Shadow Council



Title:	Agenda
Date:	Tuesday 25 September 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 17 September 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



		Couricii	
Venue:	West Suffolk House	Tel: 01284 757176	
	Western Way	Email:	
	Bury St Edmunds	democratic.services@westsuffolk.gov.uk	
	Suffolk IP33 3YU	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		
	our website.	the meeting. They are also available to view on	
Attendance at		ncil actively welcomes members of the public	
meetings:	possible in public.	etings and holds as many of its meetings as	
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:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.		
Induction loop:	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.		
Recording of meetings:	The Shadow 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.		
Personal Information	Edmundsbury Borough Council meeting under the Localism Ac Data Protection Act 2018. For rights in regards to your perso website:	essed by Forest Heath District Council or St l arising from a request to speak at a public ct 2011, will be protected in accordance with the more information on how we do this and your mal information and how to access it, visit our ak/Council/Data_and_information/howweuseinfo	
		Services: 01284 763233 and ask to speak to the	

Agenda Procedural Matters

Page No

1. Minutes 1 - 6

To confirm the minutes of the meeting held on 17 July 2018 (copy attached).

2. Chairman's Announcements

3. Apologies for Absence

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

4. 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

5. Leader's Statement

7 - 8

Paper No: COU/SA/18/009

(Shadow Council Procedure Rules 8.1 – 8.3) The Leader will provide a written statement summarising important developments and activities since the preceding meeting of the Shadow Council where these have arisen. These developments and activities will solely relate to the development of the Shadow Council, and matters related to the future West Suffolk Council.

Members may ask the Leader questions on the content of both his introductory remarks and the written statement itself.

A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. A supplementary question arising from the reply may be asked so long as the five minute limit is not exceeded.

6. 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 <u>one</u> question only. A total of <u>five minutes</u> <u>will be allowed for the question to be put and answered.</u>
One further question will be allowed arising directly from the reply, <u>provided that the original time limit of five minutes</u> <u>is not exceeded.</u>

<u>Written questions</u> may be submitted by members of the public to the Interim Monitoring Officer <u>no later than 10.00 am on Monday 24 September 2018</u>. The written notification should <u>detail the full question</u> to be asked at the meeting of the Council.)*

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

7. Referrals report of recommendations from the Shadow Executive (Cabinet)

9 - 26

Report No: COU/SA/18/010

(A) Referrals from Shadow Executive (Cabinet): 18 September 2018

- Arrangements for Appointment of External Auditors for the West Suffolk Council and West Suffolk Shadow Authority Shadow Executive (Cabinet) Members: Cllrs Stephen Edwards and Ian Houlder
- 2. Transfer of Joint Policies to West Suffolk Council **Shadow Executive (Cabinet) Members:**Cllrs Ruth Bowman J.P. and Carol Bull

8. Appointment of Shadow Executive Member

Paragraph 6.4 of Article 6 'The Shadow Executive (Cabinet)' of the Shadow Constitution states that:

.....the Leader may give written notice to the Interim Monitoring Officer of Portfolio Holder appointments or changes. Such changes will come into effect two days after receipt of the notice by the Interim Monitoring Officer and be notified to the next meeting of the Shadow Council.

Only the Shadow Council has the authority to appoint members of the Shadow Executive, and any portfolio appointments must be made from members of the Shadow Executive.

The Interim Monitoring Officer has received written notice from the Leader of the Shadow Council, nominating Councillor Susan Glossop to replace Councillor Alaric Pugh on the Shadow Executive (Cabinet). This is following the appointment of Councillor Susan Glossop to St Edmundsbury Borough Council's (SEBC) Cabinet as Portfolio Holder for Planning and Growth thus replacing Councillor Alaric Pugh following his recent resignation from SEBC's Cabinet.

A vote will be required to be taken on this nomination.

9. Appointment of Independent Remuneration Panel

27 - 30

Report No: COU/SA/18/011

10. 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.

11. Report on Special Urgency

Part 4, Access to Information Procedural Rules, of the Shadow Constitution (paragraph 18.3) requires the Leader of the Shadow Council to submit quarterly reports to the Shadow Council on the Shadow Executive decisions taken (if any) in the circumstances set out in Rule 17, (Special urgency) in the preceding three months.

Accordingly, the Leader of the Shadow Council reports that no shadow executive decisions have been taken under the Special Urgency provisions of the Shadow Constitution.

Part 2 - Exempt

NONE



Shadow Council



Minutes of a meeting of the Shadow Council held on Tuesday 17 July 2018 at 6.30pm at the Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: Councillors

Chair Sarah Stamp Vice Chair Brian Harvey

Ruth Allen Michael Anderson Chris Barker Trevor Beckwith John Bloodworth David Bowman Ruth Bowman J.P. Simon Brown Tony Brown Carol Bull John Burns Mike Chester Patrick Chung Max Clarke Terry Clements Simon Cole Roger Dicker Andy Drummond Stephen Edwards

Mary Evans Robert Everitt Paula Fox Susan Glossop John Griffiths Diane Hind Beccy Hopfensperger Paul Hopfensperger Ian Houlder Victor Lukaniuk Carol Lynch Margaret Marks Christine Mason Elaine McManus Sara Mildmay-White Robin Millar David Nettleton Robert Nobbs Colin Noble

David Palmer Robin Pilley Clive Pollington Alaric Pugh Joanna Rayner Karen Richardson David Roach Barry Robbins Richard Rout Reg Silvester **Andrew Smith** Clive Springett Peter Stevens Peter Thompson Jim Thorndyke Julia Wakelam Frank Warby Patricia Warby

20. Minutes

The minutes of the meetings held on 30 May 2018 and 12 June 2018 were received as an accurate record, with 54 voting for the motion and with 3 abstentions, and were signed by the Chair.

