

Shadow Council

Title:	Agenda
Date:	Tuesday 12 June 2018
Time:	6.30 pm
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU
Membership:	All Councillors You are hereby summoned to attend a meeting of the Shadow Council to transact the business on the agenda set out below.  Ian Gallin Chief Executive 4 June 2018
Interests – Declaration and Restriction on Participation:	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.
Quorum	Twenty four Members
Committee administrator:	Claire Skoyles Democratic Services Officer Tel: 01284 757176 Email: claire.skoyles@westsuffolk.gov.uk

Public Information

Forest Heath & St Edmundsbury councils

West Suffolk
working together

Venue:	West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01638 719237 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above and following address: District Offices College Heath Road Mildenhall Bury St Edmunds Suffolk IP28 7EY at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The West Suffolk Shadow Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public participation:	Members of the public may ask questions of Members of the Shadow Executive (Cabinet) at ordinary meetings of the Shadow Council. 30 minutes will be set aside for persons in the public gallery who live or work in the West Suffolk area to ask questions about the work of the Shadow Council. 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 online by sending the request to democratic.services@westsuffolk.gov.uk or telephoning 01284 757176 or in person by telling the committee administrator present at the meeting. Written questions, detailing the full question to be asked, may be submitted by members of the public to the Interim Monitoring Officer no later than 10.00 am on the previous working day to the meeting of the Council. Email: democratic.services@westsuffolk.gov.uk Phone: 01284 757162	
Disabled access:	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.	
Induction loop:	An Induction loop is available for meetings held in the Conference Chamber.	
Recording of meetings:	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.	

Procedural Matters

Agenda

Page No

1. Chairman's Announcements

2. Apologies for Absence

To receive announcements (if any) from the officer advising the Chairman (including apologies for absence)

3. Declarations of Interests

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

Part 1 – Public

4. Public Participation

(Shadow Council Procedure Rules Section 6) Members of the public who live or work in the West Suffolk area are invited to put one question of not more than five minutes duration about the work of the Shadow Council to members of the Shadow Executive. 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 Shadow 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 Interim Monitoring Officer **no later than 10.00 am on Monday 11 June 2018.** The written notification should **detail the full question** to be asked at the meeting of the Council.)*

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

5. Referrals Report of Recommendations from the Shadow Executive (Cabinet) 1 - 24

Report No: **COU/SA/18/003**

(A) Referral from Shadow Executive (Cabinet):
5 June 2018

1. Implementation Plan for the Creation of a New Council for West Suffolk

(The referral has been compiled before the meeting of the Shadow Executive (Cabinet) on 5 June 2018 and is based on the recommendation contained within the report. Any amendments made by the Shadow Executive to the recommendation will be notified prior to the Shadow Council meeting)

Shadow Executive (Cabinet) Members:

Cllrs Ruth Bowman J.P. and Carol Bull

6. West Suffolk Council: Councillor Remuneration 25 - 38

Report No: **COU/SA/18/004**

7. Civic Leadership Review 39 - 48

Report No: **COU/SA/18/005**

8. Urgent Questions on Notice

The Shadow Council will consider any urgent questions on notice that were notified to the Interim Monitoring Officer by 11am on the day of the meeting.

Part 2 – Exempt

NONE

Shadow Council

Forest Heath & St Edmundsbury councils
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Title of Report:	Referrals Report of Recommendations from the Shadow Executive (Cabinet)	
Report No:	COU/SA/18/003	
Report to and date:	Shadow Council	12 June 2018
Documents attached:	Appendix 1: Shadow Executive (Cabinet) Report No: EXC/SA/18/001 'Implementation Plan for the Creation of a New Council for West Suffolk'	

**(A) Referral from First Meeting of Shadow Executive (Cabinet):
5 June 2018**

1. Implementation Plan for the Creation of a New Council for West Suffolk

(This referral has been compiled before the meeting of the Shadow Executive (Cabinet) on 5 June 2018 and is based on the recommendation contained within the report listed below. Any amendments made by the Shadow Executive (Cabinet) to the recommendation within this report will be notified prior to the Shadow Council meeting)

Shadow Executive (Cabinet)

Members:

Cllrs Ruth Bowman J.P. and Carol Bull

Report No:

[EXC/SA/18/001](#)

[Appendix A](#)

RECOMMENDED:

That the Implementation Plan attached at Appendix A to Report No: EXC/SA/18/001, be agreed.

- 1.1 On 5 June 2018, the Shadow Executive (Cabinet) will be asked to resolve:

That the Central Implementation Team as outlined in paragraph 16 of Appendix A to Report No: EXC/SA/18/001, be agreed; and

RECOMMEND to SHADOW COUNCIL:

That the Implementation Plan attached at Appendix A to Report No: EXC/SA/18/001, be agreed.

- 1.2 A first meeting of the Shadow Executive (Cabinet) on 5 June 2018 has been arranged to consider the above item. This referral report will be despatched with the Shadow Council summons prior to this meeting taking place, therefore the recommendation shown in bold, italics above is based on the recommendation contained in the Shadow Executive (Cabinet) report.
- 1.3 For ease of reference, the full Shadow Executive (Cabinet) report and its appendix is attached to this referrals report. If the Shadow Executive (Cabinet) makes any changes to the recommendation to Shadow Council printed in the report, these will be despatched to Members prior to the meeting and published on the Councils' website accordingly.
- 1.4 Whilst being attached to this report, Members may also view the full report and its appendix on the Councils' website via the above links.

First Meeting of Shadow Executive (Cabinet)

Forest Heath & St Edmundsbury councils

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Title of Report:	Implementation Plan for the Creation of a New Council for West Suffolk	
Report No:	EXC/SA/18/001	
Report to and dates:	Shadow Executive (Cabinet)	5 June 2018
	Shadow Council	12 June 2018
Portfolio holders:	Cllr Ruth Bowman, J.P FHDC Portfolio Holder for Future Governance Tel: 01638 510896 Email: ruth.bowman@forest-heath.gov.uk	Cllr Carol Bull SEBC Portfolio Holder for Future Governance Tel: 01953 681513 Email: carol.bull@stedsbcc.gov.uk
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	Ben Smith Programme Manager – Single Council Implementation Tel: 01284 757101 Email: ben.smith@westsuffolk.gov.uk
Purpose of report:	The implementation plan outlines the principles on which the functions and responsibilities of Forest Heath and St Edmundsbury Councils will transfer to the West Suffolk Council.	
Recommendation:	The Shadow Executive (Cabinet) is requested to: 1) Agree the Central Implementation Team as outlined in paragraph 16 of Appendix A to Report No: EXC/SA/18/001. 2) Recommend that the West Suffolk Shadow Council agrees the Implementation Plan attached at Appendix A to Report No: EXC/SA/18/001.	
Key Decision:	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/>	

(Check the appropriate box and delete all those that do not apply.)		No, it is not a Key Decision - <input checked="" type="checkbox"/>	
The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.			
Consultation:		<ul style="list-style-type: none"> Consultation will be undertaken where relevant to individual workstreams in the implementation plans. 	
Alternative option(s):		<ul style="list-style-type: none"> None applicable 	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> The budget for implementation of the new Council was agreed by both councils as part of the business case. The new council will bring savings and efficiencies totalling around £850k per annum. Delivery of the savings has been included as part of the West Suffolk councils Medium Term Financial Strategy. 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The requirement to form an implementation plan and establish a Central Implementation Team is a requirement of the West Suffolk Council (Local Government Reorganisation) Order 2018 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Equality impact assessments will be undertaken where relevant to individual workstreams in the implementation plans 	
Risk/opportunity assessment:		(potential hazards or opportunities affecting corporate, service or project objectives)	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to agree an implementation plan leads to an inconsistent or incomplete implementation of the single council and lack of compliance with legal obligations	Medium	Agreement of the Implementation Plan by the Shadow Council	Low

An appraisal of the risks associated with implementing the new council is set out in the implementation plan. Development of the detailed service level implementation plans will incorporate the identification of additional risks, and the appropriate mitigating measures. Where appropriate, risks will be escalated through programme governance reporting framework.	
Ward(s) affected:	All wards
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	A single district council for West Suffolk – Business Case - https://www.westsuffolk.gov.uk/Council/single_council/upload/WestSuffolkCouncilBusinessCaseFINAL.pdf
Documents attached:	Appendix A - West Suffolk Council Implementation Plan

