figure not disclosed but commit that no greater than 8:1	Not disclosed

# Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils

**West Suffolk**  
working together

<b>Title of Report:</b>	<b>Newmarket Cinema and Restaurant Development: Outline Business Case</b>	
<b>Report No:</b>	<b>CAB/JT/19/018</b>	
<b>Report to and date/s:</b>	<b>Joint Executive (Cabinet) Committee</b>	12 March 2019
	<b>FHDC Council</b>	20 March 2019
<b>Portfolio holder:</b>	Councillor Lance Stanbury FHDC Portfolio Holder for Planning and Growth <b>Tel:</b> 07970 947704 <b>Email:</b> lance.stanbury@westsuffolk.gov.uk	
<b>Lead officer:</b>	Jill Korwin Director <b>Tel:</b> 0128 757252 <b>Email:</b> jill.korwin@westsuffolk.gov.uk	
<b>Purpose of report:</b>	To seek adoption of the Outline Business Case and a budget for the next stage of the project to enable detailed plans to be developed for a cinema development in Newmarket.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that:</b></p> <p>(1) <b>Members endorse the project objectives to continue to work towards bringing a cinema and restaurant development to the heart of Newmarket;</b></p> <p>(2) <b>the Outline Business Case for the development of a 3 or 4 screen cinema, as contained in Exempt Appendix A to Report No: CAB/JT/19/018, be approved;</b></p> <p>(3) <b>a budget of up to £190,000 be approved, funded by Strategic Priorities and MTFs reserve, to deliver the further design and</b></p>	

	<p><b>study work as set out in paragraph 6.1 and Table 11 of the Outline Business Case; and</b></p> <p><b>(4) an additional £20,000 is approved, funded by Strategic Priorities and MTFs reserve, to undertake a condition and options review of the Guineas multi-storey car park.</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>As it is a decision of full Council.</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>Initial consultation has been undertaken with Suffolk County Council Highways Department.</li> <li>Any planning application will be subject to a public consultation.</li> </ul>		
<p><b>Alternative option(s):</b></p>	<ul style="list-style-type: none"> <li>Not to adopt the Outline Business Case and not progress any further work on the development of a cinema for Newmarket.</li> </ul>		
<p><b>Implications:</b></p>			
<p><i>Are there any <b>financial</b> implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>As set out in the Outline Business Case and recommendations. At this stage the decision is to approve the budget for further plans and associated studies, not the final development</li> </ul>		
<p><i>Are there any <b>staffing</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>		
<p><i>Are there any <b>ICT</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>		
<p><i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>As explained in the Outline Business Case</li> </ul>		
<p><i>Are there any <b>equality</b> implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>		
<p><b>Risk/opportunity assessment:</b></p>		<p><i>See section B of the Outline Business case</i></p>	
<p><b>Risk area</b></p>	<p><b>Inherent level of risk</b> (before controls)</p>	<p><b>Controls</b></p>	<p><b>Residual risk</b> (after controls)</p>
<p>1. Decline in success of existing Newmarket town centre businesses and loss of income to Council from existing investments</p>	<p>High</p>	<p>Development of a cinema and restaurant offer to increase footfall into the town centre to protect its future</p>	<p>Medium</p>

2. Financial case does improve as full business case is developed	High	Explore value engineering opportunities/design refinement. Review car parking solutions. Review alternative funding options and delivery methods including seeking external funding.	Medium
3. Cost overrun at the design stage	High	Agree a fixed price contract with professional design teams/contractors. Produce realistic estimates from the outset that regularly monitored against the design.	Low
4. Highways challenges leading to additional costs	Medium	Highways studies undertaken. Early engagement with Suffolk CC.	Low
5. The Council decides not to progress with a cinema development leading to abortive costs	Medium	Development of plans include value engineering and least impact on car parking and highways. Negotiate pre let with Cinema operator	Medium
<b>Ward(s) affected:</b>	All Newmarket Wards		
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	Leisure Opportunities in Newmarket 2017 Cabinet Report <a href="http://svr-mgov-01:9070/documents/s20877/CAB.FH.17.031%20Leisure%20Opportunities%20in%20Newmarket.pdf?LO\$=1">http://svr-mgov-01:9070/documents/s20877/CAB.FH.17.031%20Leisure%20Opportunities%20in%20Newmarket.pdf?LO\$=1</a>		
<b>Documents attached:</b>	<b>Exempt Appendix A:</b> Outline Business Case and its Exempt Appendices 1 - 4		