21. Chairman's Announcements

The Chair drew attention to the work that was ongoing in respect of the civic leadership for the West Suffolk Council. She encouraged all Members to take part in the debate and to similarly encourage their constituents to do the same.

22. Apologies for Absence

Apologies for absence were received from Councillors Sarah Broughton, Rona Burt, Louis Busuttil, Jason Crooks, Wayne Hailstone, Jane Midwood, Peter Ridgwell, Nigel Roman, Lance Stanbury, James Waters and Anthony Williams.

Councillors Andrew Appleby, Louise Marston and Andrew Speed were also unable to attend the meeting.

23. **Declarations of Interests**

Members declarations of interest are recorded under the item to which the declaration relates.

24. Leader's Statement (Report No: COU/SA/18/006)

Councillor John Griffiths, Leader of the Shadow Council, presented his Leader's Statement as contained in Paper No: COU/SA/18/006.

25. Public Participation

The following question was put and answered during Public Question Time:

Robert Houlton-Hart, Secretary of Moreton Hall Residents' Association, addressed the meeting with regard to the draft recommendations proposed for the West Suffolk Council Electoral Arrangements, with particular reference to the draft warding proposals for Moreton Hall, as set out in Report No: COU/SA/18/008, to be considered later at agenda item 8.

Mr Houlton-Hart welcomed the proposal put forward for Moreton Hall which the Residents' Association considered to accurately reflect the distinct community of the area and the future growth.

In response, Councillor John Griffiths, Leader of the Shadow Council, thanked Mr Houlton-Hart for his comments and also gave thanks to the Moreton Hall Residents' Association for their valued engagement with the ward review process.

Councillor Griffiths reminded all present that the West Suffolk Shadow Council carried no greater weight in their response than any other organisation/individual. As such, he was encouraging all interested parties to respond to the consultation.

26. Referrals report of recommendations from the Shadow Executive (Cabinet) (Report No: COU/SA/18/007)

Councillors Patrick Chung, John Griffiths, Beccy Hopfensperger, Victor Lukaniuk, Carol Lynch, Margaret Marks, Robin Pilley and Clive Pollington declared non-pecuniary interests in referral item 3 (West Suffolk Council Tax Technical Changes), as they were private sector landlords, they indicated that they would remain in the meeting during the item but would abstain from voting.

Councillor Paul Hopfensperger declared a pecuniary interest in referral items 2 and 3 (Local Council Tax Reduction Scheme and West Suffolk Council Tax Technical Changes) he indicated that he would withdraw from the meeting during consideration of these items.

The Shadow Council considered the Referrals Report of Recommendations from the Shadow Executive (Cabinet) contained within Report No: COU/SA/18/007.

Referrals from Shadow Executive (Cabinet): 10 July 2018

1. <u>West Suffolk Council – Setting the Strategic Context for the Development of the 2019/2020 Budget and Medium Term Financial Plans</u>

This report set out the strategic context (proposed principles, approach and timescales) for the development of the 2019/2020 budget and Medium Term Financial Plans for the new West Suffolk Council from 1 April 2019.

Councillors Stephen Edwards and Ian Houlder, FHDC and SEBC Portfolio Holders for Resources and Performance respectively, drew relevant aspects of the report to the attention of the Shadow Council.

The Portfolio Holders encouraged all Members to attend the programme of briefings being delivered by Finance Officers on the budget work.

On the motion of Councillor Stephen Edwards, seconded by Councillor Ian Houlder, and with the vote being unanimous it was

RESOLVED:

That:-

- 1. The West Suffolk Strategic Framework (subject to rebranding; wording changes from "councils" to "council" and other consequential amendments, which will be completed by Officers) as its Strategic Framework from 1 April 2019, be adopted.
- 2. Both the West Suffolk Medium Term Financial Strategy, contained at Appendix A and West Suffolk Capital Strategy contained at Appendix B to Report No: EXC/SA/18/002 as its strategic financial framework from 1 April 2019, be adopted.
- 3. The key principles and approach for the development of the 2019-2020 budget and medium term financial plans for West Suffolk Council as set out in Section 3 of Report No: EXC/SA/18/002, be supported, including the consideration of a further report (setting out the proposed approach to achieve these principles) to the Joint Informal Performance, Audit and Scrutiny Committee on 25 July 2018.
- 2. West Suffolk Local Council Tax Reduction Scheme 2019/2020

This report set out the proposed West Suffolk Local Council Tax Reduction Scheme (LCTRS) to take effect from 1 April 2019.

Councillors Stephen Edwards and Ian Houlder, FHDC and SEBC Portfolio Holders for Resources and Performance respectively, drew relevant aspects of the report to the attention of the Shadow Council.

On the motion of Councillor Ian Houlder, seconded by Councillor Stephen Edwards, and with the vote being unanimous it was

RESOLVED:

That the West Suffolk Local Council Tax Reduction Scheme for West Suffolk be approved, to take effect from 1 April 2019 as attached at Appendix A and as detailed in Section 5 of Report No: EXC/SA/18/003.

3. <u>West Suffolk Council Tax Technical Changes – Including Empty Property Reliefs and Premiums Changes</u>

This report set out the proposed West Suffolk Council Tax Technical Changes (including Empty Property Reliefs and Premiums) from 1 April 2019.

Councillors Stephen Edwards and Ian Houlder, FHDC and SEBC Portfolio Holders for Resources and Performance respectively, drew relevant aspects of the report to the attention of the Shadow Council.

Councillors Carol Lynch, Margaret Marks and Robin Pilley all made comments on the report and posed questions on the item which were responded to by the Portfolio Holders.

A typographical error was noted in respect of Recommendation 3, in that the word 'empty' needed to be added as follows "...long term **empty** properties...".

