(Informal Joint) Cabinet

Notes of informal discussions of the SEBC/FHDC **Cabinets** held on **Tuesday 14 June 2016** at **5.30 pm** in the **Conference Chamber**, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU

Present: **Councillors**

St Edmundsbury Borough Council (SEBC)

John Griffiths (in the Chair for the informal discussions)

Robert Everitt	Alaric Pugh
Ian Houlder	Jo Rayner
Sara Mildmay-White	Peter Stevens

In attendance: Susan Glossop
Diane Hind (Chairman of SEBC Overview and Scrutiny Committee)
Beccy Hopfensperger
Paul Hopfensperger
David Nettleton
Clive Pollington

Forest Heath District Council (FHDC)

David Bowman	Lance Stanbury
Stephen Edwards	James Waters
Robin Millar	

In attendance: Louis Busuttil (Chairman of FHDC Performance and Audit Scrutiny Committee)
Simon Cole (Chairman of FHDC Overview and Scrutiny Committee)

Prior to the formal meeting, informal discussions took place on the following four substantive items:

(1) West Suffolk Operational Hub
(2) Draft West Suffolk Annual Report 2015/2016
(3) Introduction of Charging for a Pre-Application Advice Planning Service
(4) Norfolk/Suffolk and Cambridgeshire/Peterborough Devolution: Update

All Members of Forest Heath District Council's Cabinet had been invited to attend St Edmundsbury Borough Council's Offices to enable joint informal discussions on the reports to take place between the two authorities, prior to seeking formal approval

at their respective separate Cabinet meetings, immediately following the informal discussions.

The Chairman and Leader of St Edmundsbury Borough Council, welcomed all those present to West Suffolk House and the interim Service Manager (Legal and Democratic Services) advised on the format of the proceedings for the informal discussions and subsequent separate meetings of each authority.

Under their Constitutions, both Cabinets listed as standing agenda items: an 'Open Forum', which provided the opportunity for non-Cabinet Members to discuss issues with Cabinet and also 'Public Participation', which provided the opportunity for Members of the public to speak. Therefore, as any matters arising from the discussions held during these agenda items may have some bearing on the decisions taking during the separate formal meetings, non-Cabinet Members and members of the public were invited to put their questions/statements prior to the start of the joint informal discussions.

1. **Open Forum**

It was agreed that the non-Cabinet Members in attendance that wished to speak on Item 5. *West Suffolk Operational Hub*, would be invited to do so once the item was reached. No other issues were raised by non-Cabinet Members under this item in relation to Items 6. to 8. of the agenda.

2. **Public Participation**

The following questions and statements were put and answered during this item. All were questions/statements in connection with the proposed West Suffolk Operational Hub (WSOH):

1. Simon Harding of Bury St Edmunds, asked a question in relation to advantages of the proposed Hollow Road Farm site in comparison to the Rougham Hill site when considering economic, environmental and safety issues.

   In response, Councillor Peter Stevens, SEBC's Portfolio Holder for Operations stated that the land adjacent to the existing Household Waste and Recycling Centre (HWRC) was not large enough for a WSOH. The proposed use of Rougham Hill would require a split site leaving the HWRC where it was and developing a joint depot and waste transfer station on land nearby. Under the Options Assessment contained in Report No: CAB/SE/16/024, this was Option 5. The proposal, for the reasons set out in the report and its appendices, was Option 4, which was to co-locate the waste management facilities on one site.

   Mr Harding was also advised of details of where financial comparisons and the environmental appraisal could be found within the report; and that should approval be given to proceed to the planning application stage of the project, traffic, highways and safety implications for the site would be presented at that time.

In response to his supplementary question, Mr Harding was informed that planning permission was granted to Suffolk County Council for a waste transfer station at a site at Rougham Hill, Bury St Edmunds.

