

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Wednesday 10 February 2016 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters (Leader)

Vice Chairman Robin Millar (Deputy Leader)

David Bowman
Stephen Edwards

Andy Drummond

By Invitation:

Louis Busuttil

(Vice Chairman of the Performance and Audit
Scrutiny Committee)

Simon Cole

(Chairman of the Overview and Scrutiny
Committee)

Sara Mildmay-White

SEBC Portfolio Holder for Housing (and also
being the shared lead Councillor for Housing
with FHDC)

151. Former Councillor David Bimson

Prior to the commencement of the meeting, the Leader of the Council asked all those present to observe a one minute silence in memory of former Councillor David Bimson, Ward Member for Brandon West, who had sadly died that morning.

152. Apologies for Absence

There were no apologies for absence.

153. Minutes

The minutes of the meeting held on 22 December 2015 were unanimously approved as a correct record and signed by the Chairman.

154. Open Forum

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

155. Public Participation

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

156. **Report from the Overview and Scrutiny Committee: 14 January 2016 (Report No CAB/FH/16/001)**

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented this report which informed the Cabinet of the following items discussed by the Committee on 14 January 2016:

- (1) Presentation by the Cabinet Member for Leisure and Cultural Services.
- (2) Presentation on the Mildenhall Hub Project.
- (3) Directed Surveillance Authorised Applications (Quarter 3)
- (4) Work Programme Update and Suggestion for Scrutiny

Councillor Cole also drew relevant issues to the attention of the Cabinet and particularly referred to paragraph 1.1.3 of the report which referred to the discussions held as part of the presentation by the Cabinet Member for Leisure and Cultural Services (Item (1) above).

Councillor Cole also reminded the Cabinet that the Suffolk Police and Crime Commissioner would be attending the Overview and Scrutiny Committee meeting on 10 March 2016 to give a presentation on the Suffolk Local Policing Review, with a particular focus on its implications for the west of Suffolk. All Members of the Council were invited to attend this presentation.

Councillor Cole referred to the Cabinet's Decision Plan and the item which related to the '*Re-development of the Guineas Centre, Newmarket*', which had been due for consideration by the Cabinet at this meeting (10 February 2016). As this item had been deferred, he asked when this was likely to be considered by the Cabinet. The Leader responded and confirmed that work was still being undertaken and there was no defined timescale, at this stage.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

157. **Report from the Anglia Revenues and Benefits Partnership Joint Committee: 7 December 2015 and 12 January 2016 (Report No CAB/FH/16/002)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which informed the Cabinet of the following substantive items discussed by the Joint Committee on 7 December 2015 and 12 January 2016 respectively:-

- (a) 7 December 2015
 - (1) Performance Report.
 - (2) ARP Joint Committee Partnership Budget.
 - (3) Service Delivery Plan.
 - (4) Welfare Reform Update.
 - (5) Enforcement Agency Update.
 - (6) Anglia Revenues Partnership Trading Company Progress Update.
 - (7) Forthcoming Issues.

- (b) 12 January 2016
(1) ARP Joint Committee Partnership Budget

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

**158. Report from the Performance and Audit Scrutiny Committee:
28 January 2016 (Report No CAB/FH/16/003)**

Councillor Louis Busuttil, Vice Chairman of the Performance and Audit Scrutiny Committee, presented this report, on behalf of Councillor Colin Noble (Chairman), which informed the Cabinet of the following items discussed by the Committee on 28 January 2016:

- (1) Balanced Scorecards and Quarter Three Performance Report 2015/2016.
- (2) West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2015.
- (3) Delivering a Sustainable Budget 2016-2017 – Procedural Update.
- (4) Development and Implementation of the Garden Waste Collection Service.
- (5) Work Programme Update.
- (6) Financial Performance Report (Revenue and Capital) Quarter 3 – 2015/2016
- (7) Treasury Management Report 2015/2016 – Investment Activity 1 April – 31 December 2015.
- (8) Annual Treasury Management and Investment Strategy Statements 2016/2017 and Treasury Management Code of Practice.

Councillor Busuttil also drew relevant issues to the attention of the Cabinet, in relation to the above items.