On the motion of Councillor Stephen Edwards, seconded by Councillor Ian Houlder, and with 48 voting for the motion and with 8 abstentions, it was

RESOLVED:

That:-

- The West Suffolk Council Tax Technical Changes Second Homes set out in Section 1.4 of Report No: EXC/SA/18/004, from 1st April 2019, be approved.
- 2. The West Suffolk Council Tax Technical Changes Empty Property Reliefs as set out in Section 1.4 of Report No: EXC/SA/18/004, from 1st April 2019, be approved.
- 3. Subject to the coming into force of legislation accordingly on 1 April 2019, an additional 50% Council Tax premium on long term empty properties raising the current premium to 200% as set out in Section 1.4 of Report No: EXC/SA/18/004, be approved.

27. Local Government Boundary Commission for England's (LGBCE) Draft Recommendations for new Electoral Arrangements for West Suffolk Council (Report No: COU/SA/18/008)

This report set out the draft recommendations for the new electoral arrangements for the West Suffolk Council as issued by the Local Government Boundary Commission for England (LGBCE) and invited consultation responses by the deadline of 27 August 2018.

Councillors Ruth Bowman and Carol Bull, FHDC and SEBC Portfolio Holders for Future Governance respectively, gave thanks to the LGBCE and all parties who had contributed towards the process to date.

Members were advised that the Future Governance Steering Group was next due to meet on 27 July 2018 and all Councillors were invited to attend.

The Chair reminded the meeting that should Members wish to inform the Council's response to the LGBCE's consultation they would need to submit comments to Officers by 9am on Friday 20 July 2018.

All Councillors were also encouraged to submit their own direct responses to the LGBCE by the deadline of 27 August 2018.

On the motion of Councillor Carol Bull, seconded by Councillor Ruth Bowman and with the vote being unanimous, it was

RESOLVED:

That:-

- 1. The Head of Paid Service be authorised to prepare and submit the Shadow Authority's observations and any new local evidence in respect of the Local Government Boundary Commission for England's draft recommendations for electoral arrangements for West Suffolk Council before the deadline on 27 August 2018; taking account the views of the Future Governance Steering Group and any additional representations received from Councillors; and
- 2. All interested parties, including individual Councillors, are encouraged to make their own direct consultation responses to the LGBCE.

(Councillor Mary Evans joined the meeting at 7.11pm during the preliminary discussion of this item.)

28. **Urgent Questions on Notice**

No urgent questions on notice had been received.

The meeting concluded at 7.16pm

Signed by:

Chairman

Shadow Council



Title:	Leader's Statement		
Paper No:	COU/SA/18/009		
Paper to and date:	Shadow Council	25 September 2018	
Documents attached	l: None		

Shadow Authority Leader's Statement

1. I would like to welcome everyone back from their summer holidays even though, as always, it has been a busy time for many in West Suffolk.

Rural Conference

2. Our transformation and implementation towards a new West Suffolk Council is already gaining considerable interest nationally. We were invited to speak about it at the Rural Services Network and explain the benefits it will bring. I am pleased to report it was well received and our speakers, including Councillor Carol Bull, were asked questions by councils from across the country. Many of the conference attendees, amongst others have followed up on the conversations subsequently. Thank you in particular to Carol and Ben Smith for explaining our story and ambition, supported, I know, by many colleagues in and out of the room.

Boundary review

3. The Local Government Boundary Commission for England has now carried out its consultation and I am pleased to hear they had good engagement and many responses from councillors, local organisations and parish councils amongst others. Thank you to everyone who made their views known to the Boundary Commission to help them in their process of looking at the new wards for West Suffolk Council. I believe we will hear what their findings are around 23 October 2018.

Policy

4. Tonight we have a handful of items on the agenda. One of those is the rolling forward of policies to the new West Suffolk Council. Having seen what is going on in other areas of the country, it is heartening to see the close working we have already achieved bearing fruit. While a perhaps

somewhat dry but necessary subject, it is a clear sign of our continuing progress. Many authorities are behind us on the type of transformational approach that we have achieved through shared services and now as part of the Shadow West Suffolk Council.

Portfolio Holder

5. Most of you will now be aware that one of our colleagues, Alaric Pugh, has stepped down from his role as portfolio holder and, while continuing to be a member at the moment, is not at present planning to stand in the May elections. What you might not know is that Alaric has been has undertaken roles in public service without a break for thirty-five years. I know his decision has been a very hard one but I think we all understand that family must come first. I would like to personally thank him, and I am sure you will join me in this, for his sage advice, professionalism and the immense drive he has shown in working with colleagues to transform the way we invest and encourage growth for the prosperity of our communities. For St Edmundsbury Borough Council I am pleased to say Councillor Glossop will now be leading on planning and regulatory services. At the same time she will work closely with me on the Councils' considerable growth agenda. After this meeting, subject, of course, to your approval tonight, I look forward to working with Councillor Glossop on the Shadow Executive. I am sure you will all welcome her while at the same time thanking Alaric for his tremendous dedication and service.

Councillor John Griffiths Leader of the West Suffolk Shadow Council

Shadow Council



Title of Report:	Referrals Report of Recommendations from the Shadow Executive (Cabinet)			
Report No:	COU/SA/18/010			
Report to and date:	Shadow Council 25 September 2018			
Documents attached	Shadow Executive EXC/SA/18/009 'R Heath and St Edm Scrutiny Committee for Appointment of Suffolk Council and Appendix 2: Shadow Executive	Appendix 1: Shadow Executive (Cabinet) Report No: EXC/SA/18/009 'Recommendations of the Forest Heath and St Edmundsbury Performance and Audit Scrutiny Committees: 25 July 2018: Arrangements for Appointment of External Auditors for the West Suffolk Council and West Suffolk Shadow Authority Appendix 2: Shadow Executive (Cabinet) Report No: EXC/SA/18/010: Transfer of Joint Policies to West		