1. Key issues and reasons for recommendation(s)

- 1.1 On 24 May 2018, the Local Government Minister signed the Orders to create the new West Suffolk Council. This marks the end of the approval phase, and it is now time to focus on the work required to bring the new Council into being.
- 1.2 The West Suffolk Shadow Authority is required to form an Implementation Plan, to outline how the functions and responsibilities of Forest Heath and St Edmundsbury Councils will transfer to the West Suffolk Council on 1 April 2019.
- 1.3 The proposed Implementation Plan is attached at Appendix A to this report and is focused on the following areas:
 - the principles of implementation;
 - areas of decision making that the West Suffolk Shadow Council and West Suffolk Shadow Executive will be required to make;
 - other key areas of implementation; and
 - programme governance.
- 1.4 In forming the Implementation Plan, focus has been maintained in two core areas – ensuring that the requirements in the business plan are respected, and that our residents, businesses and customers continue to receive the high level of public services that they would expect with minimal levels of disruption.
- 1.5 The Councils' service areas have worked to refine detailed service-level plans, which outline the necessary steps to be taken for transitioning the service areas to the new Council. These are subject to ongoing monitoring through the governance mechanisms outlined in the Implementation Plan. When implementing their plans, the services will focus on how they comply with the principles in the Implementation Plan.
- 1.6 The Implementation Plan also establishes a Central Implementation Team of Officers who will assist the Shadow Executive with the delivery of the Implementation Plan. The Central Implementation Team will be led by the Chief Executive and will report to the Forest Heath and St Edmundsbury Portfolio Holders for Future Governance and to the Shadow Executive. The Shadow Executive will be responsible for keeping the Implementation Plan under review and revising it as necessary.
- 1.7 Following agreement of the Implementation Plan, a more formal timetable and decisions plan will be developed to provide clarity on where and when individual areas of implementation are expected to come forward for member agreement.



A SINGLE COUNCIL FOR WEST SUFFOLK

Implementation Plan for the creation of a new, single council for West Suffolk

May 2018



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A. BACKGROUND

1. Forest Heath and St Edmundsbury councils (the councils) have a long, shared history, culminating in recent years in the formation of a full shared service partnership between the two councils that has created ongoing savings in excess of £4 million in staff and other costs since 2013.
2. The councils are committed to shaping local government arrangements in West Suffolk in the most effective way. In September 2017 the Councils agreed a Business Plan to create a new, district council for West Suffolk. This was submitted to the (then) Secretary of State for Communities and Local Government.
3. A new, single district council for West Suffolk will bring the following benefits for local businesses and communities, including:
 - value for money, financial savings and self-sufficiency;
 - simplicity;
 - democratic accountability;
 - influence; and
 - resilience.
4. In February 2018, following a period of consultation, the Secretary of State announced that he would support the proposal to create a new West Suffolk Council and confirmed that the draft order to create a new council would be heard by Parliament.
5. In May 2018 the orders to create a new, single district-level council for West Suffolk were signed into law by the Secretary of State for Housing, Communities and Local Government confirming that the new West Suffolk Council would be created on 1 April 2019 and elections to the new Council would take place on 2 May 2019.
6. The order that creates the new West Suffolk Council provides for the establishment of a Shadow Authority and Shadow Executive to operate before West Suffolk Council takes on full responsibility on 1 April 2019. The Shadow Authority and Shadow Executive are tasked with making all the necessary preparations in advance of 1 April 2019, including endorsing and keeping under review this implementation plan.

B. PRINCIPLES OF IMPLEMENTATION

7. The councils have a long, shared history, which has led to the formation of joint strategic plans and objectives, and a fully shared officer structure. Due to the level of integration between the councils at present, work to transition to the new West Suffolk Council will be less significant than within authorities that do not have the same level of harmonisation.
8. The plan for implementing the transition to the new West Suffolk Council is based on five key principles:

- We will ensure West Suffolk Council is fully empowered to discharge all of its powers and functions on 1 April 2019;
- We are not expecting the creation to impact on service delivery. Where there is an impact we will aim to minimise the impact on our residents, communities, businesses, service users and other local stakeholders and partners;
- Policies will be harmonised in a way that enables West Suffolk Council to operate with a clear purpose;
- We will not take avoidable decisions that would constrain or restrict the operation of West Suffolk Council; and
- We will focus on delivering the commitments made in our business case

9. The Shadow Executive will establish a Central Implementation Team of officers, who will lead the delivery of the implementation plan. The Central Implementation Team will be led by the Chief Executive.

10. The implementation of the new West Suffolk Council has an agreed budget of £0.5m which both councils committed to meetings as part of the business case. Delivery of the new single council is estimated to generate a further £0.5 million of annual cashable savings, £0.35m non-cashable savings and will protect the shared services savings of £4 million each year across West Suffolk that the councils have achieved.

C. MOVING INTO IMPLEMENTATION

11. Forest Heath and St Edmundsbury Councils will remain as separate, sovereign bodies until 31 March 2019. Meanwhile all of the Council members will form a West Suffolk Shadow Authority to oversee the transition to a new West Suffolk Council.

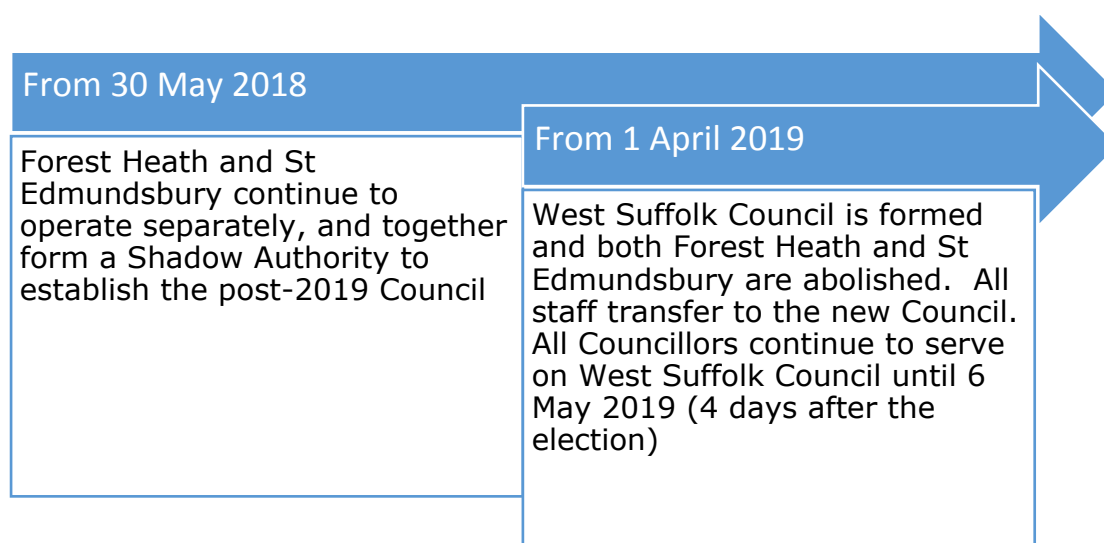
12. The Shadow Authority is responsible for ensuring that all necessary measures are in place to allow for the functions and powers of Forest Heath and St Edmundsbury to transfer to West Suffolk Council, and in particular:

- adopt policy and strategy for West Suffolk Council;
- set a budget and precept for West Suffolk Council to operate from 1 April 2019;
- produce a constitution and governance model for West Suffolk Council;
- Appoint statutory officers to West Suffolk Council, and make provisions for the transfer of staff, assets and liabilities for the new Council;
- commission an Independent Remuneration Panel to produce a scheme of members' allowances for West Suffolk Council to consider at its first meeting in May 2019;
- lead a review of civic leadership in West Suffolk; and
- act as a consultee for the purposes of the Local Government Boundary Commission for England's electoral review.

13. The Shadow Authority will appoint a Leader and Shadow Executive to oversee the planning of the Implementation Plan. It should be noted that the

leaders from both Forest Heath and St Edmundsbury must be on the Shadow Executive for the duration of the shadow period (until 4 days after the May 2019 election).

14. On 1 April 2019, the local government areas of Forest Heath and St Edmundsbury will be abolished and the new West Suffolk Council will take on the powers and responsibilities of the former bodies. At this point, the 72 members of Forest Heath and St Edmundsbury will cease their term of office for their respective councils and will continue to be members of the Shadow Authority until four days after the election to the West Suffolk Council, being held on 2 May 2019.