With the vote being unanimous, it was

RESOLVED:

That the contents of the report be noted.

**159. Recommendations of the Performance and Audit Scrutiny Committee:
28 January 2016 - Annual Treasury Management and Investment
Strategy Statements 2016/2017 and Treasury Management Code of
Practice (Report No CAB/FH/16/004)**

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance presented this report which sought approval for the Annual Treasury Management and Investment Strategy Statements for 2016/2017.

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management required that, prior to the start of the financial year, the Council formally approved an Annual Treasury Management

and Investment Strategy, setting out the Council's Treasury Management Policy and Strategy Statements for the forthcoming year.

Councillor Edwards drew relevant issues to the attention of the Cabinet, including that with the recent changes to the Business Rates Retention Scheme and other funding/grant arrangements, the Council was experiencing short-term cash surpluses due to the timing differences between receiving the monies and paying them over to County and Central Government. Therefore, it was suggested that the Council agreed to an increase in the investment limit with suitable counterparties, as defined by the Annual Treasury Management and Investment Strategy Statements, by £500,000 per counterparty. These revised limits were detailed in paragraph 1.2.3 of Report No PAS/FH/16/007.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. The Annual Treasury Management and Investment Strategy Statements 2016/2017, as set out in Appendix 1 and 2 to Report No PAS/FH/16/007, be adopted.
2. The Treasury Management Code of Practice 2016/2017, as contained in Appendix 3 and 4 to Report No PAS/FH/16/007, be approved.

160. Budget and Council Tax Setting: 2016/2017 and Medium Term Financial Strategy (Report No CAB/FH/16/005)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which set out details of the Council's proposed revenue and capital budgets for 2016/2017 and the Cabinet was required to consider the 2016/2017 budget for the authority and recommend to Council, the level of Council Tax required to help fund this budget.

In the provisional Local Government Finance Settlement for 2016/2017, it was proposed to offer a guaranteed four year budget settlement to cover the period up to 2019/2020, to those councils who could demonstrate ongoing efficiency savings for 2016 to 2020. The Council had seen a 62% cumulative cut in Revenue Support Grant (RSG) over the three years from 2013/2014 to 2016/2017. Further cuts to the RSG element (including Council Tax Freeze Grant) in subsequent years had been outlined in the December settlement as part of the provisional four year settlement and it was expected that there would be minimal RSG support available to the District by 2019/2020.

In previous years, the Government had awarded a Council Tax Freeze Grant to those councils that agreed to freeze their council tax levels, however, this incentive had not been included in the settlement for 2016/2017 onwards and there was an assumption in the Local Government Finance Settlement, that councils would raise their council tax levels in line with the referendum limits (2% or £5 for councils in the lower council tax quartile).

The Council continued to face considerable financial challenges as a result of uncertainty in the wider economic and constraints on public sector spending. In this context and like many other councils, difficult decisions had to be made. However, the Council had an excellent track record of achieving substantial year-on-year budget savings and generating new income.

The Cabinet acknowledged the budget gap faced at the beginning of the year of £1.06 million for 2016/2017, which was in addition to the savings delivered locally by the District over the years and in excess of the £4 million annual shared service savings already delivered across West Suffolk with St Edmundsbury Borough Council.

Councillor Edwards thanked all Members, Officers and specifically the Performance and Audit Scrutiny Committee, for their work in scrutinising the budget process and being in a position to be able to deliver a balanced budget for 2016/2017. The figures contained within the report assumed a 0% increase in Council Tax for 2016/2017. The Council Tax precept for Forest Heath District Council in 2016/2017 would, therefore, be £137.43 for an average Band D property. Should the Cabinet and Council decide to set a 0% increase on Council Tax, the Council would have frozen Council Tax for the last six years.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. The revenue and capital budget for 2016/2017 attached at Attachment A and as detailed in Attachment D, Appendix 1 to 5 of Report No CAB/FH/16/005, be approved.
2. Having taken into account the conclusions of the Head of Resources and Performance's report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D and Appendix 5) and all other information contained in this report, Cabinet recommends a 0% increase in Council Tax for 2016/2017 (the level of Band D Council Tax for 2016/2017 be set at £137.43).
3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2015/2016 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.9.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.
4. 100% disregard of War Pension's, War Widower's Pensions and Armed Forces Compensation Payments or any other successor

scheme, be approved in the calculation of Housing Benefit, as set out in paragraphs 1.4.3 to 1.4.5 of Report No CAB/FH/16/004.

5. The revised Minimum Revenue Provision policy, as set out in section 1.8 and Attachment D Appendix 4, be adopted.
6. Where the Council has usable capital receipts that are not needed for other purposes, delegated authority be given for the Section 151 Officer to apply, where prudent to do so, some or all of it to meet capital expenditure incurred in the current year or previous years under paragraph 23 of Section 21(1B) of the Local Government Act 2003, to reduce or eliminate any MRP that might need to be set aside. Subject to the year-end outturn, unallocated usable capital receipts are used to meet the full CFR value during 2015/2016, thus eliminating the need for an MRP charge in 2016/2017 and until such time that the CFR calculation requires one.

161. **Recommendations of the West Suffolk Joint Growth Steering Group: 26 January 2016 - Mildenhall Hub: Development Brief (Report No CAB/FH/16/006)**

Councillor David Bowman, Portfolio Holder for Operations, presented this report which set out the recommendations of the West Suffolk Joint Growth Steering Group, emanating from its meeting on 26 January 2016.

On 26 January 2016, the West Suffolk Joint Growth Steering Group considered the following substantive item of business:

(1) Mildenhall Hub: Development Brief

The purpose of a Development Brief was to set out the planning issues and constraints and provided guidance as to what would need to be addressed in bringing the site forward for development in a cohesive and phased manner to meet the future demands for public services in Mildenhall. This was a separate process, independent to the actual Business Case for the Hub, which was the subject of a separate report on the Cabinet agenda (Report No CAB/FH/16/007 refers).

Whilst discussing the proposed Development Brief, the Steering Group had recommended that it should contain an Executive Summary, outlining the following areas:

- Explaining the value and importance of the Hub, particularly as a community facility.
- To emphasise the proposals for the leisure facilities.
- To include reference to the previous transport study and how this would relate to this development.

Councillor Ruth Bowman, the Ward Member for the Market Ward (Mildenhall), had also explained to the Steering Group, the current concerns of residents with regard to the issues of traffic, car parking and pedestrian access, within the area of Wamil Way and Church Walk and how this may also be further

affected by other potential development within the area. Therefore, taking these comments on board, the Steering Group had proposed that the Brief be further amended, as set out within paragraph 1.3 of the report.

With regard to the consultation process itself, the Steering Group also stated the importance of ensuring that the community could fully participate in the process and, therefore, requested for the consultation period to be undertaken for a minimum of six weeks.

With the vote being unanimous, it was

RESOLVED:

That the draft Development Brief be approved for public consultation, subject to the final content being amended to:

1. Reflect the comments of the West Suffolk Joint Growth Steering Group, with approval of the final text to be undertaken in consultation with the Portfolio Holder for Planning and Growth and the Ward Members for the Market Ward (Mildenhall).
2. Add an Executive Summary, for circulation to the Members of the West Suffolk Joint Growth Steering Group for comment, prior to the Development Brief going out to public consultation.

162. Mildenhall Hub Project - Update and Next Steps (Report No CAB/FH/16/007)

The Director presented this report which updated the Cabinet on the Mildenhall Hub Project, including a revised Business Case (Appendix 1) and also sought approval to move to the next (design) stage of the project, subject to the outcome of the public consultation on the Development Brief (as previously considered under Report No CAB/FH/16/006).

The revised Business Case set out the latest requirements of the partners and there had been several key changes since the 2014 version of the Business Case, which materially affected the project in scope and delivery and these changes were set out in paragraph 1.3.2 of the report.

The Director explained that it had not been possible to bring the final Business Case to the Cabinet at this stage, due to the Mildenhall Academy funding announcement (under the Priority Schools Building Programme) being deferred to at least Spring 2016. Therefore, the full financial Business Case would be presented to the Cabinet and Council later in the year.