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

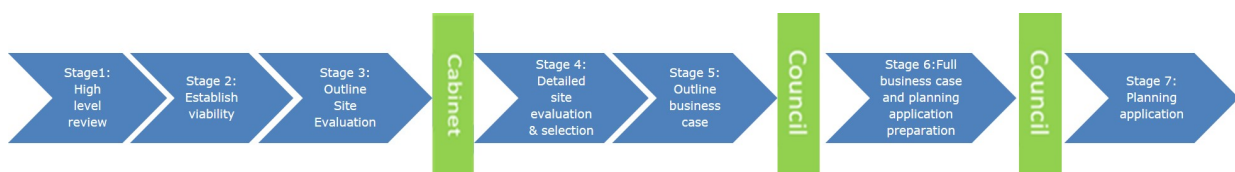
1.1 This Outline Business Case (OBC) is a further gateway in the journey to develop a viable cinema scheme for Newmarket. It summarises work already completed including the study undertaken as a result of the Cabinet paper and funding approval in June 2017, and sets out the case to invest in detailed design and studies necessary to enable a planning application to be submitted for a cinema in Newmarket. At this stage of the project, the intention is to give councillors the confidence to take the next step of working up a final business case and designs that can be submitted to planning. This OBC is seeking to demonstrate that the next stage of the project is a good investment of taxpayers' money. Councillors are not being asked to approve details or funding models for the scheme that could actually be delivered, only the budget for the work to prepare for them.

## **2. Background**

2.1 The Council has been evaluating the issues and options around a cinema development for Newmarket, as part of its commitment to the Councils' vision:

*"Supporting and investing in our West Suffolk communities and businesses to encourage and manage ambitious growth in prosperity and quality of life for all".*

2.2 This OBC sets out the case to bring a cinema and restaurant development to the heart of Newmarket. It brings together findings from market studies and preliminary design and evaluation work and provides a detailed site evaluation together with recommendations to move to the next stage of the project. As with any potential project of this scale, a staged approach is being undertaken with gateways in place for each decision. This business case summarises the viability and site evaluations (i.e. Stage four) and, pending Council approval, we will move to Stage six of the approach illustrated below:



## **3. Why is the Council considering a cinema for Newmarket?**

3.1 The development of a cinema and restaurant scheme is primarily about place-shaping for, and an investment in, Newmarket. Whilst the development of the standalone facility will require a net contribution from the council, the overall estate, including the car park and the Council's interest in the Guineas, will make a positive financial contribution and also safeguard and protect future income from these assets. Across the country, new cinema developments are being delivered in partnership with local authorities as stand-alone developments rarely provide a



commercial return. But the importance of a leisure dimension to a town centre is clear. Evidence from other towns shows the importance of creating a high street "destination". Sir John Timpson, writing the forward to the Government's "High Street Report" (December 2018) observed that *"The town centre of the future should attract local people to take part in a variety of activities - including dining, leisure and sport, culture and the arts, entertainment, medical services, and many more uses"*.

3.2 The strategic case for a cinema development is well made: *"A new cinema alongside food and beverage uses would significantly improve the attraction, vitality and viability of the town's daytime and evening economy. It would also help to widen the customer profile, attracting more family visits and a younger age profile."* (Forest Heath Retail and Leisure Study (2016)).