15. A team of officers will be formed by the Shadow Executive for the purposes of assisting it with delivery of the Implementation Plan. They will be known as the Central Implementation Team. The officers on the Central Implementation Team will be:

16. The Shadow Executive is responsible for the Implementation Plan and a Central Implementation Team of officers will be established to assist with the delivery. The Central Implementation Team will be led by the Chief Executive and will include the following officers:

- Joint Chief Executive (leader of the Central Implementation Team)
- Monitoring Officer
- Section 151 Officer
- Strategic Director
- Assistant Director for HR, Legal and Democratic Services
- Service Manager for Corporate Policy
- Service Manager for Communications
- Programme Manager: Single Council Implementation

17. Decisions over the membership of the Central Implementation Team will be the responsibility of the Chief Executive.

18. All necessary modifications to systems and procedures will need to be implemented in time for the creation of the new West Suffolk Council on 1 April 2019.

19. The success measures from the implementation of the new Council will be based on the principles highlighted above, and on delivery of the business case.

Shadow Authority decision making

D. POLICY AND STRATEGY

20. The new West Suffolk Council will require a single policy framework to govern its activities. The content of the majority of policies currently adopted by Forest Heath and St Edmundsbury Councils are already the same between the councils, due to the harmonisation work undertaken through shared services. However, a small number of policy areas remain where there are differences between the two councils.

21. The suite of documents that are already joint will be rebranded (for example, change 'councils' to 'council') and then put forward to the Shadow Council or Shadow Executive for adoption. The joint documents will be collectively considered for adoption.

22. There are also some policies that are already joint but require renewal ahead of the implementation of the new Council because of the existing councils' statutory duty. These include the Gambling Act Statement of Principles and Statement of Licensing Policy, both of which are due for renewal by December 2018. As such, the policies will require adoption by Forest Heath District Council, St Edmundsbury Borough Council, and West Suffolk Shadow Council.

23. The following policies remain separate for the two councils and require harmonisation before 1 April 2019:

- Taxi/Private Hire Vehicle policies
 - o Livery
 - o Vehicle age
 - o Fares
 - o Licence plates
- Street Vending and Trading
- West Suffolk Statement of Licensing Policy
- Play area inspections
- Empty Property Council Tax Discounts
- Discretionary business rate relief policy
- Supplementary Planning Document for Open Space, Sport and Recreation
- Used battery collection
- Recycling credits to third parties – scheme rules
- Treasury management
- Appeals for parking fines

24. The above policies will be harmonised as part of the transition to the new council. Each issue will be considered on its merits, with emphasis placed on smooth and transparent transition of arrangements to the new Council.

25. The councils have separate planning policies in place and it is expected that the West Suffolk Council will continue work on a West Suffolk Local Plan. As part of the implementation plan, the arrangements for retaining the existing Planning Policies will be clarified.

26. It's important to note that the councils operate with some differences with their Market Trading Regulations and Cemetery Regulations. These differences relate specifically to towns, rather than the West Suffolk Council area. Where policies or decisions are place-specific, there is not a requirement to review the differences as part of the Implementation Plan.

E. BUDGET AND COUNCIL TAX LEVELS

27. The new West Suffolk Council will need to have an established budget and financial plans to operate from 1 April 2019. The decision on the budget and council tax levels for the 2019/20 financial year will be made by the West Suffolk Shadow Council in February 2019.

28. As part of the budget setting process there will be a requirement to assess the level of reserves for the new West Suffolk Council to ensure they are prudent. In a number of areas, both authorities hold earmarked reserves for the same stated purpose, and a single council approach would entail consideration of revised levels for these.

29. The new West Suffolk Council will work towards a single level of council tax. As set out in the 2017 business case there will be a period of harmonisation (7 years is proposed as part of the business case) to achieve this. The Secretary of State intends to exercise his powers under the Section 14 of the Local Government and Public Involvement in Health Act 2007 Act to make consequential orders which will allow for a transitional period for the harmonisation of council tax. The consequential order is expected to come forward in July 2018.

30. There will be a requirement for the budget setting process to be scrutinised. The Constitution for the Shadow West Suffolk Council will establish how this scrutiny will be undertaken.

F. GOVERNANCE MODEL

31. The Shadow Authority will be required to adopt a constitution at its first meeting of the Shadow Council. The Shadow Authority will not have the same powers and functions as St Edmundsbury and Forest Heath, for example it won't make decisions on planning applications. Therefore the shadow constitution will not need to cover those areas and will instead cover how it will hold meetings and make decisions, the role of the Shadow Executive and also how the scrutiny function would operate. This will provide clarity on how the Shadow Authority

will prepare to take on the functions of West Suffolk Council from Forest Heath and St Edmundsbury.

32. A constitution for the new West Suffolk Council will also need to be prepared for adoption by the Shadow Council, to come into effect on 1 April 2019. The Forest Heath and St Edmundsbury constitutions are broadly aligned and will provide a solid framework for producing the new constitution.

33. The Future Governance Steering Group will establish proposals for the West Suffolk Council governance arrangements, which will form the basis of the new constitution. The governance model will need to take into consideration that West Suffolk Council will be one of the largest district-tier councils in the country and produce a model that is appropriate to the nature of governance required whilst taking account of the opportunity for members to play strong roles in and for their localities.

34. The work of the Future Governance Steering Group will feed into the Joint Constitution Working Group, which is cross-party and cross-authority, who will work on the new constitution to ensure appropriate arrangements are in place ahead of 1 April 2019. The Joint Constitution Working Group will report into the Shadow Council.

G. MEMBERS' ALLOWANCES

35. The Shadow Authority is required to formulate a scheme of members' allowances for West Suffolk Council to operate under from 1 April 2019. The size of the new West Suffolk Council necessitates a fundamental review of allowances and there are a number of differences between the current schemes for Forest Heath and St Edmundsbury and therefore it is not possible to simply adopt the existing allowances scheme.

36. The Shadow Authority will be required to appoint an Independent Panel to lead the review of remuneration, allowances and expenses for Councillors. The panel's work will be supported by Officers of the Councils, who will offer appropriate training, briefing and support to the Panel members.

37. It is expected that the Independent Panel will make recommendations for the Shadow Council to consider in February 2019, with a view that the Council's decision will be referred to West Suffolk Council to adopt after 1 April.

H. CIVIC LEADERSHIP

38. Forest Heath and St Edmundsbury are separate sovereign bodies and therefore operate under different models for civic leadership. The main civic leadership role in Forest Heath is provided by a Chairman and in St Edmundsbury it is provided by a Mayor. Each of these civic leaders operates in line with a role description or protocol and the role of the civic leader for the new West Suffolk Council will need to be defined by the Shadow Authority.

39. It is important to note that civic leadership is wider than one individual. It is about how residents engage with and understand the Council; how the Council demonstrates support for its communities, encourages civic pride in its area,

promotes local democracy and how the role supports the aims and ambitions of the Council. The civic leader is the figurehead of this work, alongside their Deputy and local ward Councillors.

40. With this in mind, the Shadow Council will be establishing a Working Group to assess what civic leadership should be under the new West Suffolk Council and determine whether an application should be made to the Privy Council for the West Suffolk Council to be granted Borough status.

41. The activities and recommendations of the Civic Leadership Working Group will be reported to the Shadow Council.

I. ELECTORAL REVIEW

42. On 4 May 2018 the councils submitted options for the future West Suffolk wards to the Local Government Boundary Commission for England (LGBCE). The LGBCE will consider all options put forward, and then publish a draft proposal for public consultation on 3 July 2018. The LGBCE consultation will run until 27 August 2018. The Shadow Council will have the option of responding to the LGBCE consultation.

43. The LGBCE will consider the evidence received and produce final recommendations for West Suffolk Council's electoral arrangements. A draft order will be laid in both Houses of Parliament and the new ward arrangements will come into effect at the first election to the new Council on 2 May 2019.

Other significant areas of implementation

J. BRANDING

44. Forest Heath and St Edmundsbury have been operating for a number of years under a West Suffolk Councils brand which is considered to be a clear and simple brand which is recognised by residents and businesses. At the start of the process councillors supported that a sensible, simple and cost-effective approach would be to make minor amendments to the existing brand to reflect the already recognisable 'West Suffolk' logo for the change to the new Council.

45. The West Suffolk 'working together' logo is the branding, used on service vehicles (such as refuse lorries) as well as communications coming from the councils. The councils' own individual logos are used when they are working alone or have individual statutory responsibilities (such as council tax letters or regulatory letters).

46. The new logo and branding is needed for when the new Council starts, especially for statutory and legal documents and signage and has been produced, as below. Any further work on rebranding and visioning around this would be for the new Council to consider.



