

Joint Executive (Cabinet) Committee

Minutes of a meeting of the **Joint Executive (Cabinet) Committee** held on **Tuesday 6 November 2018** at **6.10 pm** in the **Council Chamber, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, IP28 7EY**

Present: **Councillors**
Chairman John Griffiths (SEBC Leader of the Council) (in the Chair)

Forest Heath DC:

Robin Millar
David Bowman
Ruth Bowman J.P.
Andy Drummond
Stephen Edwards

St Edmundsbury BC:

Carol Bull
Robert Everitt
Susan Glossop
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)

61. **Apologies for Absence**

Apologies for absence had been received from Councillors Lance Stanbury and James Waters.

62. **Minutes**

The minutes of the meetings held on 18 September 2018 and 2 October 2018 were confirmed as a correct record and signed by the Chairman.

63. **Open Forum**

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

64. Public Participation

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

65. Report of the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committee's: 27 September 2018 (Report No: CAB/JT/18/039)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committee's on 27 September 2018:

- (1) Ernst and Young – Annual Audit Letter 2017-2018.
- (2) Annual Corporate Environmental Performance 2017-2018.
- (3) Work Programme Update.
- (4) Approach to Delivering a Sustainable West Suffolk Budget 2019-2020 and Medium Term Plan *(to be reported to the Shadow Executive Cabinet) on 27 November 2018*.
- (5) Decision relating to Complaint to Local Government Ombudsman Report *(considered by the Forest Heath Performance and Audit Scrutiny Committee only)*

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

66. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 25 September 2018 (Report No: CAB/JT/18/040)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the Anglia Revenues and Benefits Joint Committee on 25 September 2018:

- (1) Highlight Report, Balance Scorecards and Financial Performance Report.
- (2) Welfare Reform Update.
- (3) Norwich Partnership – Partnership Working Through Section 113 Agreement.
- (4) Forthcoming Issues.

Councillors Stephen Edwards and Ian Houlder, FHDC and SEBC Portfolio Holders for Resources and Performance respectively, drew relevant issues to the attention of the Joint Committee. Particular reference was made to paragraph 1.2.1 (Universal Credit) which provided an update on the current position regarding the operation of the full service for St Edmundsbury and the expected roll-out for Forest Heath in December 2018.

67. **Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area (Report No: CAB/JT/18/041)**

The Joint Committee received this report which explained that local authority Statement of Licensing policies were required to be renewed every five years. The integrated Cumulative Impact Assessment (CIA) Area must now be reviewed every three years or sooner, for example, if it was considered with the overarching Statement of Licensing Policy review.

The current proposal was for the Forest Heath Statement of Licensing Policy to run until December 2022, as this was when the current St Edmundsbury Statement of Licensing Policy expired, allowing a West Suffolk Statement of Policy to be proposed. The changes which had been made to the Forest Heath Statement of Licensing Policy 2014-2019 due to statutory guidance changes and the need to update local area facts and figures were set out in paragraph 1.2.3 and were also marked as red text within Appendix 1.

In the meantime, it was proposed that a West Suffolk Council Statement of Licensing Policy be adopted by the Shadow Council in February 2019, using the identical policy wording of the two Forest Heath and St Edmundsbury policies and putting them into a single document and updating any references to legislation. This would be communicated to stakeholders, alongside the Shadow Council's consideration. This approach had also been agreed with the Ministry for Housing, Communities and Local Government (MHCLG).

RECOMMENDED TO FHDC COUNCIL: (21 November 2018)

That:-

1. The draft overarching Statement of Licensing Policy for Forest Heath 2019-2022, as set out in Appendix 1 to Report No: CAB/JT/18/041, be adopted.
2. The existing Newmarket Cumulative Impact Assessment (CIA) Area (as incorporated within Appendix 1 to Report No: CAB/JT/18/041) be:
 - (a) renewed; and
 - (b) reviewed again within approximately 18 months.

68. **West Suffolk Contaminated Land Strategy 2018 to 2023 (Report No: CAB/JT/18/042)**

The Joint Committee received this report which explained that the proposed West Suffolk Contaminated Land Strategy (as set out in Appendix A to the report), covered the period November 2018 to November 2023 and would form part of a framework affecting the quality and use of land locally.

The Strategy followed the principles of sustainability, aiming to achieve a balance between social, economic and environmental concerns, whilst meeting the Councils' statutory obligations and corporate responsibility to protect and improve human health and the local environment.

In line with statutory guidance, it was good practice to review the Strategy at least every five years. The previous Strategy expired in September 2018. Subject to approval, the Strategy would then form part of a package of policies to be 'rolled forward' to the single West Suffolk Council.