2. Adrian Graves of Great Barton, asked a question in connection with the Council's approval of developments that he considered to contravene local planning policies; the Borough Council being both the developer for the WSOH proposal and Local Planning Authority; and whether this (and other schemes mentioned) should be/have been determined by an independent third party authority.

   In response, Councillor John Griffiths, SEBC's Leader of the Council informed Mr Graves that the schemes referred to in his question satisfactorily accorded with adopted policies. The case for the WSOH was different, but not unprecedented, and Mr Graves was provided with a quote from case law where the merits of a proposal outweighed the policies of the local development plan. In response to Mr Graves' second point, Councillor Griffiths stated that the Council's function as Local Planning Authority operated independently from its function of service provider.

3. Philip Reeve, Chairman of Great Barton Parish Council, sought reassurance that Forest Heath District Council (FHDC), as one of the partners involved in the WSOH project, was fully engaged with residents most closely affected by the proposed location for the WSOH. He asked whether he may be given the opportunity to address FHDC's Council at its meeting on 29 June 2016.

   In response, Councillor David Bowman, FHDC's Portfolio Holder for Operations stated that FHDC had been a fully engaged partner in the project from the outset and during the public consultation. While not constitutionally correct to allow a person who neither resided nor worked in the District, it may be possible, subject to the agreement of the Chairman, to enable Mr Reeves to speak at FHDC's Council meeting.

   Councillor Reeve thanked Councillor Bowman for the potential opportunity to address FHDC's Council on 29 June 2016.

4. Howard Quayle, Chairman of Fornham All Saints Parish Council, made a statement in connection with financial aspects of the proposed WSOH and why he considered Option 4 was not the best option for the public purse. He requested further information regarding the justification for this Option and urged the Cabinet to reject the proposal on the grounds that Option 5 was workable, well-supported and financially sound.

   In response, Councillor John Griffiths, SEBC's Leader of the Council stated that the Options had been analysed against a range of criteria, as detailed in the comprehensive report.

   Councillor Peter Stevens, SEBC's Portfolio Holder for Operations added that West Suffolk was faced with significant levels of growth over the coming years and therefore investment in the best facilities that secured the future in terms of efficient and cost effective service delivery for the

taxpayer was being sought. A written reply would be provided to Mr Quayle to definitively address the detailed points he raised.

3. **West Suffolk Operational Hub (Report Nos: CAB/FH/16/023 and CAB/SE/16/024)**

The Cabinets considered the above reports, which sought approval for a number of recommendations for progressing the proposed West Suffolk Operational Hub project.

The Chairman introduced the item and informed that the Cabinets had previously agreed to waive their executive powers which meant that all five recommendations contained in the report would be referred to the Councils for approval.

The following documents were attached to the report:

Appendix A: Consultation Report
Appendix B: Identification and Assessment of Potential Options and Sites (updated since the first round of consultation)
Appendix C: Sustainability Appraisal (updated since the first round of consultation)

Councillor Peter Stevens, SEBC's Portfolio Holder for Operations, drew relevant issues to the attention of both Cabinets. He stated that following concerns raised during the first consultation on this project, a commitment had been made to re-consult. A new consultation was subsequently carried out between 8 January and 19 February 2016, which included placing documentation that had supported the development of a WSOH in the public domain for scrutiny and comment, and also that suggestions for alternative sites to locate a potential WSOH had been sought.

Councillor Stevens acknowledged the extensive work undertaken by respondents to produce the quality of comments received during the second round of consultation, and he thanked those that had responded accordingly. He particularly recognised the concerns raised by residents to the north of Bury St Edmunds on the proposed site of Hollow Road Farm and also made reference to those that had shown support for the proposals. Each response had been carefully considered and answered, with some suggestions being acted upon, for example by adding an extra traffic criterion for assessing potential options.

Councillor Stevens concluded his introduction by thanking the Head of Operations and the Project Team for the significant work involved in reaching this stage; and reiterated that subject to approval of both Councils (the other project partner, Suffolk County Council, already had the necessary approval and delegations in place), the project would then progress to the submission of a detailed planning application, which would be subject to further public consultation.

Mark Walsh, Head of Operations was invited to speak. He provided comprehensive details on:

(a) the number and quality of responses received during the consultation, as provided in Appendix A;

(b) the merits of co-locating a depot, waste transfer station and Household Waste and Recycling Centre (HWRC) (Option 4) compared to leaving the existing HWRC at Rougham Hill and combining a depot and transfer station on another site (Option 5), which included the findings of the financial analysis of the options;

(c) the process undertaken during the assessment of the 33 suggested sites, and how Hollow Road Farm remained the strongest option by some margin when considered against 27 separate criteria;

(d) the transparency of the practices used and the reasoning behind the scores applied during the site assessment process, as shown in Appendices A and B;

(e) the financial impact of the project, as detailed in section 6 of the report in terms of operational savings, additional income, the capital requirements and the potential cost of borrowing; and

(f) reasons why the status quo was not sustainable.

Councillor David Bowman, FHDC's Portfolio Holder for Operations, drew attention to additional matters to the attention of the Cabinets, including that this project had created an opportunity for increased collaborative partnership working across Forest Heath District, St Edmundsbury Borough and Suffolk County Councils. He demonstrated his support for the proposals for a WSOH, particularly as it would enable each partnering council to provide cost effective, modern waste services for the taxpayer; and at a site at Hollow Road Farm, that despite being under significant challenge and scrutiny, he considered remained the best option for securing the future of waste management services.

Councillor Beccy Hopfensperger (SEBC), Ward Member for Fornham Ward, was invited to speak and expressed concerns regarding the proposal to site a WSOH at Hollow Road Farm. She referred to the strength of feeling that had been communicated to her from residents in her ward in objection to the proposed site and provided data that had arisen from the consultation that she felt supported a decision not to site co-located facilities at Hollow Road Farm. Reference was also made to alternative sites that she considered would provide better accommodation for a WSOH; and the financial impact of the proposals.

Councillor Paul Hopfensperger (SEBC) made reference to data arising from the consultation and also expressed concerns regarding the proposal to site a WSOH at Hollow Road Farm. He considered the site at Land to the south of West Suffolk Crematorium, which scored +1 in the assessment against qualitative criteria detailed in Appendix B, in comparison to +7 for the Hollow Road Farm site, was more suitable, principally because it was located further away from residential dwellings.

In response to the above scoring process, Councillor Paul Hopfensperger was informed that the scores were the same for both Hollow Road Farm and Land to south of West Suffolk Crematorium, except for the following where the latter site scored lower, as detailed in Appendix B:

(a) suitability of the local road network;
(b) visual impact;
(c) light pollution; and
(d) because the site was a large east/west orientated site meaning it could be more exposed to the prevailing wind, particularly when compared to Hollow Road Farm which was well-screened along its western boundary.

Councillor Simon Cole, Chairman of FHDC's Overview and Scrutiny Committee, commended the detail of the documentation provided and recognised the benefits of siting a WSOH at Hollow Road Farm.

A detailed discussion was held and the Cabinets duly acknowledged the concerns of residents located in the vicinity of the proposed site, and also the representations made by Councillor Beccy Hopfensperger and Paul Hopfensperger. However, the Cabinets considered the consultation, site assessment and financial assessment processes had been extremely thorough, comprehensive and transparent. The partnering councils were required to consider the optimum, most cost effective and viable option for delivering future waste management services for the whole of West Suffolk, and both Cabinets agreed that this would be achieved by siting a WSOH at Hollow Road Farm. All Cabinet Members present therefore unanimously supported the proposals contained in the report.

4. **Draft West Suffolk Annual Report 2015/2016 (Report Nos: CAB/FH/16/024 and CAB/SE/16/025)**

The Cabinets considered the above reports, which sought approval for the draft West Suffolk Annual Report 2015/2016.