3.3 Local cinemas have a wide range of positive impacts on their communities (The Impact of Local Cinema, Film London 2005). Local Cinemas:

- Foster a sense of place and provide a focus for the local community;
- Play an important social inclusion role;
- Enhance learning opportunities through links with local schools and colleges;
- Contribute to the vitality and vibrancy of town centres, encouraging the evening economy and increasing footfall;
- Positive impact on safety and security;
- Contribute to the local economy through audience and visitor spend, the use of local suppliers, and their (albeit limited) impact on the local labour market

3.4 In Newmarket, there is strong cinema operator interest and strong local demand for a cinema.

3.5 The Principle of "investing in our growth" is established. The Council recognises that in order to promote economic growth, it needs to consider the investment role it can play to shape places while also ensuring the Council's own financial self-sufficiency.

3.6 There is the need to protect the Councils' existing town centre assets – and the financial return they deliver that is used to fund essential Council services.

3.7 Providing a town centre cinema offer will address the threat of an out of town scheme that would have a negative impact on the town centre. In 2013 a scheme at George Lambton Playing Fields was turned down due to such an impact.

3.8 The OBC provides more detail on the financial case as this is the most challenging aspect of this project, a situation that is reflected in other cinema proposals around the country. With current land values, build costs and rental returns it is rarely possible to develop a town centre scheme that does not require some sort of local authority support.

#### **4. Work to date and site selection**

4.1 Over the last 2 years, the Council has undertaken a number of studies that have all contributed to the production of this outline business case. For any development of this scale it is essential that sufficient due diligence is undertaken before a move to delivery stage. This project has offered additional challenges due to the constrained sites available. The studies cost a total of £66,155 and are summarised below:

<b>Study</b>	<b>Purpose</b>	<b>Cost</b>
Cinema Next, Newmarket Cinema Study (2017)	Viability of a cinema development in Newmarket, shortlist potential sites, market review; wider benefits	£19,000
Harris Partnership (2017)	Design options for 3 shortlisted sites with outline costings	£39,155
Montagu Evans (2018)	Review work to date; refine options; market engagement including parking impacts and options study	£8,000

4.2 Those studies have concluded that there would be operator interest in a development, but the challenge has consistently been to refine costs as far as possible. The financial appraisal (Exempt OBC Appendix 4) explores the financials in more detail.

4.3 The Harris Partnership Study evaluated 3 sites in the town and concluded that building a development on Fred Archer Way, adjacent to the Guinea's multi-story car park, next to the North entrance to the Guineas was the premium development site, having regard to:

- Availability of land
- Planning constraints and size requirements
- Operator requirements including connectivity, visibility and car parking provision
- Council considerations including enhancing street scene, financial case and risk profile

4.4 However that site poses challenges in regard to the loss of surface car parking and access arrangements for the multi storey car park and these are explored in this business case. This business case explores 2 alternative schemes on that site - both delivering 3 restaurants and at a cinema with at least 3 screens.

4.5 The wider benefits and objectives of the project will include:

- Enhance Newmarket's town centre offer and the Guineas shopping centre to increase footfall and spend in the town;
- Improve the town street scene through creation of a plaza area;
- Act as a wider catalyst for growth
- Create new employment opportunities
- Enhance Newmarket as a destination for business and tourism
- Deliver a positive response from the Council to the local demand for a cinema
- Protect the Council's income from existing town centre assets;
- Increase business rates and car parking revenue to invest in Council services.

4.6 There are different options available to the Council to ultimately bring a scheme forward, but at this stage the purpose of the outline business case is to seek funding to develop the outline plans to a stage that a planning permission can be sought. This will have the benefit of providing market assurance of the Council's commitment to a scheme and provide a platform to enter into negotiations with potential operators.

## **5. Operator Interest**

5.1 Positive discussions have been held with a number of operators and advisors are optimistic about securing a cinema operator for Newmarket. The next stage of the project will enable these discussions to progress further.

