

Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils

West Suffolk
working together

Title:	Agenda																																
Date:	Tuesday 12 March 2019																																
Time:	6.00 pm																																
Venue:	Conference Chamber West (FR109) West Suffolk House Western Way Bury St Edmunds IP33 3YU																																
Membership:	<p style="text-align: center;">Chairman John Griffiths</p> <p style="text-align: center;">Vice-Chairman James Waters</p> <table border="0"> <thead> <tr> <th style="text-align: left;"><u>Councillor</u></th> <th style="text-align: left;"><u>Portfolio</u></th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Ruth Bowman J.P.</td> <td>Future Governance</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</td> </tr> <tr> <td>Robin Millar</td> <td>Deputy Leader/Families and Communities</td> </tr> <tr> <td>Lance Stanbury</td> <td>Planning and Growth</td> </tr> <tr> <td>James Waters</td> <td>Leader</td> </tr> <tr> <td>Carol Bull</td> <td>Future Governance</td> </tr> <tr> <td>Robert Everitt</td> <td>Families and Communities</td> </tr> <tr> <td>Susan Glossop</td> <td>Planning and Growth</td> </tr> <tr> <td>John Griffiths</td> <td>Leader</td> </tr> <tr> <td>Ian Houlder</td> <td>Resources and Performance</td> </tr> <tr> <td>Sara Mildmay-White</td> <td>Deputy Leader/Housing/West Suffolk Lead for Housing</td> </tr> <tr> <td>Jo Rayner</td> <td>Leisure and Culture</td> </tr> <tr> <td>Peter Stevens</td> <td>Operations</td> </tr> </tbody> </table>	<u>Councillor</u>	<u>Portfolio</u>	David Bowman	Operations	Ruth Bowman J.P.	Future Governance	Andy Drummond	Leisure and Culture	Stephen Edwards	Resources and Performance	Robin Millar	Deputy Leader/Families and Communities	Lance Stanbury	Planning and Growth	James Waters	Leader	Carol Bull	Future Governance	Robert Everitt	Families and Communities	Susan Glossop	Planning and Growth	John Griffiths	Leader	Ian Houlder	Resources and Performance	Sara Mildmay-White	Deputy Leader/Housing/West Suffolk Lead for Housing	Jo Rayner	Leisure and Culture	Peter Stevens	Operations
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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:	Six Members, to include at least three of the total number of Members of each Cabinet.																																
Committee administrator:	Claire Skoyles Democratic Services Officer Tel: 01284 757176 Email: claire.skoyles@westsuffolk.gov.uk																																

Public Information

West Suffolk

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Venue:	West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01284 757176 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 Councils actively welcome members of the public and the press to attend their meetings and holds as many of their meetings as possible in public.	
Public participation:	Members of the public who live or work in the Borough/District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
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 West Suffolk Councils 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.	
Personal Information	Any personal information processed by Forest Heath District Council or St Edmundsbury Borough Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.	

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

1 - 8

To confirm the minutes of the meetings held on 22 January 2019 and 5 February 2019 (copy attached).

Part 1 - Public

3. Open Forum

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

4. Public Participation

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

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

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

5. Report of the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committees: 31 January 2019

9 - 16

Report No: **CAB/JT/19/009**

Chairmen of the Committees: FHDC Cllr Louis Busuttil and

SEBC Cllr Sarah Broughton

Lead Officer: Christine Brain

NON-KEY DECISIONS

- | | | |
|------------|--|------------------|
| 6. | Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 31 January 2019 - Treasury Management Report 2018-2019 and Investment Activity (1 April - 31 December 2018) | 17 - 20 |
| | Report No: CAB/JT/19/010
Portfolio Holder: FHDC Cllr Stephen Edwards
Lead Officers: Rachael Mann and Greg Stevenson | |
| 7. | Recommendations of the St Edmundsbury Performance and Audit Scrutiny Committee: 31 January 2019 - Treasury Management Report 2018-2019 and Investment Activity (1 April - 31 December 2018) | 21 - 24 |
| | Report No: CAB/JT/19/011
Portfolio Holder: SEBC Cllr Ian Houlder
Lead Officers: Rachael Mann and Greg Stevenson | |
| 8. | Recommendations of St Edmundsbury's Overview and Scrutiny Committee: 9 January 2019 - Public Space Protection Order, Bury St Edmunds - Addition of Condition | 25 - 36 |
| | Report No: CAB/JT/19/012
Portfolio Holder: SEBC Cllr Robert Everitt
Lead Officers: Davina Howes and Helen Lindfield | |
| 9. | Hatchfield Farm, Newmarket: Masterplan | 37 - 112 |
| | Report No: CAB/JT/19/013
Portfolio Holders: FHDC Cllr Lance Stanbury
Lead Officers: Julie Baird and Chris Rand | |
| 10. | Former Castle Hill Middle School: Development Brief | 113 - 154 |
| | Report No: CAB/JT/19/014
Portfolio Holder: SEBC Cllr Susan Glossop
Lead Officers: Julie Baird and Chris Rand | |
| 11. | West Suffolk Joint Pay Policy Statement: 2019/2020 | 155 - 168 |
| | Report No: CAB/JT/19/015
Portfolio Holders: FHDC Cllr Stephen Edwards and SEBC Cllr Ian Houlder
Lead Officer: Wendy Canham | |

12. Forest Heath and St Edmundsbury Joint Executive (Cabinet) Committee Decisions Plan: 1 March 2019 to 31 March 2019

169 - 180

To consider the most recently published version of the Joint Executive (Cabinet) Committee's Decisions Plan.