K. LEGAL AGREEMENTS

47. In advance of the creation of West Suffolk Council, the councils will be required to conduct a review of all contracts involving Forest Heath District Council and St Edmundsbury Borough Council including Memorandums of Understanding, Service Level Agreements, Partnership Agreements, Shareholder Agreements, Funding Agreements and Rent Deposit Agreements. A number of contracts already operate across the two Councils due to the existing shared service arrangements.

48. Information will be gathered to allow the councils to determine the extent to which those agreements require to be novated (whereby the existing contract is extinguished and immediately replaced with another in which West Suffolk Council effectively takes up, and replicates, those rights and obligations of the original authority) or where an alternative route needs to be followed, for example a re-tender exercise due to an opportunity to achieve savings.

L. TRANSFER OF ASSETS

49. Forest Heath and St Edmundsbury own a number of assets across West Suffolk which will need to be transferred to the new West Suffolk Council. The Secretary of State intends to exercise his powers under the Section 14 of the Local Government and Public Involvement in Health Act 2007 to make consequential orders which will allow for the transfer of property, assets and liabilities to the new council.

M. STAFF TUPE

50. All employees of Forest Heath and St Edmundsbury councils will TUPE into the West Suffolk Council on 1 April 2019. TUPE stands for 'Transfer of Undertakings (Protection of Employment) Regulations 2006', which protect the entitlement of employees to the same pay, terms and conditions, with continuity of employment, as they had before the transfer.

51. The existing high level of staff integration between the councils, for example staff already operating on single terms, conditions and pay means that the TUPE requirements are relatively straightforward. All employees will receive a letter (an amendment to contract) advising that they are to be TUPE

transferred from either St Edmundsbury or Forest Heath to West Suffolk Council and all terms and conditions will remain the same.

N. IT SYSTEMS

52. The IT infrastructure, systems and processes that the councils operate are broadly aligned and many require minimal revision to implement the transition to the West Suffolk Council. Officers have been tasked with working with their software suppliers to understand the work required, mainly database mergers, and to liaise with the IT Service to schedule implementation and testing of the changes.

53. The modifications to systems and processes include changes required to system templates as a result of new branding, changes to wards and boundaries and changes to resolve small anomalies between Council processes and policies. In addition changes are required to online forms to remove the need to select Forest Heath or St Edmundsbury.

O. MEMBER DEVELOPMENT

54. The business case indicated the potential of a single Council and to support this ambition we need to ensure that our resources are aligned and delivering in the optimum way. As part of our implementation planning, it is right we take the opportunity to review our approach towards member development so that members can effectively deliver in their roles as ward members and also as decision makers within the Council. This will start with the induction programme for the first members elected to the West Suffolk Council in May 2019. It is expected that a draft induction programme will be brought forward in autumn 2018.

Programme Management

P. BUDGET FOR IMPLEMENTATION

55. The business case for a single Council has committed a £0.5m budget to enable implementation. This includes the current working assumptions:

- £150k ICT and systems – to support the costs associated with modification to systems and third party suppliers
- £50k Advisory cost – for example, relating to the local plan, potential Strategic Housing Market Assessment reassessment, and the potential for additional financial advisory work required by Ernst & Young in auditing closedown / first year accounts
- £80k branding cost – including signs, notices, uniforms, website, intranet, communications, civic regalia
- £20k shadow authority – running and administration of the third Council body on a temporary basis
- £200k indirect costs – costs of Council staff in undertaking the necessary work internally – modifying systems, changes to partnership arrangements, changes to contracts, notifying third parties, project and programme management, leadership and advisory, and specific support from cross-cutting services such as HR, Finance, legal etc.

Q. SAVINGS FROM CREATING A NEW COUNCIL

56. The new council will bring savings and efficiencies totalling around £850k, as detailed in the table below.

Area	Saving	Rationale
Corporate Costs – cashable	£300k	<p>The potential for savings have been identified in a number of areas; however, these are subject to contract retenders/or negotiations. Specific identified costs include:</p> <ul style="list-style-type: none"> - External Audit Fees (£30k) - Bank Fees (£35k) - Corporate Subscriptions (£35k) - Insurance costs (£30k) - Reduced local plan production costs (£20k) - Reduced IT subscriptions (£25k) - Reduced procurement outcome costs (£25k) - Other ancillary savings (£50k)
Opportunity Cost - cashable	£200k	<p>This saving comes from the decision to become a single Council. If the decision had not been made then the challenges that the councils would face as individual Councils with potentially diverging financial agendas were likely to increase. It was anticipated that approximately £200k of additional resource would have been required to support both authorities to deliver their agendas without the capacity and productivity savings that are achievable under a single Council.</p>
Staff Costs – non cashable efficiency savings	<p>£350k</p> <p>This includes a 20% efficiency gain for the Council's Leadership Team and 10% efficiency gain for service managers (approx. £350k per annum)</p>	<p>In addition to the cashable savings, the business recognises the gain in efficiency and capacity that would be released as a result of a single council. Particularly at senior management team level, serving two authorities generates a considerable level of duplication, especially in attending committee meetings, briefing councillors, report writing, etc. In these areas, a single council would create a level of efficiency savings that, whilst not</p>

Area	Saving	Rationale
		<p>immediately cashable, would create increased effectiveness of management and productivity. This would enable greater focus on growing business areas (to generate new income to support services) and investing in communities.</p> <p>We expect that staff efficiencies in the following areas:</p> <ul style="list-style-type: none"> - Senior Officer support to multiple Council meetings – preparation of separate reports, attendance at twin meetings, potential increase in delegation authority etc - Simplified invoicing / charging / billing arrangements, one statement of accounts - Simplified procurement exercises - Simplified elections and Democratic processes - Opportunities to review and streamline operating practices

57. The Central Implementation Team will create a framework for managing the financial benefits expected from the change and the detailed service-level implementation plans will ensure the associated benefits are delivered. In addition, delivery of the cashable savings has been included as part of the West Suffolk Councils Medium Term Financial Strategy and the savings are expected to be realised in the 2019/20 and 2020/21 budgets.

R. SERVICE PLANS

58. Every service area is required to have an Implementation Plan for the transition of their service to the West Suffolk Council. The service-level plans have been produced using information collated for the business case and from workshops with service areas in January and February 2018. Service Managers are responsible for ensuring that the work in their service is planned and delivered and are required to report on their progress every six weeks.

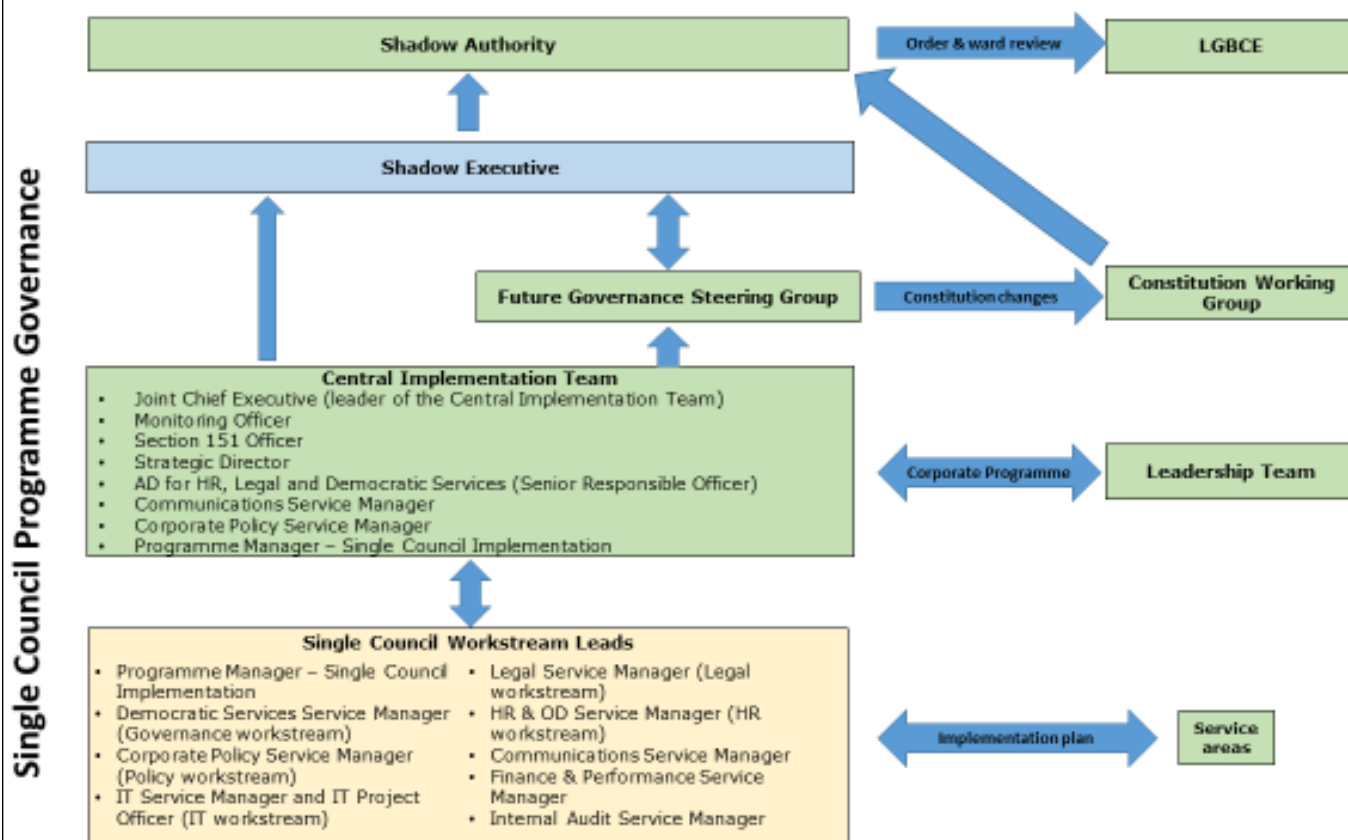
59. Workstream leads for IT, Finance, HR, Legal, Governance and Policy have been selected to work with services areas as appropriate. For example, the workstream lead for policy would work with service areas to harmonise any policy differences.