The draft, which was attached as Appendix A, had previously been considered by FHDC and SEBC's Overview and Scrutiny Committees on 8 June and 9 June 2016 respectively. Both Committees had recommended a few minor textual amendments and these were tabled for consideration and accepted.

Councillors John Griffiths (SEBC) and James Waters (FHDC) drew relevant issues to the attention of the Cabinets, including that the Annual Report highlighted the key activities and developments that had been achieved over the financial year 2015/2016, with regard to the priorities set out in the West Suffolk Strategic Plan 2014-2016.

The Cabinets commended the Annual Report and acknowledged the hard work of councillors and officers regarding their roles in working towards achieving the Councils' strategic priorities, as identified in the Report.

(SEBC Councillors Beccy and Paul Hopfensperger left the meeting during the consideration of this item.)

5. **Introduction of Charging for a Pre-Application Advice Service (Report Nos: CAB/FH/16/025 and CAB/SE/16/026)**

The Cabinets considered the above reports, which sought approval for the introduction of a new service that involved charging for pre-planning application advice.

Councillors Lance Stanbury (FHDC) and Alaric Pugh (SEBC) drew relevant issues to the attention of the Cabinets, including that where customers required what was to be classified as 'professional advice', it was proposed that this would now be chargeable. A Charging Schedule had been developed and this was contained in the amended version of Appendix 1 attached to the report, which had been circulated to Members following the publication of the agenda and papers for this meeting.

The proposed Charging Schedule outlined the fees applicable for the various levels of advice and guidance a customer may request, and reflected the same exemptions for charges already laid down in the nationally set fee regulations for planning applications.

Members noted that charging for pre-application advice was now recommended as good practice by the LGA Planning Advisory Service, and that many other local planning authorities in this region already provided this chargeable service. The fees proposed by the West Suffolk authorities were broadly in line with those charged in the region and would provide another source of income for each council, estimated values of which were provided in the report.

Unanimous support was shown for the proposals.

6. **Norfolk/Suffolk and Cambridgeshire/Peterborough Devolution**

The Cabinets received and noted an update on the current situation in respect of the Norfolk and Suffolk Devolution proposals.

It was now expected that Cambridgeshire and Peterborough would be subject to a separate devolution deal; however, Suffolk Public Sector leaders were meeting on 15 June 2016 to agree the final shape of a Norfolk and Suffolk deal to be proposed to Government and to consider the Governance Review and Governance Scheme.

Following that meeting, the text of the deal document and the proposed governance arrangements, and covering report would be circulated to all St Edmundsbury Borough and Forest Heath District Councillors for their consideration at meetings on 28 and 29 June 2016 respectively and, subject to the agreement of the Councils, the Governance Review and Scheme would then be subject to public consultation.

Due to the challenging nature of the timetable and the process, it had not been possible for the process to be completed in order for the matter to be considered by the Cabinets at this meeting, therefore a formal discussion and any decision taken by Cabinets on the detail would have been premature.

On the conclusion of the informal joint discussions at 6.50 pm, the Chairman then formally opened the meeting of Forest Heath District Council's Cabinet at 6.58 pm in Room GFR14.

Cabinet

Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on **Tuesday 14 June 2016** at **6.58 pm** in **Room GFR14,** West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU

Present: **Councillors**

Chairman James Waters (Leader of the Council)
Vice Chairman Robin Millar (Deputy Leader)

David Bowman	Lance Stanbury
Stephen Edwards	

By Invitation:

Simon Cole	(Chairman of the Overview and Scrutiny Committee)
Louis Busuttil	(Chairman of the Performance and Audit Scrutiny Committee)

197. **Apologies for Absence**

Apologies for absence were received from Councillor Andy Drummond.

198. **Minutes**

The minutes of the meeting held on 17 May 2016 were unanimously confirmed as a correct record and signed by the Chairman.