(A) Referral from Shadow Executive (Cabinet): 18 September 2018

(These referrals have been compiled before the meeting of the Shadow Executive (Cabinet) on 18 September 2018 and are based on the recommendations contained within the reports listed below (as shown in **bold and italics**). Any amendments made by the Shadow Executive (Cabinet) to the recommendations within this report will be notified prior to the Shadow Council meeting)

1. Arrangements for Appointment of External Auditors for the West Suffolk Council and West Suffolk Shadow Authority

Shadow Executive (Cabinet) Members:

Cllrs Stephen Edwards and Ian Houlder

Report No: EXC/SA/18/009 Attachment A

Performance and Audit Scrutiny Committee Report Nos: PAS/FH/18/025 PAS/SE/18/024

RECOMMENDED: That

West Suffolk Council

(1) Option 3, to 'opt-in' to the sector led body (Public Sector Audit Appointments Limited) for the independent appointment of the Council's External Auditor, beginning with responsibilities for the financial year 2019-2020, as set out in Report Nos: PAS/SE/18/025 and PAS/FH/18/024, be approved.

West Suffolk Shadow Authority

- (2) agreement be given for the External Audit of the West Suffolk Shadow Authority Accounts to be prepared under the Smaller Authority audit procedures, as set out in Attachment A of Report No: EXC/SA/18/009; and
- (3) approval be given for the S151 Officer to write to the Smaller Authorities' Audit Appointments (SAAA) informing them that the West Suffolk Shadow Authority would like to be treated as 'opted in' to the smaller authorities scheme and as such the auditor would be PKF Littlejohn (the appointees for Suffolk).
- 1.1 For ease of reference, the full Shadow Executive (Cabinet) report and its Attachment 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.
- 1.2 Whilst being attached to this report, Members may also view the full report and its Attachment, including the original Performance and Audit Scrutiny Committee reports on the Councils' website via the above links.

Continued overleaf.....

2. Transfer of Joint Policies to West Suffolk Council

Shadow Executive (Cabinet)
Members:

Report No: EXC/SA/18/011

Cllrs Ruth Bowman J.P and Carol Bull

RECOMMENDED: That

- (1) the <u>existing suite of joint policies</u> adopted by Forest Heath District and St Edmundsbury Borough Councils be transferred to West Suffolk Council, as detailed in paragraph 1.1.3 of Report No: EXC/SA/18/010;
- (2) delegated authority be given to Officers, in consultation with relevant Portfolio Holders, to make necessary minor drafting changes to existing policies and then agree them for West Suffolk Council, as detailed in paragraph 1.1.4; and
- (3) delegated authority be given to Officers, in consultation with relevant Portfolio Holders, to make necessary minor drafting changes and then agree the additional joint policies that are adopted by Forest Heath District and St Edmundsbury Borough Councils between September 2018 and March 2019, as detailed in paragraph 1.1.4 and1.1.5.
- 2.1 For ease of reference, the full Shadow Executive (Cabinet) report is attached to this referrals report. If the Shadow Executive (Cabinet) makes any changes to the recommendation to Shadow Council printed in the report, this will be despatched to Members prior to the meeting and published on the Councils' website accordingly.
- 2.2 Whilst being attached to this report, Members may also view the full report on the Councils' website via the above link.



Shadow Executive (Cabinet)



Title of Report:	Recommendations of the Forest Heath and St Edmundsbury Performance and Audit Scrutiny Committees: 25 July 2018: Arrangements for Appointment of External Auditors for the West Suffolk Council and West Suffolk Shadow Authority		
Report No:	EXC/SA/18/009		
Report to and dates:	Shadow Executive (Cabinet)	18 September 2018	
	Shadow Council	25 September 2018	
Shadow Executive (Cabinet) Members:	Stephen Edwards Tel: 07904 389982 Email: stephen.edwards@forest-heath.gov.uk	Ian Houlder Tel: 01359 250912 Email: ian.houlder@stedsbc.gov.u k	
Chairman of the Committees:	Councillor Louis Busuttil FHDC Performance and Audit Scrutiny Committee Tel: 01638 810517 Email: louis.busuttil@forest-heath.gov.uk	Councillor Sarah Broughton SEBC Performance and Audit Scrutiny Committee Tel: 01284 787327 Email: sarah.broughton@stedsbc. gov.uk	

Lead Officers:	Rachael Mann	Greg Stevenson	
	Assistant Director	Service Manager (Finance	
	(Resources and	and Resources)	
	Performance) Tel: 01638 719245	Tel: 01284 757264 Email:	
	Email:		
		gregory.stevenson@wests	
	rachael.mann@westsuffol k.gov.uk	uffolk.gov.uk	
Purpose of report:	On 25 July 2018, both St E	dmundshury Borough	
r di pose di Teport.	Council and Forest Heath D	•	
	Performance and Audit Scr		
	considered Report Nos: PA	•	
	PAS/FH/18/024, setting ou		
		rs for the new West Suffolk	
	Council.		
	This report also includes ar	n update position and	
	recommendations in respe-	ct of the external audit	
	arrangements for the West	: Suffolk Shadow Authority.	
Recommendations:	The Forest Heath and St		
	Performance and Audit	-	
	have <u>RECOMMENDED</u> the	at:	
	West Suffolk Council		
	West Surioik Council		
	(1) Subject to the approval of Shadow Council, Option 3, to 'opt-in' to the sector led body (Public Sector Audit Appointments Limited) for the independent appointment of the Council's External Auditor, beginning with responsibilities for the financial year 2019-2020, as set out in Report Nos: PAS/SE/18/025 and PAS/FH/18/024, be approved.		
	Officers further <u>RECOMMEND</u> , in consultation with the Chairmen of Forest Heath and St Edmundsbury Performance and Audit Scrutiny Committees, that subject to the approval of Shadow Council:		
	West Suffolk Shadow Au	ıthority	
	(2) agreement be given for the External Audit of the West Suffolk Shadow Authority Accounts to be prepared under the Smaller Authority audit procedures, as set out in Attachment A of Report No: EXC/SA/18/009; and		
	1	for the S151 Officer to er Authorities' Audit	