## **6 Next Steps**

6.1 In order to move to a detailed brief and the surveys necessary for a planning application, the Council would need to commit to undertaking the following studies and to further develop market engagement:

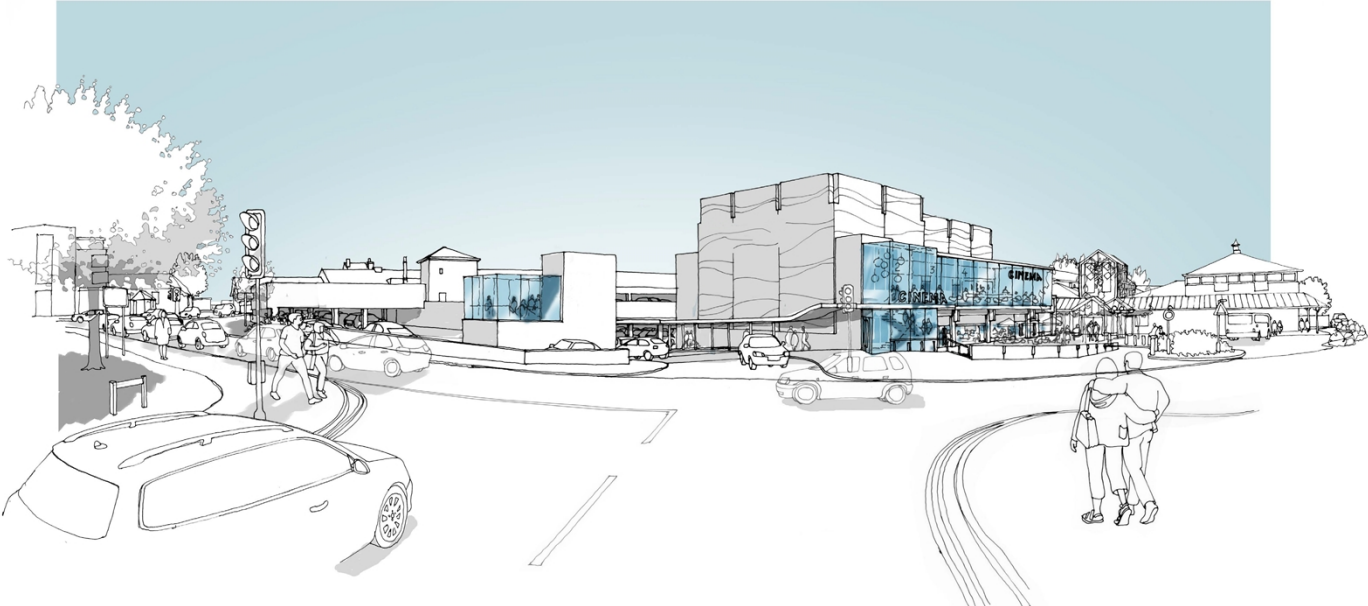
- Detailed Highways survey, studies and plan
- Detailed Design work (RIBA Stage 3)
- Market Engagement
- Agent support for development of pre-let agreements.

6.2 The estimated cost of this work is £190,000 for a three or four screen cinema. Should a scheme for a larger cinema be developed that will impact further on car parking and the highway, that cost will increase to £280,000.

6.3 Undertaking such studies is an essential stage for a project of this scale and the costs are proportionate to work done for other Council led developments such as the Mildenhall Hub and the Cornhill development in Bury St Edmunds. However, there is always a risk that such costs are abortive should a scheme not progress.

- 6.4 Given a cinema development will have a clear impact on the Guineas multi-storey car park there is an opportunity now to undertake a full evaluation of that car park and investigate its structural condition and look at opportunities for reconfiguration or extension to improve flow and increase capacity. It is suggested that this study is undertaken in conjunction with the cinema evaluation as should works be necessary they need to be planned to link with the cinema development. Such a study would cost no more than £20,000.
- 6.4 The brief to the designers for the cinema design will include exploring value engineering opportunities, environmental performance and maximising lettable space in the development and the same time as minimising the impact on car parking whilst the construction work takes place and when the cinema is built. As a result of this further work it is hoped that the financial case will improve further. External funding opportunities will also be explored.

Figure 1: Concept design for cinema development (The Harris Partnership)



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank