

Joint Executive (Cabinet) Committee

Minutes of a meeting of the **Joint Executive (Cabinet) Committee** held on **Monday 25 June 2018 at 6.00 pm** in the **Conference Chamber West, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

Chairman John Griffiths (SEBC Leader of the Council)
Vice Chairman James Waters (FHDC Leader of the Council)

Forest Heath DC:

Stephen Edwards
Robin Millar
Lance Stanbury

St Edmundsbury BC:

Carol Bull
Robert Everitt
Ian Houlder
Sara Mildmay-White
Joanna Rayner
Peter Stevens

By Invitation:

Sarah Broughton

(Chairman of SEBC Performance and Audit Scrutiny Committee)

Simon Cole

(Chairman of FHDC Overview and Scrutiny Committee)

Diane Hind

(Chairman of SEBC Overview and Scrutiny Committee)

In attendance:

Terry Clements

(SEBC Member)

Susan Glossop

(SEBC Member)

1. **Introduction**

The Chairman welcomed all those present to this first meeting of the Joint Executive (Cabinet) Committee, which was established by Forest Heath District (FHDC) and St Edmundsbury Borough (SEBC) Councils at their annual meetings in May 2018.

As this was the first meeting, the Chairman summarised the purpose and remit of the Joint Committee, as follows:

The Joint Executive (Cabinet) Committee comprised all current Members of FHDC's and SEBC's Cabinets and had executive decision making powers. Historically, where decisions were required of both Cabinets on the same subject matter, informal joint discussions were held on the common item, and as constitutionally required, these were immediately followed by individual Cabinet meetings to vote on the matter, which was often confusing. Both FHDC and SEBC Cabinet decisions could now be made by the Joint Executive (Cabinet) Committee, thus avoiding the need for separate Cabinet meetings; however this did not prevent separate Cabinet meetings from continuing to be held should Members wish to do so.

Whilst residents were still able to identify separate FHDC and SEBC items listed on the agenda, the collective decision making of the Joint Executive (Cabinet) Committee would assist with the transition towards creating a single council for West Suffolk.

The detailed functions and responsibilities of the Joint Committee could be found in both FHDC's and SEBC's Constitutions.

2. Apologies for Absence

Apologies for absence were received from Councillors David Bowman, Ruth Bowman, Andy Drummond and Alaric Pugh.

3. Minutes

The minutes of Forest Heath District Council's (FHDC) Cabinet and St Edmundsbury Borough Council's (SEBC) Cabinet meetings, both held on 22 May 2018, were confirmed as correct records and signed by the Chairman (SEBC's minutes) and Vice-Chairman (FHDC's minutes).

4. Open Forum

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

5. Public Participation

Whilst a member of the press was present, there were no members of the public in attendance.

6. Reports of the Performance and Audit Scrutiny Committees

The reports of the FHDC and SEBC Performance and Audit Scrutiny Committees were received and noted as contained in minutes 6a and 6b below.

(a) **Forest Heath Performance and Audit Scrutiny Committee: 31 May 2018 (Report No: CAB/JT/18/001)**

The Joint Committee received and noted the above report, which informed Members of the following substantive items discussed by FHDC's Performance and Audit Scrutiny Committee on 31 May 2018:

- (1) External Quality Assessment of Internal Audit Outcomes;
- (2) Internal Audit Annual Report (2017-2018);
- (3) Outline Internal Audit Report (2018-2019);
- (4) Balanced Scorecards Quarter Four Performance (2017-2018)
- (5) 2018-2019 Draft Performance Indicators and Targets;
- (6) West Suffolk Strategic Risk Register Quarterly Monitoring Report – March 2018;
- (7) Financial Outturn Report (Revenue and Capital) (2017-2018);
- (8) Ernst and Young – 2018-2019 Indicative Fees; and
- (9) Work Programme Update.

This had been the first meeting where all of the above substantive items were considered jointly during informal discussions with SEBC's Performance and Audit Scrutiny Committee.