	ti li s a	Appointments (SAAA) informing them that the West Suffolk Shadow Authority would like to be treated as 'opted in' to the smaller authorities scheme and as such the auditor would be PKF Littlejohn (the appointees for Suffolk).			
Key Decision: (Check the appropriate box and delete all those that do not apply.)	definition Yes, it is	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - □ No, it is not a Key Decision - ⊠			
Consultation:			Report Nos: PAS/S S/FH/18/024 and At		
Alternative option	(s):		Report Nos: PAS/S 5/FH/18/024 and At		
Implications:					
Are there any financial implications? If yes, please give details		Yes □ No □ • See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A			
Are there any staffing implications? If yes, please give details		Yes □ No □ • See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A			
Are there any ICT implications? If yes, please give details		If	Yes □ No □ • See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A		
Are there any legal and/or policy implications? If yes, please give details		-	Yes □ No □ • See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A		
Are there any equality implications? If yes, please give details			Yes □ No □ • See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A		
Risk/opportunity assessment:		(potential hazards or corporate, service or p			
Risk area	Inherent leverisk (before controls)	vel of	Controls	Residual risk (after controls)	
See Report Nos: PAS/SE/18/025 and PAS/FH/18/024 and Attachment A					
Wards affected:			All Wards		

APPENDIX 1 to REPORT NO: COU/SE/18/010

Background papers: (all background papers are to be published on the website and a link included)	http://www.psaa.co.uk/supporting- the-transition/procurement-and- appointment-of-auditors/ FHDC 2016 Report PAS.FH.16 SEBC 2016 Report PAS.SE.16
Documents attached:	Attachment A - The proposed audit of the accounts for the West Suffolk Shadow Authority

APPENDIX 1 to REPORT NO: COU/SE/18/010

1. Key Issues and Reasons for Recommendations

1.1 Key Issues - West Suffolk Council

- 1.2 All Councils have a statutory requirement to make arrangements to appoint an External Auditor. Either Councils can make arrangements to appoint their own auditor, or they can opt into national schemes.
- 1.3 In September 2016, both Performance and Audit Scrutiny Committees recommended to Forest Heath and St Edmundsbury Councils to 'opt in' to the Public Sector Audit Appointments (PSAA) audit arrangements for the statement of accounts work for 2018-2019.
- 1.4 As a result of the transition to a new West Suffolk Council both Forest Heath and St Edmundsbury will cease to exist and officers will notify PSAA they will longer be part of this arrangement. However, the new West Suffolk Council will need to confirm its audit arrangements to appoint a local audit to audit its accounts for 2019-2020.
- 1.5 Advice from the PSAA has confirmed that West Suffolk Council will need to formally opt in to the PSAA arrangements. Those arrangements cannot transition across. Therefore, Members are being asked to reaffirm their commitment to option 3, which is to 'opt in' to the PSAA arrangements. For completeness Report Nos: PAS/SE/18/025 / PAS/FH/18/024 provides all three of the options again for Members' consideration. It should be noted that this is only being presented to Members due to the arrangements to move to a new Council, not through any dissatisfaction with the PSAA process or appointment of auditors to date.
- 1.6 The Shadow Council must, by 31 December 2018, take action to implement new arrangements for the appointment of external auditors from April 2019 under a new West Suffolk Council. In order that more detailed proposals can be developed, the Shadow Council is asked to give early consideration to the preferred approach.
- 1.7 Both Performance and Audit Scrutiny Committees considered their respective report, and have put forward a recommendation as set out on page two of this report.

2. Key Issues - West Suffolk Shadow Authority

- 2.1 The order to create the West Suffolk Shadow Authority stated that the Shadow Authority would be subject to the Local Audit and Accountability Act 2014 and therefore requires an external audit to take place of the Shadow Authority accounts (for the period 24 May 2018 to 31 March 2019).
- 2.2 **Attachment A**, which forms as an update to Report Nos: PAS/SE/18/025 / PAS/FH/18/024, has been considered and supported by the Performance and Audit Scrutiny Committee Chairmen for inclusion into this recommendation report.
- 2.3 **Attachment A** details the rationale behind the recommendation to prepare the West Suffolk Shadow Authority accounts under the Smaller Authority audit procedures and for the S151 Officer write to Smaller Authorities' Audit Appointments (SAAA) and inform them we would like to be treated as opted in, and as such the auditor would be PKF Littlejohn (the appointees for Suffolk).



ATTACHMENT A

The audit of the accounts for the West Suffolk Shadow Authority

Why?

The order to create the West Suffolk Shadow Authority stated that the Shadow Authority would be subject to the Local Audit and Accountability Act 2014 and therefore requires an external audit to take place of the Shadow Authority accounts (for the period 24 May 2018 to 31 March 2019).

Context

The Shadow Authority is not expected to incur significant income / expenditure for West Suffolk, the only current planned expenditure is in relation to an insurance premium of circa £2,500. As such, even though the Shadow Authority is seen as a District Council for the purposes of the Local Audit and Accountability Act 2014, the Shadow Authority also meets the criteria of a smaller authority under s.6 of the Local Audit and Accountability Act 2014.

A smaller authority is one that meets 'qualifying conditions' (Part 2 Section 6, 1) which is the condition that the gross expenditure or income does not exceed £6.5m for a year (Part 2 Section 6, 2).

Smaller Authority audit procedures are established by the Local Audit (Smaller Authority) Regulations 2015. These do provide some exemptions from audit requirements, however as the Shadow Authority is in its first year it can't be exempt from an audit.