As part of this review, there were no local policy changes proposed and the structural and statutory changes were not viewed as contentious. The revisions were limited to updates according to legislation, creation of a single West Suffolk Council and updated technical guidance.

RESOLVED:

That the draft West Suffolk Contaminated Land Strategy, attached as Appendix A to Report No: CAB/JT/18/042, be adopted for the period November 2018 to November 2023.

69. Use of Chief Executive's Urgency Powers (Report No: CAB/JT/18/043)

The Joint Committee received and noted this report which reported on the use of the Chief Executive's Urgency Powers in relation to the submitting of a bid of £500,089 in order to purchase the site at Wamil Court, Mildenhall, owned by Suffolk County Council.

Forest Heath District Council had since been notified that the offer made was not accepted on the basis of price offered. A higher offer had been provisionally accepted, subject to contract. At this stage, Officers were unable to confirm what the preferred bidders intended use for the site, but would continue to monitor for any early emerging indicators.

70. Forest Heath and St Edmundsbury Joint Executive (Cabinet) Committee Decisions Plan: 1 November 2018 to 31 March 2019 (Report No: CAB/JT/18/044)

The Joint Committee received this report, which was the Forest Heath District Council's and St Edmundsbury Borough Council's Joint Executive (Cabinet) Committee Decisions Plan covering the period 1 November 2018 to 31 March 2019.

Members took the opportunity to review the intended forthcoming decisions within the Plan. However, no further information or amendments were required on this occasion.

71. Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (Report No: CAB/JT/18/045)

The Joint Committee received this report which provided the collection data in respect of Council Tax and National Non-Domestic Rates for both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) and sought approval for the write-off of the amounts contacted in the Exempt Appendices to this report.

Councillors Stephen Edwards and Ian Houlder, FHDC and SEBC Portfolio Holders for Resources and Performance respectively, drew relevant issues to the attention of the Joint Committee, including the current performance of each authority, as set out in Section 3 of the report.

The Portfolio Holders also explained that the process of vetting cases for write-offs had also been more vigorous this year, to be able to move into a single Council with debts that were economically viable to collect.

Councillor John Griffiths also explained that he had received correspondence from Councillor Diane Hind, Chairman of SEBC Overview and Scrutiny Committee, expressing her concerns over the debt collection and write-off processes. Cllr Griffiths confirmed that he would respond back to Councillor Hind accordingly, addressing the concerns raised.

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendices to Report No: CAB/JT/18/045, be approved as follows:

1. Exempt Appendix 1: FHDC Council Tax totalling £2,731.33.
2. Exempt Appendix 2: SEBC Council Tax totalling £169,454.08.
3. Exempt Appendix 3: SEBC Business Rates totalling £22,292.16.
4. Exempt Appendix 4: FHDC Sundry Debt (Housing Benefit Overpayments) totalling £24,740.18.
5. Exempt Appendix 5: FHDC Sundry Debt (Property Services) totalling £2,902.91.
6. Exempt Appendix 6: SEBC Sundry Debt (Property Services) totalling £5,796.38.

72. Exclusion of Public and Press

As Report No: CAB/JT/18/046 needed to be considered by the Joint Committee in private session, 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.

73. **Exempt Appendices: Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (paras 1 and 2) (Report No: CAB/JT/18/045)**

The Joint Committee considered the Exempt Appendices to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

74. **Disposal of Property in Haverhill (paras 1, 2 and 3) (Report No: CAB/JT/18/046)**

The Joint Committee received this report which explained that following a period of unsuccessful attempts to recover unpaid rent, the premises were repossessed by St Edmundsbury Borough Council, through the County Court in February 2018. The premises had remained vacant for several months and had been subject to criminal damage. Despite a range of protective security measures having been undertaken, there remained a risk of further damage to the property.

The Council's appointed agents had marketed the property and since July 2018, several financial offers had been received. In order to secure an early and unconditional sale and to mitigate the identified risks, an urgent decision was required in order to allow the sale of the property to progress and complete in a timely manner.

However, since the publication of the agenda papers, the original buyer, as identified within Report No: CAB/JT/18/046, had withdrawn their offer. Therefore, the Joint Committee were requested to consider an alternative recommendation in relation to the disposal of this property.

RESOLVED:

That the Assistant Director (Operations), in consultation with the Portfolio Holders for Operations, be given delegated authority to agree the sale of the property with a buyer, at or above, the market valuation.

The Meeting concluded at 6.48 pm

Signed by:

Chairman