If the Cabinet supported the proposal to move ahead to the design stage of the project, then the next steps for the Council would be:

- (a) The Local Planning Authority would complete work on preparing the Development Brief which must be adopted for the project to proceed.

- (b) The partners would sign a Memorandum of Understanding (or equivalent) legal document to create a partnership agreement for the project.
- (c) Pre-application investigations and studies would be carried out, including design of traffic schemes.
- (d) A design and project management team would be appointed to take the project to a developed design capable of achieving planning consent in accordance and a final cost estimate.
- (e) A detailed financial business case would be presented and approved by the partners (including FHDC Council), so that the project could proceed.
- (f) The submission of a planning application (involving further public consultation and provided a Development Brief was adopted).

To move the project forward, the Council would also need to set aside further funding to cover its share of the design costs and planning application processes and therefore, £100,000 of additional funding was also being sought, subject to approval by full Council.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (24 February 2016)

That:-

1. Progress on the Mildenhall Hub project and the next steps set out in Section 1.6 of Report No CAB/FH/16/007 be noted and approved; specifically that
2. The updated 2015 business case be approved for use in the design stage of the project, alongside any adopted Development Brief.
3. The Director, in consultation with the Leader, be authorised to negotiate, prepare and sign a partnership agreement for the project, provided it is consistent with the business case and the framework set out in this report.
4. A further budget of £100,000, be funded from the Delivering the Strategic Priorities and MTFs Reserve, to meet Forest Heath's share of project management and development costs, be approved; and
5. The Director be authorised to approve spending from this budget, in consultation with the Leader.

163. Home-Link Lettings Policy (Report No CAB/FH/16/008)

Councillor Sara Mildmay-White, St Edmundsbury Borough Council Portfolio Holder for Housing (and also being the shared lead Councillor for Housing with Forest Heath District Council) presented this report which sought approval for a revised Home-Link Lettings Policy.

Councillor Mildmay-White drew relevant issues to the attention of the Cabinet, including that Home-Link was the Choice Based Lettings (CBL) scheme for the Cambridgeshire and West Suffolk Housing sub-region. Each Local Authority had its own Lettings Policy and was responsible for implementing any changes to that Policy. Many elements of the Lettings Policy had been agreed across the sub-region and these could not be amended without agreement of all local authorities across the sub-region.

Councillor Mildmay-White also thanked the Officers within the Housing Team for the work which had been undertaken on the revision of this Policy.

The Cabinet considered the proposed changes set out in Appendix A attached to the report to be acceptable.

With the vote being unanimous, it was

RESOLVED:

That the revised Home-Link Lettings Policy, as contained in Appendix A to Report No CAB/FH/16/008, be approved.

164. Decisions Plan: February 2016 to May 2016 (Report No CAB/FH/16/009)

The Cabinet considered Report No CAB/FH/16/009, which was the Cabinet Decisions Plan covering the period February 2016 to May 2016.

Members took the opportunity to review the intended forthcoming decisions of the Cabinet. Following on from the discussion earlier in the meeting with regard to the removal/deferral of items within the Decisions Plan, Councillor Robin Millar requested that if items were removed/deferred, information should be included within the Plan to explain the reasons for this. This request was noted and this information would be included in the future.

165. Revenues Collection and Performance Write-Offs (Report No CAB/FH/16/010)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which sought approval for the write-off of uncollectable amounts in respect of Business Rates.

Councillor Edwards also referred to paragraphs 3.2 and 3.3 of the report which set out the collection rates for NNDR and Council Tax as at 31 December 2015.

With the vote being unanimous, it was

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendix to Report No CAB/FH/16/010 be approved, as follows:

1. Exempt Appendix 1: Business Rates totalling £13,643.47.

166. Exclusion of the Press and Public

See Minute No. 166. below.

167. Exempt Appendix: Revenues Collection Performance and Write-Offs (paras 1 and 2) (Report No CAB/FH/16/010)

The Cabinet considered Exempt Appendix 1 to Report No CAB/FH/16/010. However, as no reference was made to specific detail, this item was not held in private session.

The Meeting concluded at 6.35 pm

Signed by:

Chairman