Smaller Authorities' Audit Appointments (SAAA)

Smaller Authorities' Audit Appointments (SAAA) is the sector led company appointed by the then Department of Communities and Local Government (now Ministry of Housing, Communities and Local Government) as the 'specified person' to procure and appoint external auditors to smaller authorities, perform the functions set out in the relevant legislation, and to manage the ongoing audit contracts awarded for the 5 year period commencing 1 April 2017.

Under regulation 14, the West Suffolk Shadow Authority is entitled to be considered "opted in" to the smaller authorities scheme as it is newly established during a Compulsory Appointing Period. The Suffolk external audit appointees under the SAAA arrangements are PKF Littlejohn, an independent firm of chartered accountants and business advisors based at Canary Wharf in London's Docklands.

SAAA process

The SAAA have confirmed following their own discussions with the National Audit Office and MHCLG, that a Shadow Authority created as a formal legal entity is a Category 2 authority under the Local Audit and Accountability Act 2014. Therefore it is

eligible to be part of the smaller authorities limited assurance review regime for 2018/19, and to have an external auditor appointed by SAAA.

The process the Shadow Authority needs to follow in respect of the SAAA, is to confirm that the Shadow Authority does not wish to opt out of the central procurement of external auditors managed by SAAA. An external auditor can then be appointed by the SAAA for the Shadow Authority. The Shadow Authority will then be formally notified of the appointment.

The audit itself will require the Shadow Authority to complete an Annual Governance and Accountability Return (Part 3) for 2018/19 at the end of the financial year, which will then be reviewed and signed off by the external auditor.

Scale of fees

Under SAAA, the scales of fees for smaller authorities are based on bands of annual income or expenditure, whichever is the higher. This means that the fees are broadly proportionate to the public funds involved and the ability of each authority to pay.

Table 1 sets out the scales of audit fees for smaller authorities that complete their Annual Returns fully and accurately within the required timescales, and provide the necessary supporting information and any explanations sought.

Table1 – Scale of fees for bodies subject to limited assurance review

INCOME/EXPENDITURE BAND (£)	FEE FOR LIMITED ASSURANCE REVIEW (£)
0 - 25,000	0 (see note)
25,001 - 50,000	200
50,001 - 100,000	300
100,001 - 200,000	400
200,001 - 300,000	600
300,001 - 400,000	800
400,001 - 500,000	1,000
500,001 - 750,000	1,300
750,001 - 1,000,000	1,600
1,000,001 - 2,000,000	2,000
2,000,001 - 3,000,000	2,400
3,000,001 - 4,000,000	2,800
4,000,001 - 5,000,000	3,200
5,000,001 - 6,500,000	3,600

Note: An authority with neither income nor expenditure exceeding £25,000 that is **not** able to certify that it is an exempt authority as it does not meet the qualifying criteria, as is the case for the West Suffolk Authority as it will be in its first year, then the fee payable will be £200.

What other options are there?

Officers have explored other options with MHCLG. These could include the authority going through its own audit appointment process, however this would require the Shadow Authority to go through an appointment process, the costs of which are likely to be disproportionate to the fee payable. Alternatively, as the Shadow Authority has not yet "opted in", then MHCLG could write to the Council to appoint an auditor on our behalf; this would likely either be EY, as the Forest Heath and St Edmundsbury Auditors, or PKF, as the smaller bodies auditors. EY have indicated that due to the necessary procedures they are required to undertake, the fee would likely be substantially higher than the smaller bodies audit rates.

On this basis, officers consider that the smaller body audit opt-in would be the most cost-efficient route for the Shadow Authority, whilst also providing a well-established audit regime that can provide assurances to stakeholders that are consistent with other comparative organisations.

Doing nothing i.e. not arranging an external audit, isn't considered an option as the consequences of completing accounts that remain unaudited would mean the authority was in breach of legislation with both legal and financial consequences.

It should be noted that any expenditure incurred by the Shadow Authority would be funded by Forest Heath and St Edmundsbury, and in practice will also be audited by EY in respect of Forest Heath and St Edmundsbury as well.

Recommendation

It is recommended that:

- a) The Shadow Council agrees to the External Audit of the Shadow Authority Accounts, to be prepared under the Smaller Authority audit procedures.
- b) The S151 Officer write to Smaller Authorities' Audit Appointments (SAAA) and inform them we would like to be treated as opted in, and as such the auditor would be PKF Littlejohn (the appointees for Suffolk).



APPENDIX 2 to REPORT NO: COU/SE/18/010

Shadow Executive (Cabinet)



Title of Report:	Transfer of Joint Policies to West Suffolk Council			
Report No:	EXC/SA/18/01	0		
Report to and dates:	Shadow Executive (Cabinet)	18 September 2018		
	Shadow Council	25 September 2018		
Shadow Executive (Cabinet) Members:	Ruth Bowman Tel: 07966 373063 Email: ruth.bowman@forest- Carol Bull Tel: 07767 472419 Email:			
Lead officer:	heath.gov.uk carol.bull@stedsbc.gov.uk Liz Barnard Service Manager (Corporate Policy) Tel: 01638 719454 Email: liz.barnard@westsuffolk.gov.uk			
Purpose of report:	To make arrangements for the transfer of joint Forest Heath and St Edmundsbury policies to the new West			
Recommendations:	Suffolk Council. It is RECOMMENDED that the Shadow Executive (Cabinet): (1) recommends to the Shadow Authority that it transfers the existing suite of joint policies adopted by Forest Heath and St Edmundsbury to West Suffolk Council, as detailed in paragraph 1.1.3 of Report No: EXC/SA/18/010; (2) delegates to Officers, in consultation with relevant Portfolio Holders, to make necessary minor drafting changes to existing policies and then agree them for West Suffolk Council, as detailed in paragraph 1.1.4; and			
	(3) recommends to the Shadow Authority that it delegates to Officers, in consultation with relevant Portfolio Holders, to make necessary minor drafting changes and then			