As this had been a joint meeting and in the absence of Councillor Louis Busuttil, Chairman of FHDC's Performance and Audit Scrutiny Committee, Councillor Sarah Broughton, Chairman of SEBC's Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Joint Executive (Cabinet) Committee.

(b) **St Edmundsbury Performance and Audit Scrutiny Committee: 31 May 2018 (Report No: CAB/JT/18/002)**

The Joint Committee received and noted the above report, which informed Members of the following substantive items discussed by SEBC's Performance and Audit Scrutiny Committee on 31 May 2018:

- (1) External Quality Assessment of Internal Audit Outcomes;
- (2) Internal Audit Annual Report (2017-2018);
- (3) Outline Internal Audit Report (2018-2019);
- (4) Balanced Scorecards Quarter Four Performance (2017-2018)
- (5) 2018-2019 Draft Performance Indicators and Targets;
- (6) West Suffolk Strategic Risk Register Quarterly Monitoring Report – March 2018;
- (7) Financial Outturn Report (Revenue and Capital) (2017-2018);
- (8) Ernst and Young – 2018-2019 Indicative Fees; and
- (9) Work Programme Update.

This had been the first meeting where all of the above substantive items were considered jointly during informal discussions with FHDC's Performance and Audit Scrutiny Committee.

Councillor Sarah Broughton, Chairman of SEBC's Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Joint Committee.

7. **Reports of the Overview and Scrutiny Committees**

The reports of the FHDC and SEBC Overview and Scrutiny Committees were received and noted as contained in minutes 7a and 7b below.

(a) **St Edmundsbury Overview and Scrutiny Committee: 6 June 2018 (Report No: CAB/JT/18/003)**

The Joint Committee received and noted the above report, which informed Members of the following substantive items discussed by SEBC's Overview and Scrutiny Committee on 6 June 2018:

- (1) Draft West Suffolk Annual Report (2017-2018);
- (2) West Suffolk Homelessness Reduction Strategy;
- (3) Review of the Garden Waste Collection Service – Scoping Report;
- (4) Shadow Scrutiny Committee Nominations (Verbal)
- (5) Decisions Plan: 1 June 2018 to 31 March 2019; and
- (6) Work Programme Update and Re-Appointments to Suffolk County Council's Health Scrutiny Committee.

Separate reports were included on the Joint Executive (Cabinet) Committee agenda for items (1) and (2) above.

Councillor Diane Hind, Chairman of SEBC's Overview and Scrutiny Committee, drew relevant issues to the attention of the Joint Committee.

(Councillor James Waters joined the meeting during the consideration of this item.)

(b) **Forest Heath Overview and Scrutiny Committee: 7 June 2018 (Report No: CAB/JT/18/004)**

The Joint Committee received and noted the above report, which informed Members of the following substantive items discussed by FHDC's Overview and Scrutiny Committee on 7 June 2018:

- (1) Draft West Suffolk Annual Report (2017-2018);
- (2) West Suffolk Homelessness Reduction Strategy;
- (3) Review of the Garden Waste Collection Service – Scoping Report;
- (4) Shadow Scrutiny Committee Nominations (Verbal)
- (5) Decisions Plan: 1 June 2018 to 31 March 2019; and
- (6) Work Programme Update and Re-Appointments to Suffolk County Council's Health Scrutiny Committee.

Separate reports were included on the Joint Executive (Cabinet) Committee agenda for items (1) and (2) above.

Councillor Simon Cole, Chairman of FHDC's Overview and Scrutiny Committee, drew relevant issues to the attention of the Joint Committee.

8. **Recommendation of the Overview and Scrutiny Committees: 6 and 7 June 2018: West Suffolk Homelessness Reduction Strategy 2018-2023 (Report No: CAB/JT/18/005)**

The Joint Committee considered the above report, which presented a revised West Suffolk Homelessness Reduction Strategy for the period 2018-2023, which had been recommended for approval by FHDC and SEBC's Overview and Scrutiny Committees.

The Homelessness Reduction Act 2002 required all councils to review and produce a new homelessness strategy at least every five years. A review of West Suffolk's existing strategy was due in 2018 and following the introduction of the Homelessness Reduction Act 2017, which brought in a number of fundamental changes to legislation and additional duties, these had been reflected in the new West Suffolk Homelessness Reduction Strategy 2018-2023 (Appendix 1 attached to the report.)

The report summarised how the review was undertaken and the action proposed to be taken to deliver the five priorities set out in the Strategy.

Councillor Sara Mildmay-White, West Suffolk's Lead for Housing, drew relevant issues to the attention of the Joint Committee, including thanking both Overview and Scrutiny Committees for their consideration of the revised Strategy and its five priorities. Both Committees had felt it addressed all areas and therefore no amendments had been proposed by either Committee.

Councillor Mildmay-White congratulated West Suffolk's Homelessness Reduction team and others involved, for their efforts towards producing the Strategy and she looked forward to the outcomes of the actions outlined in the proposed delivery plan, attached as Appendix B to the Strategy.

Members then noted that the West Suffolk councils had been successful in securing external funding from central government for at least one year to assist with reducing rough sleeping and homelessness in West Suffolk.

Councillors Simon Cole and Diane Hind, Chairmen of the FHDC and SEBC Overview and Scrutiny Committees respectively, were invited to speak on this matter.

The Joint Committee acknowledged the importance of the Strategy and how the depth and scope of the review had contributed to a comprehensive understanding of the key issues facing West Suffolk regarding this area.

RESOLVED:

That the designed version of West Suffolk Homelessness Reduction Strategy 2018-2023, attached as Appendix 1 to Report No: CAB/JT/18/005, be approved.

9. **West Suffolk Annual Report 2017/2018 (Report No: CAB/JT/18/006)**

The Joint Committee considered the above report, which sought approval for the West Suffolk Annual Report 2017/2018.

The Annual Report highlighted the key activities and developments that had been achieved over the financial year 2017/2018, with regard to the priorities set out in the West Suffolk Strategic Plan 2014/2016.

Councillor John Griffiths, Leader of St Edmundsbury Borough Council (SEBC), drew relevant issues to the attention of the Joint Committee, including that over the past year, the West Suffolk councils had continued to deliver excellent public services to its residents and businesses. SEBC and Forest Heath District Council (FHDC) had worked even more closely together as councils as they strived to continue to support their communities and manage growth for the benefit of their residents. With the backing of the public, businesses and partners, the Councils were now moving forwards in their journey towards creating a new single council for West Suffolk, which would provide a louder voice and better ability to drive prosperity, jobs and the economy.

On 6 and 7 June 2018, the Annual Report was presented to the respective FHDC and SEBC Overview and Scrutiny Committees. The Report raised some interesting topics for discussion and debate, which resulted in some helpful amendments being made to improve the document, as set out in the Joint Committee report.

Thanks were conveyed to the two Overview and Scrutiny Committees, and all councillors and staff alike, for their contributions to the Annual Report.

The Joint Committee commended the Annual Report, which Members felt had excellently summarised the 'West Suffolk journey' and the achievements FHDC and SEBC had made together, which was now culminating in the transition towards creating a new single council for West Suffolk that would mark a 'new beginning'. A discussion was held on ensuring the message was communicated widely to residents, businesses and visitors to West Suffolk, which should include making paper copies of the Annual Report 2017/2018 available to those that did not have access to online services.

RESOLVED:

That the West Suffolk Annual Report 2017/2018, as contained in Appendix A to Report No: CAB/JT/18/006, be approved.

(Councillor Sarah Broughton left the meeting during the consideration of this item.)

**10. West Suffolk Growth Investment Strategy: Energy Framework
(Report No: CAB/JT/18/007)**

The Joint Committee considered the above report, which sought approval for a new West Suffolk Energy Framework and to endorse the Local Energy East Strategy.