Report No: **CAB/JT/19/016**

Portfolio Holders: FHDC Cllr James Waters and SEBC Cllr John Griffiths
Lead Officer: Ian Gallin

13. Exemption to Contract Procedure Rules: Solar PV Installation Works under the West Suffolk Solar for Business Scheme

Portfolio Holders: SEBC Cllr Susan Glossop and
FHDC Cllr Lance Stanbury
Lead Officer: David Collinson

Summary and Reason for Recommendation:

Solar PV installation works under the West Suffolk Solar for Business scheme

Section 4.3 of the West Suffolk Contract Procedure Rules state that:

'Between £50,001 and the EU Threshold, any exemption must be approved by the Officer and the relevant Assistant Director in consultation with the Assistant Director for Resources and Performance. The Officer must provide evidence to support the request for any exemption and the relevant Assistant Director shall prepare a report for the next Cabinet to support the action taken, hence this agenda item.'

The exemption, which was exercised on 21 February 2019, the reason for it (together with supporting evidence) has been forwarded to the Assistant Director for Resources and Performance for approval.

On 31 March 2019, the Government's Feed In Tariff (FiT) closes for new installations. Any solar installation not registered by 31 March 2019 deadline will not secure the FiT tariff.

An open tender was completed in January 2019 but some new sites have come forward since this tender that require the West Suffolk Councils to act immediately in order to secure the FiT tariff. Value for money can be demonstrated as we can reference the January 2019 tender prices.

By registering and installing these additional sites with the Government's FiT within the deadline will generate approximately

£265,000 in FiT payments alone. By awarding this contract we are guaranteed this income over the next 20 years. Overall, these installations will deliver £1.1 million of revenue to the Councils.

The West Suffolk Councils have been delivering the West Suffolk Solar for Business service since 2015 and the end of the FiT will impact the financial returns of the scheme.

An exemption from Section 4.3 of the Contract Procedure rules is, therefore, sought to allow the Works to be commissioned through an installer who won installation lots through the January 2019 tender, and who can deliver new installations within the FiT registration period. Value for money will be assured through a bench marking and quotation process.

The total value of the exemption is £465,000 and was made under the following exemption criteria, as stated in Section 4.5 of the Contract Procedure Rules:

Exemption category

Unforeseen works where delay will adversely impact on the service delivery for the Council(s).

The feed in tariff closes on 31 March 2019, so new sites must be registered immediately to benefit from the financial support mechanism.

Recommendation:

The Joint Executive (Cabinet) Committee is requested to **NOTE** this exemption to the West Suffolk Contract Procedure Rules, as contained in FHDC's and SEBC's Constitutions.

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| 14. | Forest Heath and St Edmundsbury Revenues Collection and Performance Write-Offs | 181 - 186 |
| | Report No: CAB/JT/19/017
Portfolio Holders: FHDC Cllr Stephen Edwards and SEBC Cllr Ian Houlder
Lead Officer: Rachael Mann | |
| 15. | Newmarket Cinema and Restaurant Development: Outline Business Case | 187 - 194 |
| | Report No: CAB/JT/19/018
Portfolio Holders: FHDC Cllrs Stephen Edwards and Lance Stanbury
Lead Officer: Jill Korwin | |

Part 2 - Exempt

16. Exclusion of Public and Press

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

17. Exempt Appendices: Newmarket Cinema and Restaurant Development: Outline Business Case (para 3) 195 - 230

Exempt Appendices to Report No: **CAB/JT/19/018**
Portfolio Holders: FHDC Cllrs Stephen Edwards and Lance Stanbury
Lead Officer: Jill Korwin

(These exempt appendices are to be considered in private under paragraph 3 of Schedule 12A of the Local Government Act 1972, as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information)).

18. Exempt Appendices: Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (paras 1 and 2) 231 - 254

Exempt Appendices to Report No: **CAB/JT/19/017**
Portfolio Holders: FHDC Cllr Stephen Edwards and SEBC Cllr Ian Houlder
Lead Officer: Rachael Mann

(These exempt appendices are to be considered in private under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, as they contain information relating to an individual and information which is likely to reveal the identity of an individual)

(No representations have been received from members of the public regarding this item being held in private.)