	2 2	agree the <u>additional joint policies that are</u> <u>adopted</u> by Forest Heath and St Edmundsbury Councils between September 2018 and March 2019, as detailed in paragraph 1.1.4 and 1.1.5.			
Key Decision:	Is this a	Key De	ecision an	d, if so, ur	nder which
(Check the appropriate box and delete all those that do not apply.)	Yes, it is	definition? Yes, it is a Key Decision - □ No, it is not a Key Decision - ⊠			
Consultation:				•	e on the policies in all adoption
Alternative option(s): • The ind tak required cornection in the c		The inditake requestion connection.	The Shadow Authority could adopt each individual policy in turn, but this would take considerable time, as the authority is required to ensure it gives due consideration to the policies, and is not necessary given the changes are technical or grammatical.		
Implications:					
Are there any financial implications? If yes, please give details			Yes □	No ⊠	
Are there any staff If yes, please give of		ons?	Yes □	No ⊠	
Are there any ICT in yes, please give det	•	If	Yes □ No ⊠		
Are there any legal and/or polic implications? If yes, please give details		licy	of ex	isting join Suffolk C	ates to the transfer t policies to the new ouncil on 1 April
Are there any equa If yes, please give of	= -	ions?	Yes □	No ⊠	
Risk/opportunity			(potential hazards or opportunities affecting corporate, service or project objectives)		roject objectives)
Risk area	Inherent levrisk (before controls)	vel of	Controls	3	Residual risk (after controls)
Omitting existing policies from the transfer exercise	Medium		all service ensure po not overlo	licies are oked	Low
Ward(s) affected:			All Ward	/s	
Background papers: (all background papers are to be published on the website and a linincluded)			None		
Documents attach	red:		None		

APPENDIX 2 to REPORT NO: COU/SE/18/010

- 1. Key issues and reasons for recommendation(s)
- 1.1 Creation of a suite of policies for the new West Suffolk Council
- 1.1.1 From 1 April 2019, West Suffolk Council will need a full suite of policies, frameworks and guidance under which to operate.
- 1.1.2 In practice, the provisions in the consequential Order will effectively transfer these documents (referred to from now on as 'policies') to West Suffolk Council, by giving continuity to all decisions made by the predecessor councils. However, best practice would suggest that the Shadow Authority should proactively consider and confirm their support to the process being followed.
- 1.1.3 The majority of policies that govern the work of Forest Heath and St Edmundsbury Councils are already joint policies, presented as 'West Suffolk Councils' policies. The changes required to these documents include:
 - Changing the word 'councils' to 'council'
 - Removing references to Forest Heath and St Edmundsbury and substituting with West Suffolk
 - Changing plural references to singular e.g. Leader(s)
 - Other consequential amendments to ensure the policies make sense in their application to West Suffolk Council
- 1.1.4 Such consequential changes to any existing Forest Heath and St Edmundsbury policies would usually be delegated to officers to make, in consultation with relevant portfolio holders. In a similar vein, it is proposed that the Shadow Authority adopts the approach of delegating these changes to officers, following consultation with portfolio holders.
- 1.1.5 The delegation would also apply to joint policies that are due to be agreed by Forest Heath and St Edmundsbury between now and 1 April 2019, i.e.
 - Housing Strategy
 - Tenancy Strategy
 - Affordable Housing Supplementary Planning Document
 - Custom and Self Build interim policy statement
 - Asset Management Strategy
- 1.1.6 Members should also note that the West Suffolk Strategic Framework and Medium Term Financial Framework were separately adopted by the West Suffolk Shadow Executive and Shadow Council on 10 July 2018 and 17 July 2018 respectively.
- 2. Arrangements for policies that are not already joint
- 2.1 A small number of policies have not yet been harmonised between Forest Heath and St Edmundsbury councils. Arrangements are in hand to create new West Suffolk versions of these policies, in accordance with the timetables set out in the Shadow Council's Decisions Plan.

APPENDIX 2 to REPORT NO: COU/SE/18/010

3. Presentation and communication of new suite of policies

- 3.1 'West Suffolk Council' versions of all policies will be made available on the new website from 1 April 2019.
- 3.2 It is proposed that the following wording be added to the Policies Strategies and Plans page of the existing website from 1 January 2019.

"From 1 April 2019, the following policies that were produced jointly by Forest Heath and St Edmundsbury Councils will become West Suffolk Council policies, following a decision of the West Suffolk Shadow Authority.

[add links to existing joint policies]

The following policies will expire on 31 March 2019.

[add links to separate policies]

The following West Suffolk Council policies that will take effect from 1 April 2019 have been agreed by the Shadow Executive / Shadow Authority.

[add links to West Suffolk Council policies that will take effect from 1 April 2019]

Shadow Council



Title of Report:	Appointment of Independent Remuneration Panel			
Report No:	COU/SA/18/01	.1		
Report to and date:	Shadow Council	25 September 2018		
Shadow Executive (Cabinet) Members:	Ruth Bowman Tel: 01638510896 Email: ruth.bowman@forest-heath.gov.uk	Carol Bull Tel: 01953681513 Email: carol.bull@stedsbc.gov.uk		
Lead officer:	Leah Mickleborough Interim Monitoring Officer Tel: 01284757162 Email: leah.mickleborough@westsuffolk.gov.uk			
Purpose of report:	Following the report to Shadow Council on 12 June 2018, this report requests the Shadow Council to appoint members of the Independent Remuneration Panel			
Recommendation:	It is <u>RECOMMENDED</u> that the Shadow Council appoints Laura Austin, Derek Blake, Richard Cooper, Sandra Cox and Chris Mattinson to the West Suffolk Independent Remuneration Panel and that no appointment is made to the post of Advisor to the West Suffolk Independent Remuneration Panel.			
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - □ No, it is not a Key Decision - ⊠			
Consultation:	None			
Alternative option(s	a recruitment p options were so further recruitm imperil the abili	dations are made following rocess. If alternative ught, this would require a nent process which could ty to undertake the eview to the timeframes		