The overarching West Suffolk Growth Investment Strategy was adopted by Forest Heath District (FHDC) and St Edmundsbury Borough Councils (SEBC) in February 2018. The Strategy recognised that "*there is great scope to*

invest in energy and infrastructure to not only get an economic and financial return but social benefits too”

The proposed West Suffolk Energy Framework sought to support this ambition by setting out the policy context (local, regional, national and financial) for investing in energy for West Suffolk, including reflecting national context around environmental drivers, clean growth principles from the Industrial Strategy as well as the latest research and intentions of Local Energy East, a Tri-Local Enterprise Partnership Energy Strategy.

Councillor Lance Stanbury, FHDC’s Portfolio Holder for Planning and Growth, drew relevant issues to the attention of the Joint Committee, including providing additional detail regarding the vision for the Framework; resource implications; how business cases would potentially be developed for individual projects; and how the themes of the Local Energy East Strategy aligned with the Councils’ proposed Energy Framework.

The Joint Committee acknowledged the benefits of having a designated Energy Framework to support the principles of the overarching Investment Strategy and how support for the Local Energy East Strategy would help the delivery of future energy projects in the locality.

RESOLVED:

That:

- (1) The West Suffolk Energy Framework, a document supporting the Council’s West Suffolk Growth Investment Strategy, as attached at Appendix B to Report No: CAB/JT/18/007, be approved; and
- (2) Local Energy East, a Tri- Local Enterprise Partnership Energy Strategy, as attached at Appendix C to Report No: CAB/JT/18/007, be endorsed.

11. Data Protection Policy (Report No: CAB/JT/18/008)

The Joint Committee considered the above report, which sought approval for a revised Data Protection Policy.

The West Suffolk councils’ approach to managing data required review, which was largely in response to the introduction of the General Data Protection Regulations (GDPR). The Data Protection Policy had been updated to meet the new requirements accordingly.

Councillor Carol Bull, SEBC’s Portfolio Holder for Future Governance, drew relevant issues to the attention of the Joint Committee, including that in October 2017, both FHDC and SEBC’s Cabinets had agreed a programme of work to support implementation of GDPR. Subsequently, work had been undertaken across all services (including the Anglia Revenues and Benefits Partnership) to develop processes and procedures to support the Councils’ compliance with the new requirements.

The Joint Committee commended the Councils' services for the work involved in ensuring the Councils satisfactorily complied with the requirements of GDPR which came into force on 25 May 2018. Particular recognition was given to the Project Coordinator (GDPR) for his role in providing support and appropriate training to the services and councillors to meet compliance.

RESOLVED:

That the Data Protection Policy, as contained in Appendix A to Report No: CAB/JT/18/008, be approved.

12. The Apex Forward Plan (Report No: CAB/JT/18/009)

The Joint Committee considered the above report, which sought approval for The Apex Forward Plan and the method by which its performance would be monitored from now on.

Councillor Joanna Rayner, SEBC's Portfolio Holder for Leisure and Culture, drew relevant issues to the attention of the Joint Committee, including providing details of The Apex's recent performance as set out in Section 3 of the report, and the proposed monitoring arrangements, as set out in Section 2.

The Joint Committee praised the content of The Apex's Forward Plan, acknowledging The Apex's steady growth since opening in October 2010, and supporting its continued growth and development through its ten year strategic vision set out in the Forward Plan. It was however, suggested whether concessionary discounts could be given to support certain projects and this would be investigated to ascertain feasibility in the future.

The proposed monitoring arrangements were considered to be acceptable.

RESOLVED:

That:

- (1) The Apex Forward Plan, as contained in Appendix A to Report No: CAB/JT/18/009, be approved; and
- (2) the monitoring arrangements, as set out in Section 2 of Report No: CAB/JT/18/009, be approved.

13. Guildhall and 79 Whiting Street, Bury St Edmunds (Report No: CAB/JT/18/010)

(Councillors Carol Bull and John Griffiths declared local non-pecuniary interests as two of St Edmundsbury Borough Council's (SEBC) nominated representatives on the Guildhall Feoffment Trust and remained in the meeting for the consideration of this item.)