S. IMPACT OF SERVICE LEVEL CHANGES

60. As we progress towards 1 April 2019, and take forward the individual actions arising out of the implementation plan, we will need to assess the impacts that potential service changes have. Where appropriate, the impacts will be subject to formal assessment (such as equality impact assessment, or data protection impact assessment) and appropriate mitigations will be developed.

T. PROGRAMME GOVERNANCE

61. The structure of the governance for the Single Council Implementation Programme is below:



62. Implementation of the programme, including service-level implementation progress will be monitored every six weeks and, where appropriate, key issues will be escalated through the officer and member governance structure.

63. The Central Implementation Team will evaluate the success of the transition to the new Council against the five principles for implementation, as highlighted above. In addition, the Programme Manager for Single Council Implementation will work with MHCLG to record details of the implementation programme so that learning can be shared with district councils that are considering similar proposals.

U. COMMUNICATIONS

64. A comprehensive communications plan is in place for the Implementation Plan. The Service Manager – Corporate Communications is part of both the Central Implementation Team and the Implementation Project Team to ensure that the Corporate Communications Team has oversight of the overall programme and the service-level implementation plans.

65. Communications planning will be developed alongside the work of service areas to refine their individual work programmes.

V. RISK

66. An appraisal of the risks associated with implementing the new council is set out below, covering the following risks and potential mitigations.

1. Creation of a new council is not implemented effectively.
2. Predicted benefits are not realised.
3. Changing status results in unforeseen changes in funding.
4. Confusion over new governance arrangements.
5. Residents perceive the council is more distant.
6. Lack of support from the public.
7. Resistance to change among staff and councillors.
8. Lack of clarity on overall vision and outcomes.
9. Changes in the external environment.

1. Creation of new council is not implemented effectively	
Impact	Action/ control
Negative impact on political relationships and service delivery. Negative impact on profile of the previous councils and new merged Council.	We will create a clear and long term vision with regular performance management and progress reports. We will also establish robust political and officer governance to deliver the creation of a new council and long term vision.
2. Predicted benefits are not realised	
Impact	Action/ control
Savings and service benefits are not delivered which creates additional budget pressures for the new council.	We will create a clear framework for managing the financial benefits expected from the change. Detailed project design will ensure successful implementation of the new arrangements and associated benefits.
3. Changing status results in unforeseen changes in funding	
Impact	Action/ control

Unforeseen budget and service delivery pressures for the new council.	We will continue to horizon scan and engage with Government departments on new developments and announcements. Throughout the transition to a new council we will assess the impact not only on the separate councils but also the future council.
4. Confusion over new governance arrangements	
Impact	Action/ control
Reduced public confidence in the decision-making process and quality of decisions being made by the council. Inability to make key decisions which are essential to the running of West Suffolk services.	We will establish robust political governance in consultation with DCLG, the LGA and the LBCE. Cross-party and cross-authority work on the new constitution will ensure appropriate arrangements are in place ahead of the first election in May 2019. In addition the changes to the electoral ward boundaries will be communicated in advance of the May 2019 elections to ensure electors are aware to the changes to their electoral ward.
5. Residents perceive the council is more distant	
Impact	Action/ control
Less sustainable and resilient communities resulting in increased public sector demand and costs. The council could experience a reduced ability to understand and address different needs across the west Suffolk localities.	There will no change to customer access arrangements. We have a new approach to supporting families and communities and would look to take this approach into the new, single council. A detailed communications plan will be in place to ensure we actively engage with key partners, stakeholders and the local community to minimise any impacts.
6. Lack of support from the public	
Impact	Action/ control
This would bring a lack of credibility from residents, businesses, councillors and partners. The knock-on effect would be reduced willingness to form partnerships with a new council and a lack of public trust in the councils' ability now, or future new council's ability, to deliver public services.	A comprehensive communications plan will be in place and will include detailed engagement with the public. The Implementation Programme will include a communications plan, which will also include briefings with staff and politicians so that the key messages can be disseminated to

	and discussed with the public, local business and our partners.
7. Resistance to change among staff and councillors	
Impact	Action/ control
Difficulty trying to establish an organisation culture and potential for councillor resignations/disaffection. The message being disseminated by staff and members could be negative and this could impact on the public support for the creation of a single council. Increased employee and member dissatisfaction could lead to poor performance.	Our strategy for the creation of a new council will be open and transparent so that all staff and members are fully informed and engaged with at every step of the process. In addition we will work with the Unison to ensure that any staff transitional arrangements are clear and straightforward. We will have regular briefings with all members and ensure that all communication channels are used to keep members are fully informed at all times.
8. Lack of clarity on overall vision and outcomes	
Impact	Action/ control
Increased senior officer and member time to manage internal and external relationships. A lack of clarity regarding the direction of the council could also have a negative on the profile for the council and bring difficulties to service delivery. Elected members' commitment to the partnership could falter and there could be a return to the previous separate arrangements.	We will have a clear, long term, strategic vision for the new single council. The political and officer structures and governance arrangements will have been established and in place ready for the first elections. We also have a performance management framework in place to ensure that the ambitions for the new council are being delivered.
9. Changes in the external environment	
Impact	Action/ control
New Government initiatives or policies or a change in local government reorganisation could halt or delay the creation of a single council.	We will continue to liaise with DCLG and the LGA regarding any national developments or Government announcements. Our business and service planning arrangements will remain flexible so that we can make changes to reflect the changing economic climate and political landscape.

67. Development of the detailed service level implementation plans will incorporate the identification of additional risks, and the appropriate mitigating measures. Where appropriate, risks will be escalated through programme governance reporting framework.

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Shadow Council

Title of Report:	West Suffolk Council – Councillor Remuneration	
Report No:	COU/SA/18/004	
Report to and date:	Shadow Council	12 June 2018
Portfolio holder:	Ruth Bowman Portfolio Holder for Future Governance Tel: 01638 510896 Email: ruth.bowman@forest-heath.gov.uk	Carol Bull Portfolio Holder for Future Governance Tel: 01953 681513 Email: carol.bull@stedsbc.gov.uk
Lead officer:	Jennifer Eves Assistant Director, HR, Legal and Democratic Services Tel: 01284 757015 Email: Jennifer.eves@westsuffolk.gov.uk	
Purpose of report:	The West Suffolk Shadow Council is required to formulate proposals for members’ remuneration, in order for the West Suffolk Council to adopt once it begins to meet. This report sets out proposals as to how the members’ remuneration scheme will be developed.	
Recommendation:	It is <u>RECOMMENDED</u> that the West Suffolk Shadow Council: <ol style="list-style-type: none"> (1) agrees the process for appointing members of the West Suffolk Independent Remuneration Panel as set out in paragraph 4.1 of Report No: COU/SA/18/004; (2) nominates a Member who is not part of the majority group to serve on the Independent Person Selection Panel; and (3) agrees the terms of reference for the Independent Remuneration Panel in Appendix A to Report No: COU/SA/18/004. 	

Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>			
Consultation:		This report has been subject to consultation with the Future Governance Steering Group. The group recognised the importance of ensuring that Councillors were consulted within the review process, and had opportunity to input their views to the Remuneration Panel. This will be discussed with the Remuneration Panel when determining their work programme.	
Alternative option(s):		Should proposals in this report be rejected, further options will be considered albeit this may imperil the ability to complete the review in order to make recommendations to West Suffolk Council	
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to recommend a scheme would mean that Councillors cannot be remunerated to deliver their important roles	Low	Agreement of the proposals in this report would give sufficient time to adopt a scheme	Low
Ward(s) affected:		n/a	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		n/a	

Documents attached:	Appendix A: Proposed Terms of Reference for the Independent Remuneration Panel Appendix B: Person specification for Panel members Appendix C: Person specification for the Panel advisor
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1. The context for a review of members' allowances

- 1.1 Our Business Case to become a single Council demonstrates how we expect a new Council will increase our ability to influence decision making, and strengthen our ability to deliver our strategic aims. As one of the largest district-tier Councils in the Country, we hope and expect to have a larger voice, with greater ability to work with central government, peers and local organisations.
- 1.2 In October 2017, both Forest Heath District Council and St Edmundsbury Borough Council agreed proposals for a future Council Size (number of Councillors) of 64 Members. The supporting case highlighted the need to continue to build on our Families and Communities Strategy, emphasising the role of Councillors as community leaders and enablers.
- 1.3 The future scheme of Members' allowances for West Suffolk will be set against this backdrop; but will also have to bear in mind the evolving nature of an entirely new Council, whereby committee and leadership roles subject to Special Responsibility Allowances are to be defined, and public expectations on the levels of remuneration that are appropriate for democratically elected individuals.

2. The Legislative Framework

- 2.1 The West Suffolk (Local Government Changes) Order 2018 requires the West Suffolk Shadow Council to formulate a scheme of Members allowances. This scheme will then be recommended to the new West Suffolk Council to adopt when it begins to meet after 1 April 2019.
- 2.2 As there are differences between the current scheme for Forest Heath and St Edmundsbury, it is not possible to simply adopt the existing allowances; a new scheme for West Suffolk will be required.
- 2.3 All Members allowances schemes must comply with the Local Authorities (Members' Allowances)(England) Regulations 2003. These regulations set out the type of allowances and expenses Members are entitled to, and the process for undertaking a review. They are supplemented by guidance issued by the (then) Office of the Deputy Prime Minister, which is reproduced here: <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim65960>

3. Independent Remuneration Panel

- 3.1 Before any scheme of allowances are adopted, the Council is required to form an Independent Panel. The Panel will prepare recommendations on the level of remuneration, allowances and expenses for Councillors. Their recommendations must be taken into account by the Council, although the Council is within their right to agree alternative proposals.
- 3.2 The independent panel must be convened of at least 3 Members, and the guidance highlighted above indicates that the appointment process must command public confidence, and both the process, and the panel, should not only be independent, but seen to be independent. Those who are

disqualified from being a Councillor cannot sit on the panel, and in addition it is suggested that those with existing, active political affiliations should also not sit on panels.

- 3.3 Whilst Forest Heath and St Edmundsbury have already jointly appointed an Independent Remuneration Panel until 2020, it is recommended that as a new Council, West Suffolk appoints its own remuneration panel to serve through to the next electoral term. This exceeds the normal 4 year term, but allows the panel to develop formative proposals, and then work alongside the new Council as it evolves to make suggestions and tweaks to the scheme. Current Panel members will be invited to apply.
- 3.4 The panel's work will be supported by officers of the Councils, who will offer appropriate training, briefing and support to the Panel Members. However, it is recognised that the current review may be particularly challenging, and with this in mind, it is also proposed to appoint an advisor to the panel who can act as a conduit between the Council Officers, Council Members and the panel. This is not unusual and is a role usually undertaken by someone with significant experience of local government, whether through having acted as a senior officer or Councillor in the past.
- 3.5 Proposed Terms of Reference for the Panel are attached at Appendix A; a person specification for Panel Members at Appendix B, and a person specification for the Advisor at Appendix C.

4. Process for appointing Panel Members

- 4.1 As above, the process for appointing panel members must be open, fair and seen to be independent. Practices in recommending and approving appointments vary. It is proposed to make appointments as follows:
 - a) Officers will advertise for panel members using a variety of means, including social media channels, via the website, contacting relevant organisations (local business / voluntary sector organisations) and issuing a press release
 - b) Officers will also seek an advisor at the same time, and whilst similar communication channels will be used, different relevant parties (e.g. LGA, associations) will be contacted
 - c) Applicants will be required to submit a CV and accompanying personal statement outlining why they wish to apply for the role and their relevant skills / attributes and experience
 - d) A selection panel to be formed, comprising the St Edmundsbury and Forest Heath Portfolio Holders for Future Governance; a Member who is not part of the majority groups of either Council; a Corporate Director of Forest Heath and St Edmundsbury; the Monitoring Officer, and the Council's Independent Persons (on the condition that they do not wish to be members of the Independent Remuneration Panel)
 - e) The Monitoring Officer and Corporate Director shall review and assess applications, and circulate recommended shortlisting proposals to the selection panel. They will then meet with shortlisted applicants and recommend up to 4 members and one advisor to the Shadow Council
 - f) The Shadow Council shall consider the recommendations and make the appointments.

5. Work of the Panel

- 5.1 It is proposed that the appointment process shall be concluded by September 2018, after which the Panel shall undertake their work between October 2018 and January 2019. Recommendations of the Panel shall be considered by the Shadow Council in February, and submitted for West Suffolk Council to consider in April or May 2019.
- 5.2 Should the Shadow Council feel unable to recommend a scheme to the new Council in February 2019, further work will be undertaken to ensure that a scheme can be adopted by West Suffolk Council.

Independent Remuneration Panel

The work of the Panel

The Independent Remuneration Panel is convened to make recommendations to West Suffolk Council on its scheme of members allowances and expenses.

The Remuneration Panel will be required to make recommendations for the formation of a new scheme for West Suffolk, and subsequently review the scheme agreed by the Council to ensure that it remains consistent, fair and relevant.

The Panel's recommendations should encompass:

- a) The rates of basic allowance that should be payable by the Council to all of its members;
- b) The rates of allowances payable to those members who have special responsibilities within the Council;
- c) The rates of travel, subsistence and other allowances payable to Councillors when discharging their duties, to include payments made in respect of child and dependent caring duties;
- d) The rates that should be payable to any co-opted members of the Council, if appointed;
- e) The frequency with which the rates should be reviewed or adjusted;
- f) Any other matters that the Panel deem to be appropriate

In undertaking their work, the Panel should be mindful of:

- a) Any relevant legislation, including in relation to the payment of allowances and taxation;
- b) Any relevant guidance issued by government departments or advisory bodies;
- c) The need to respect the expectations of the general public in the payment of allowances;
- d) The need to ensure that appropriate analysis and research is undertaken to ensure their recommendations are robust and evidence-based;
- e) The need to ensure that the level of allowances is affordable to the Council;
- f) The expectations placed on Councillors, and the workloads and commitments generated as a result;
- g) The need to ensure that Councillors have the opportunity to put forward their views on levels of remuneration

Membership of the Panel

The initial panel shall serve a term of office until 31 May 2021. Any subsequent members appointed to the Panel shall serve a term of no more than 4 years, and any member of the Panel may be reappointed following the end of the term provided that an appropriate recruitment process is undertaken.

The panel shall be made of up to 4 members appointed by a selection process to be agreed by the Council. The Council may also appoint advisors to the Panel, who will not be voting members.

The members of the panel and advisors shall receive an allowance of £100 per meeting attended, plus travelling expenses of up to 45p per mile. Members of the panel and advisors may elect to waive their allowances and shall not be treated as employees, being responsible for their own tax, national insurance and pension arrangements.

The Council shall have the right to remove members of the panel and advisors where they no longer meet the required criteria as established by the Council; commit a breach of confidentiality; persistently fail to attend meetings, or an act or behaviour which may otherwise bring the Panel or the Council into disrepute

Operation of the Panel

The members of the Panel shall elect their own Chairman from amongst their members. The Chairman shall be responsible for managing the business of the meeting, ensuring that meetings are conducted in an effective manner, and reach clear conclusions.