Implications:			
Are there any financial implications?		Yes □ No ⊠	
If yes, please give details		•	
Are there any staffing implications?		Yes □ No ⊠	
If yes, please give details		•	
Are there any ICT implications? If		Yes □ No ⊠	
yes, please give details		•	
Are there any legal and/or policy		Yes □ No ⊠	
implications? If yes, please give		•	
details			
Are there any equality implications?		Yes □ No ⊠	
If yes, please give details		•	
Risk/opportunity assessment:		(potential hazards or opportunities affecting corporate, service or project objectives)	
Risk area	Inherent level of	Controls	Residual risk (after
NISK al Ca	risk (before	Controls	controls)
	controls)		
Members of the IRP	Low	Recommended panel	Low
Panel do not have		members have been	
appropriate skills / experience in order to		selected following a recruitment exercise	
work effectively to		and formal	
develop a robust		assessment	
scheme of allowances			
for West Suffolk	_	Nama	
Ward(s) affected:		None Report to Shadow Council.	
Background papers:		Report to Shadow Council:	
(all background papers are to be published on the website and a link		12 June 2018: <u>COU/SA/18/004</u> Appendix A	
included)		Appendix B	
Documents attached:		Appendix C None	
Documents attac	neu.	INOTIE	

1. Background

- 1.1 In June 2018, the Shadow Council agreed the process for appointing members of the West Suffolk Independent Remuneration Panel (IRP). This identified that a recruitment panel would interview shortlisted applicants, and then make recommendations to the Shadow Council on whom to appoint.
- 1.1.1 The recruitment panel was due to include the Council's two Independent Persons, appointed to provide their views on code of conduct complaints. Unfortunately, both had to withdraw from part of the process and there was not sufficient time to re-arrange interviews. As such, the recruitment panel consisted of the Portfolio Holders for Future Governance, Councillor David Nettleton (as nominated by the Shadow Council), a Corporate Director and Monitoring Officer.
- 1.1.2 Panel vacancies were advertised on the internet, via social media and through a press release. All members were also requested to promote the vacancies within their communities. In total, eight individuals were interviewed for places on the Panel, and two for the role of Panel Advisor.

1.2 Panel Members

- 1.2.1 The appointment panel has made recommendations based on ensuring that the Remuneration Panel is made up of individuals with a good range of skills, experiences, insights and personalities. The interviews probed candidates' understanding of the process, their integrity, and their ability to work collaboratively as a team. The appointment panel recognised that we were fortunate to receive a wide range of high calibre candidates.
- 1.2.2 The appointment panel has unanimously recommended the following 5 individuals to the panel:

Laura Austin works as a solicitor, in criminal defence and prosecution, but has also represented local authorities in criminal cases; she has regularly worked in the West Suffolk area. She has previously worked as a clerk to two parish councils. She has been a school governor for five years, and chairs the Essex Football Association Inclusion Advisory Group, as well as a member of the Association's misconduct panel

Derek Blake MBE lives in West Suffolk. He is a qualified HR professional and has held senior positions in a major national institution. Until recently, he was a school governor and a member of his local Council. He is a former chairman of the Theatre Royal, Bury St Edmunds, and Sudbury and District Citizens Advice Bureau as well as holding a number of other non-executive type roles. In 2018, Derek was awarded an MBE for services to education and the community of Suffolk.

Richard Cooper lives in Suffolk. Until recently, he worked in senior positions within BT, leading high profile major change programmes for the organisation. He is currently a non-executive Director of Cambridgeshire Community Services NHS Trust and in this capacity also sits on the Audit Committee, Ambulatory Clinical Operational Board and a member of the Strategic Change Board.

Sandra Cox sat on the previous IRP for West Suffolk, and also sits on Waveney and Suffolk Coastal, North Norfolk and Ipswich Panels. She Chairs the IRP for Suffolk County Council, Great Yarmouth and Mid Suffolk and Babergh. She is a former independent member of Suffolk Police Authority, special needs co-ordinator at a High School and Trustee of a local theatre. Sandra currently works as a partner in a start-up company capturing video memories and bringing personal histories to life

Chris Mattinson lives in Suffolk. He worked for many years in local government in London specialising in employee relations. He currently sits on the board of a multi-academy trust which is responsible for 10 primary schools in Suffolk. He served for seven years on the Royal College of Veterinary Surgeons' Investigation Committee assessing complaints of serious professional misconduct. He is currently a JP, sitting firstly on the Croydon bench before moving to the Suffolk bench in 2010. Chris now specialises in the work of the family court dealing with applications by Suffolk CC for care orders and by parents for child arrangements orders

Satisfactory references have been obtained for all panel members.

2. Panel Advisor

- 2.1 At its previous meeting, the Council agreed to appoint an advisor to the Remuneration Panel. The advisor role was intended to help the panel understand the potential needs of Councillors; to help them develop and refine their thinking, and to provide expert knowledge and insight.
- 2.2 The appointment panel felt that both candidates did not offer the full, rounded skillset that was required for this post and therefore is not recommending an appointment to this post. Instead, the panel have recommended that the support to the panel is provided by the Councils' officers directly, as is the case with many Remuneration Panel reviews. This support will include research (policy team support) legal / statutory guidance compliance (legal team and democratic services), and contextual information on how the Councils operate at present and are expected to operate in future (leadership team and democratic services).