The Joint Committee considered the above report, which sought authorisation to complete governance changes associated with the Guildhall Project in Bury St Edmunds.

Members noted the background to the Guildhall Project, as set out in the report, including progress that had been made since the matter was last considered by SEBC's Cabinet in November 2017. At that time, it was believed that as it involved an amendment to the original 1894 charity scheme a formal application would have to be made to the Charity Commission to effect the transfer of the managing trustee role of the Borough Council for the Guildhall and the associated property, 79 Whiting Street to a new management vehicle, the Bury St Edmunds Heritage Trust (BSEHT). Subsequently, the Commission had advised that the rules regarding amending schemes had changed, as detailed in paragraph 1.6 of the report. Accordingly, to formalise the transfer it was suggested that a simple Deed of Variation to the 1894 scheme should be prepared and signed with the BSEHT and the Guildhall Feoffment Trust.

Councillor Joanna Rayner, SEBC Portfolio Holder for Leisure and Culture, drew relevant issues to the attention of the Joint Committee, including that pending the signing of the proposed Deed of Variation, the BSEHT would occupy and operate the two properties under licence from the Borough Council in accordance with the original Memorandum of Understanding that had been agreed between the three parties in 2013 as part of the agreement to deliver a project to restore the Guildhall and establish it as an exhibition and heritage centre.

The Joint Committee fully supported the proposed governance changes as well as commending all those involved in reaching this point in the project. SEBC Members had been invited to a preview tour of the almost completed refurbishment in May 2018 and those that had attended, had been extremely impressed by the quality of the restoration. The project was due to be formally reopened to the public in July 2018.

RESOLVED:

That a Deed of Variation be prepared and signed to enable the transfer of the managing trustee role for the Guildhall and 79 Whiting Street, Bury St Edmunds from St Edmundsbury Borough Council to the Bury St Edmunds Heritage Trust.

14. Forest Heath and St Edmundsbury Decisions Plans

The Forest Heath and St Edmundsbury Decisions Plans were received and noted as contained in minutes 14a and 14b below.

(a) Forest Heath Decisions Plan: 1 June 2018 to 31 March 2019 (Report No: CAB/JT/18/11)

The Joint Committee received the above report, which was Forest Heath District Council's (FHDC) Executive Decisions Plan covering the period 1 June 2018 to 31 March 2019.

Members took the opportunity to review the intended forthcoming decisions of FHDC's Cabinet, its Joint Committees, Portfolio Holders and Officers under

delegated authority; however, no further information or amendments were required on this occasion.

(b) **St Edmundsbury Decisions Plan: 1 June 2018 to 31 March 2019
(Report No: CAB/JT/18/012)**

The Joint Committee received the above report, which was St Edmundsbury Borough Council's (SEBC) Executive Decisions Plan covering the period 1 June 2018 to 31 March 2019.

Members took the opportunity to review the intended forthcoming decisions of SEBC's Cabinet, its Joint Committees, Portfolio Holders and Officers under delegated authority; however, no further information or amendments were required on this occasion.

15. **Exclusion of Public and Press**

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

RESOLVED:

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

16. **Investing in our Commercial Asset Portfolio (para 3) (Exempt Report No: CAB/JT/18/013)**

The Joint Committee considered the above exempt report, which sought approval for delegated authority to be given to progress an addition to the Council's commercial asset portfolio, together with associated funding required.

Councillor John Griffiths, SEBC's Leader of the Council, drew relevant issues to the attention of the Joint Committee.

Following a detailed discussion, the Joint Committee supported the recommendations as proposed in the exempt report, which would be presented to SEBC Council for consideration on 17 July 2018.

RECOMMENDED TO SEBC COUNCIL:

As it is presently exempt, this decision is not detailed in these minutes. It was not subject to call-in as it had been recommended to Council for a final decision.

(This decision and associated papers will be available in the public domain in due course)

The Meeting concluded at 7.03 pm

Signed by:

Chairman