The panel should seek to draw consensus on their recommendations, but where they are unable to do so, minority opinions may be reflected in their subsequent recommendations and report.

The panel shall be supported by the Democratic Services team of West Suffolk Council. The panel is encouraged to seek advice, seek the views of members of the Councils, and undertake and commission research to support its work. The Council will support the panel by accommodating all reasonable requests for information and resources.

Advisor

An advisor shall be appointed, whose role will be to provide the Panel with their views on matters under discussion, and assist the panel in understanding the context of matters under discussion – effectively acting as a conduit between the

Council Officers, Council members and members of the panel. They are not a voting member of the panel, and can be called on at the discretion of the Panel. They will be entitled to attend Panel meetings, and have access to all papers and records of Panel meetings.

Report and Findings

The Independent Remuneration Panel is required to produce recommendations for the Council, which will be articulated in reports, prepared by Council officers and approved by the Panel. These shall be presented by the Chairman of the Panel to the Council.

Access to Meetings

Panel meetings will not normally be open to the public although minutes and records of the Panel will be open to public inspection.

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Person Specification – Independent Remuneration Panel members

Criteria

The West Suffolk Independent Remuneration Panel (IRP) will advise the new West Suffolk Council on the rates of allowances and expenses that should be paid to its Councillors. This is an exciting time to be part of such a Panel, being the first review of payments made for the new Council which will come into being on 1 April next year.

We are seeking to appoint up to 4 individuals to our Independent Remuneration Panel (IRP). No experience of serving on such panels is required, as a full briefing will be provided.

We support applications from all sections of the community, regardless of age, gender, ethnicity, sexual orientation, faith or disability.

We welcome candidates from a diverse range of backgrounds and different experience. Preferably, candidates should be able to demonstrate some experience of the West Suffolk area, for example having lived or worked within West Suffolk. Further, candidates are welcome to highlight work they have done that demonstrates commitment to supporting their local community or business sector – for example, whether they have volunteered, supported their local school, charities or community groups, have been part of representative organisations or similar roles.

Time Commitment

The work of the panel will primarily be undertaken between October and December 2018, with the potential for further meetings between January and May if required. Candidates should be willing to commit at least 3 days per month during this period, which may be a mixture of meetings and preparatory work. Some meetings may take a full day commitment.

One member of the panel will act as Chair, and will additionally be expected to present findings of the panel to Council meetings which will require some additional time commitment.

Skills

Members of the Panel will be required to work in a collaborative manner. The Panel will be expected to reach outcomes on a consensual basis.

Candidates should have some experience in undertaking financial and non-financial analysis of proposals, and being able to digest information to developing clear outcomes. They should be used to working in a team

environment, or at a board level, and willing to actively participate in challenging debates with an open mind. Panel members should have some experience of presenting findings and conclusion in a confident manner.

Requirements

IRP members must be able to demonstrate they are committed to high standards of personal integrity and independence from the Council. They should not have a close association with any current political organisation or elected member of West Suffolk. All Board members must not:

- Be a member or officer of a County Council, District Council or Parish / Town Council within West Suffolk, or otherwise employed under the direction of a local authority;
- Be an active member, officer or campaigner of a local political association or party;
- Have made substantial contributions to a local political association or party;
- be subject to a bankruptcy restriction order or interim order;
- be subject to a sexual risk order or be on the sexual offenders register;
- be subject to a civil injunction or criminal behaviour order;
- be disqualified from acting as a director, a charter trustee or charity trustee within 5 years before the date of submission of application
- within 5 years before the date of submission of application, have been convicted of any offence and have had passed on you a sentence of imprisonment, whether suspended or not, for a period of 3 months or more without the option of a fine

As part of the application, candidates are required to declare any matters that may cause a conflict of interest in performing their role. The Council has the right to remove any candidates or members of the Panel (once appointed) who they believe does not meet this criteria; whose interest conflict with the independent requirement, and who they believe have undertaken activities that could call the work of the panel into disrepute.

Person Specification – Independent Remuneration Panel advisors

Criteria

The West Suffolk Independent Remuneration Panel (IRP) will advise the new West Suffolk Council on the rates of allowances and expenses that should be paid to its Councillors. This is an exciting time to be part of such a Panel, being the first review of payments made for the new Council which will come into being on 1 April next year.

Given this is the first such review, we are seeking to appoint an advisor to the IRP, who will be responsible for providing advice to the Panel, based on their own experiences of local authorities and their operation. No experience of similar roles is required.

We support applications from all sections of the community, regardless of age, gender, ethnicity, sexual orientation, faith or disability.

Candidates must be able to demonstrate past experience of local authorities – through having worked or served as a Councillor for a Unitary, County or District Council. Preferably, candidates should be able to demonstrate some experience of the West Suffolk area, for example having lived or worked within West Suffolk.

Time Commitment

The work of the panel will primarily be undertaken between October and December 2018, with the potential for further meetings between January and May if required. Candidates should be willing to commit at least 3 days per month during this period, which may be a mixture of meetings and preparatory work. Some meetings may take a full day commitment.

One member of the panel will act as Chair, and will additionally be expected to present findings of the panel to Council meetings which will require some additional time commitment.

Skills

Candidates for the role must demonstrate knowledge and insight to the workings of local Councils. They will not formally be part of the panel, although may take part in challenging and robust debates, helping the panel to reach conclusions. Candidates should be able to approach matters under consideration in an open minded-way.

Requirements

IRP advisors must be able to demonstrate they are committed to high standards of personal integrity and independence from the Council. Preferably, they should not have any current close association (e.g. relative, business association or close friendship) with Councillors of West Suffolk Council. Candidates should not:

- be subject to a bankruptcy restriction order or interim order;
- be subject to a sexual risk order or be on the sexual offenders register;
- be subject to a civil injunction or criminal behaviour order;
- be disqualified from acting as a director, a charter trustee or charity trustee within 5 years before the date of submission of application
- within 5 years before the date of submission of application, have been convicted of any offence and have had passed on you a sentence of imprisonment, whether suspended or not, for a period of 3 months or more without the option of a fine

As part of the application, candidates are required to declare any matters that may cause a conflict of interest in performing their role. The Council has the right to remove any candidates or members of the Panel (once appointed) who they believe does not meet this criteria; whose interest conflict with the independent requirement, or whom they believe have undertaken activities that could call the work of the panel into disrepute.

Shadow Council

Forest Heath & St Edmundsbury councils
West Suffolk
 working together

Title of Report:	Civic Leadership Review	
Report No:	COU/SA/18/005	
Report to and date/s:	Shadow Council	12 June 2018
Portfolio holder:	Ruth Bowman Portfolio Holder for Future Governance Tel: 01638 510896 Email: ruth.bowman@forest-heath.gov.uk	Carol Bull Portfolio Holder for Future Governance Tel: 01953 681513 Email: carol.bull@stedsbcc.gov.uk
Lead officer:	Jennifer Eves Assistant Director, HR, Legal and Democratic Services Tel: 01284 757015 Email: Jennifer.eves@westsuffolk.gov.uk	
Purpose of report:	In April 2018, it was proposed to establish a working group to review the future of Civic Leadership within West Suffolk. This report seeks the Shadow Council's approval to the terms of reference for this review.	
Recommendation:	It is <u>RECOMMENDED</u> that the terms of reference for the Civic Leadership Working Group, attached at Appendix A to Report No: COU/SA/18/005, be approved.	
Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	The terms of reference have been reviewed by the Future Governance Steering Group. Further engagement will be undertaken by the group itself.	
Alternative option(s):	None proposed	
Implications:		

Are there any financial implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Costs are expected to be minimal and as such no specific budget allocation has been made; any costs would be borne from the agreed budget for the Single Council Implementation Plan. 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to agree a Civic Leadership approach for West Suffolk Council could lead to confusion and loss of confidence in the Council from its communities	Low	The review of civic leadership will help to ensure there is clarity on the Civic Leadership function and form	Low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A: Proposed Terms of Reference for the Civic Leadership Working Group	

