# Joint Executive (Cabinet) Committee

<table>
<thead>
<tr>
<th>Title:</th>
<th>Agenda</th>
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<tbody>
<tr>
<td>Date:</td>
<td>Tuesday 12 March 2019</td>
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<tr>
<td>Time:</td>
<td>6.00 pm</td>
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| Venue: | Conference Chamber West (FR109)  
West Suffolk House  
Western Way  
Bury St Edmunds IP33 3YU |
| Membership: | **Chairman** John Griffiths  
**Vice-Chairman** James Waters  
**Councillor**  
David Bowman  
Ruth Bowman J.P.  
Andy Drummond  
Stephen Edwards  
Robin Millar  
Lance Stanbury  
James Waters  
**Portfolio**  
Operations  
Future Governance  
Leisure and Culture  
Resources and Performance  
Deputy Leader/Families and Communities  
Planning and Growth  
Leader  
**St Edmunds BC**  
Carol Bull  
Robert Everitt  
Susan Glossop  
John Griffiths  
Ian Houlder  
Sara Mildmay-White  
Jo Rayner  
Peter Stevens  
**Portfolio**  
Future Governance  
Families and Communities  
Planning and Growth  
Leader  
Resources and Performance  
Deputy Leader/Housing/West Suffolk Lead for Housing  
Leisure and Culture  
Operations |
| 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

<table>
<thead>
<tr>
<th>Venue:</th>
<th>West Suffolk House</th>
<th>Tel: 01284 757176</th>
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<tr>
<td></td>
<td>Western Way</td>
<td>Email:</td>
</tr>
<tr>
<td></td>
<td>Bury St Edmunds</td>
<td><a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a></td>
</tr>
<tr>
<td></td>
<td>Suffolk IP33 3YU</td>
<td>Web:</td>
</tr>
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<td><a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a></td>
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<tr>
<th>Access to agenda and reports before the meeting:</th>
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<tbody>
<tr>
<td>Copies of the agenda and reports are open for public inspection at the above and following address:</td>
</tr>
<tr>
<td><strong>District Offices</strong></td>
</tr>
<tr>
<td><strong>College Heath Road</strong></td>
</tr>
<tr>
<td>Mildenhall</td>
</tr>
<tr>
<td>Bury St Edmunds</td>
</tr>
<tr>
<td>Suffolk IP28 7EY</td>
</tr>
<tr>
<td>at least five clear days before the meeting. They are also available to view on our website.</td>
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<thead>
<tr>
<th>Attendance at meetings:</th>
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<tr>
<td>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.</td>
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<tr>
<th>Public participation:</th>
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<td>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.</td>
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<th>Disabled access:</th>
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<tr>
<td>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.</td>
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| Visitor parking is at the car park at the front of the building and there are a number of accessible spaces. |

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<tr>
<th>Induction loop:</th>
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<tr>
<td>An Induction loop is available for meetings held in the Conference Chamber.</td>
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<th>Recording of meetings:</th>
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<tr>
<td>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).</td>
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| 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. |

<table>
<thead>
<tr>
<th>Personal Information</th>
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<tr>
<td>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: <a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</td>
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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.

   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

   Report No: CAB/JT/19/010
   Portfolio Holder: FHDC Cllr Stephen Edwards
   Lead Officers: Rachael Mann and Greg Stevenson

   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
   Report No: CAB/JT/19/012
   Portfolio Holder: SEBC Cllr Robert Everitt
   Lead Officers: Davina Howes and Helen Lindfield

9. Hatchfield Farm, Newmarket: Masterplan
   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
    Report No: CAB/JT/19/014
    Portfolio Holder: SEBC Cllr Susan Glossop
    Lead Officers: Julie Baird and Chris Rand

    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**

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 benchmarking 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.

**14. Forest Heath and St Edmundsbury Revenues Collection and Performance Write-Offs**

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**

Report No: **CAB/JT/19/018**

Portfolio Holders: FHDC Cllrs Stephen Edwards and Lance Stanbury

Lead Officer: Jill Korwin
Part 2 - Exempt

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)
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)
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.)