1. Key issues and reasons for recommendation(s)

- 1.1 At the meetings of Forest Heath and St Edmundsbury Councils in April 2018, it was announced that the leaders intended to set up a specific working group to review the future of Civic Leadership in West Suffolk.
- 1.2 Civic Leadership is wider than one individual and is concerned with; how residents engage with and understand the Council; how the Council demonstrates the support for its communities right across the new District area; how the Council encourages civic pride in its area and promotes local democracy and how Civic Leadership supports the aims and ambitions of the Council.
- 1.3 The working group will help advise the Council on the priorities for its future Civic Leadership, and evaluate how the Council should reward and recognise the outstanding contributions that individuals and organisations make to civic life within West Suffolk, with a specific focus on the following:
 - To determine how the Civic Leader will collaboratively work with local Members, establishing those areas of activity and the role local Members will play to complement the Civic Leader's role;
 - To determine the role of Civic Leadership when assessing the objectives in the Single Council business plan, and how Civic Leadership should support the aims and ambitions of West Suffolk Council;
 - To identify how the Civic Leadership should operate in conjunction with other civic leaders and dignitaries across West Suffolk, including the High Sheriff and Lord Lieutenant, and Mayors and Chairmen of Parish and Town Councils;
 - To establish and identify the priorities for the Civic Leader's commitments, identifying where the Civic Leadership offers greatest value representing West Suffolk – for example supporting businesses, supporting community events, supporting arts and cultural events, charity fundraising, campaign work, promoting local democracy; and
 - To advise West Suffolk Council on how it might most effectively recognise the contributions of local citizens, groups and businesses.
- 1.4 It is proposed that during its work, the Working Group would undertake extensive engagement through a variety of methods to ensure that those who want to provide their views on Civic Leadership have the opportunity to do so.
- 1.5 The proposed terms of reference for the Working Group are attached at Appendix A for Shadow Council approval. Subject to the views of the Group on how their work should progress, it is proposed that the work of the Group should be concluded in autumn 2018, with a report on their findings brought to the Shadow Council accordingly.

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Civic Leadership Working Group

Proposed Terms of Reference

Context

On 1 April 2019, Forest Heath District Council and St Edmundsbury Borough Council will be replaced with a new single West Suffolk Council.

At present, the civic leadership role is provided by the Chairman of Forest Heath, and the Mayor of St Edmundsbury. Each operates in line with a role description or protocol. The role of the civic leader will need to be re-defined for the new Council given the greater scale and new dynamics of the Council.

Civic Leadership is wider than one individual and is concerned with:

- how residents engage with and understand the Council;
- how the Council demonstrates the support for its communities right across the new District area, encourages civic pride in its area and promotes local democracy.
- how Civic Leadership supports the aims and ambitions of the Council

The civic leader is the figurehead of this work, alongside their Deputy and local ward Councillors.

Given the importance of this issue, both Forest Heath District and St Edmundsbury Borough Councils established this Working Group to assess how civic leadership should be delivered under the new West Suffolk Council.

The group's work will need to take account of the legislative framework, most notably:

- a) The West Suffolk (Local Government Changes) Order 2018, which establishes how Forest Heath and St Edmundsbury Councils will work together to support the transfer of functions to West Suffolk;
- b) The Local Government Act 1972, as amended by the Local Government, Economic Development and Construction Act 2009, which establishes the civic structure of principal Councils, and the ability to award local statuses;

Objective

The Civic Leadership Working Group has been established by the West Suffolk Shadow Council to:

- Determine how the Civic Leader will collaboratively work with local members, establishing those areas of activity and the role local members will play to complement the Civic Leader's role;
- Determine the role of Civic Leadership when assessing the objectives in the Single Council business plan, and how Civic Leadership should support the aims and ambitions of West Suffolk Council;
- Identify how the Civic Leadership should operate in conjunction with other civic leaders and dignitaries across West Suffolk, including the High Sheriff and Lord Lieutenant, and Mayors and Chairmen of Parish and Town Councils;
- Establish and identify the priorities for the Civic Leader's commitments, identifying where the Civic Leadership offers greatest value representing West Suffolk – for example supporting businesses, supporting community events, supporting arts and cultural events, charity fundraising, campaign work, promoting local democracy;
- Advise West Suffolk Council on how it might most effectively recognise the contributions of local citizens, groups and businesses;
- Advise West Suffolk Shadow Council on whether, given the role and function of the Civic Leadership, and the relative arguments, the Council should have a Mayor, which would require the Council to apply for Borough status.

How the Group will operate

In undertaking their work, the group shall:

- Consider supporting evidence and research undertaken on the potential role and remit of civic leaders, taking into account the role currently discharged by the Chairman and Mayor, the role undertaken by other civic leaders in West Suffolk, and the role of Civic Leadership elsewhere ;
- Carry out / Commission engagement with local stakeholders as to their views on the role and function of a Civic Leader for West Suffolk; this would be expected to include local residents; Parish and Town Councils; local community organisations; other public / third sector service providers and local businesses;
- Ensure that their work evaluates the context across the whole of West Suffolk, and views are taken into account from a cross-section of the West Suffolk community;

- Prepare reports to the Shadow Council on their work which draws clear conclusions for consideration.

The group itself shall not be delegated any functions or responsibilities of the Shadow Council or future West Suffolk Council, but instead make recommendations for the Council to consider.

Methodology

To determine the role of a civic leader within West Suffolk Council, the following work will be undertaken;

- Reviewing the current position in Forest Heath and St Edmundsbury, considering the similarities and differences between both ways of working;
- Reviewing the role of ward members in terms of supporting local events, considering their current position and how this could be developed in the future;
- Review of all events attended in both councils and by whom over the last two years;
- Interviewing of councillors (consideration will be given to one-one meetings and focus groups as applicable);
- Public engagement with the community, to include, links with Community Action Suffolk, Suffolk Chambers of Commerce, Town and Parish Councils and Locality officers;
- Engagement with the business community through the Federation of Small Businesses and Suffolk Chambers of Commerce; and
- Review of national/international approaches to civic leadership (as relevant)

Group meetings

Meetings will usually be open to the public, however the group may wish to hold briefing sessions or informal debates which would not normally be in the public domain.

Composition of the Group

The group shall consist of:

- a) Up to 4 members of Forest Heath District Council, at least one of whom must be a former Chairman of the Council;
- b) Up to 4 members of St Edmundsbury Borough Council, at least one of whom must be a former Mayor of the Council

If there are fewer than 4 nominations from either Council, then the vacant seats shall be offered to members of the other Council that has filled its nominated places.

As a non-decision making body, there is no requirement to ensure political balance, and moreover the work of the group should be undertaken in a non-political way.

However, it is recommended that at least 1 member of the group should be from the non-Conservative groups, and also that membership should be reflective of membership across West Suffolk. Group leaders shall nominate members of the group to the Monitoring Officer, and thereon shall work collectively to determine the final membership.

Group leaders may nominate substitutes who shall be entitled to attend and participate fully at meetings of the group in the absence of members of the same group.

Support

The work of the group shall be supported by officers from Forest Heath and St Edmundsbury Councils. There shall be no specific budget allocation for the review, although council officer time will be committed to the project. The group may make reasonable requests for resources should it wish.

Quorum

The quorum of the group shall be at least 5, to include at least 2 members of Forest Heath and 2 members of St Edmundsbury (including substitutes)

Frequency

Group meetings shall be convened at a frequency determined by the work to be undertaken. The group shall be responsible for maintenance of its own work programme and targets for delivering work.

Chairman and Vice-Chairman

The Chairman of the working group shall be elected from the members of the group as the first item of business at its first meeting. As the working group is expected to serve for a time limited period, it is not expected for the Chairmanship to be rotated. The Vice-Chairman shall be elected from the remaining members of the group. Should the Chairman be a member of Forest Heath, then the Vice-Chairman shall be a member of St Edmundsbury and vice-versa

Procedure

As a non-decision making body, the committee procedure rules and access to information do not apply. Meetings shall be managed by the Chairman, who may use their discretion to determine the most effective way to consider each item

before the committee, ultimately seeking to operate in a collaborative way towards gaining consensus on options.

Where consensus cannot be agreed, then the committee may report minority recommendations to the council at its discretion.

By default, members and officers should consider meetings and papers of the committee as confidential, on the grounds that reports may test options that could be considered controversial or sensitive, that ultimately the committee does not support. Further, confidentiality allows for a free and frank exchange of views. Officers should seek to identify to members the extent to which papers should be considered confidential, and how the work of the group is being communicated to the wider membership, stakeholders and residents.

Report

The activities of the Civic Leadership Working Group will be reported to the West Suffolk Shadow Council (via the Future Governance Steering Group), who should make all decisions there on. It is anticipated that the work of the group would be available for the Shadow Council to consider by the autumn of 2018.

Disbanding

The Civic Leadership Working Group shall be considered disbanded once it has made its final report to the West Suffolk Shadow Council.

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