199. **Open Forum**

This item had already been considered during the informal discussions in relation to Items 5. to 8. on the agenda (Item 1. above within the notes of the informal discussions refers).

No non-cabinet Members in attendance wished to speak on Items 9. and 10.

200. **Public Participation**

This item had already been considered during the informal discussions in relation to Items 5. to 8. on the agenda (Item 2. above within the notes of the informal discussions refers).

No members of the public in attendance wished to speak on Items 9. and 10.

201. **West Suffolk Operational Hub (Report No: CAB/FH/16/023)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/16/023 (*West Suffolk Operational Hub),* it was proposed, duly seconded and with the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (29 June 2016)

That:-

1. The content of Report No CAB/FH/16/023 and its Appendices be noted.

2. The progression of a project to deliver a West Suffolk Operational Hub (Option 4) be approved.

3. The preparation and submission of a detailed planning application for a West Suffolk Operational Hub on land at Hollow Road Farm, be approved.

4. A gross capital budget of £3.5m (after the St Edmundsbury Borough Council contribution) to the Council's Capital Programme for 2016/2017, funded in line with paragraphs 6.10 to 6.21 of Report No CAB/FH/16/023, be approved.

5. The Council's Section 151 Officer to make the necessary changes to the Council's 2015/2016 prudential indicators as a result of recommendation 4. above.

202. **Draft West Suffolk Annual Report 2015/2016 (Report No: CAB/FH/16/024)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/16/024 *(Draft West Suffolk Annual Report 2015/2016)*, it was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the West Suffolk Annual Report 2015/2016, as contained in Appendix A to Report No CAB/FH/16/024, be approved (as amended), to incorporate the revisions recommended by St Edmundsbury Borough and Forest Heath District Councils' Overview and Scrutiny Committees (as tabled at the Cabinet meeting held on 14 June 2016).

(The revisions proposed by the Overview and Scrutiny Committees are attached to these minutes).

203. **Introduction of Charging for a Pre-Application Advice Planning Service (Report No: CAB/FH/16/025)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/16/025) *(Introduction of Charging for a Pre-application Advice Planning Service),* it was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That:-

1. The principle of charging for pre-application advice, as set out in Report No CAB/FH/16/024, be approved.

2. The charging schedule, as set out in Appendix 1 (as amended), be implemented on 4 July 2016.

3. The scale of charges be reviewed annually in accordance with the Fees and Charges Policy.

204. **Norfolk, Suffolk and Cambridgeshire Devolution - Update (Verbal)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on this item, Members noted that no decision was required to be made and, therefore, no resolution had been recorded.

205. **Report of the Performance and Audit Scrutiny Committee: 25 May 2016 (Report No: CAB/FH/16/026)**

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee presented this report which informed the Cabinet of the following items discussed by the Committee on 25 May 2016:

(1) Internal Audit Report (2015/2016) and Outline Internal Audit Plan (2016/2017).

(2) Balanced Scorecard and Performance Report Quarter 4.

(3) West Suffolk Strategic Risk Register Quarterly Report – March 2016.

(4) Work Programme Update.

(5) Ernst and Young – Certification of Claims and Returns Annual Report (2014/2015).

(6) Ernst and Young – Presentation of External Audit Plan and Fees 2015/2016 and 2016/2017 Indicative Fees.

(7) Financial Outturn Report (Revenue and Capital) 2015/2016.

Councillor Busuttil also drew relevant issues to the attention of the Cabinet, including that the first four items had been considered jointly with St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee.

It was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/16/027 be noted.

206. **Decisions Plan: 1 June 2016 to 31 May 2017 (Report No: CAB/FH/16/027)**

The Cabinet considered Report No: CAB/FH/16/027, which was the Cabinet Decisions Plan covering the period June 2016 to May 2017.

Members took the opportunity to review the intended forthcoming decisions of the Cabinet. However, no further information or amendments were requested on this occasion.

The Meeting concluded at 7.02 pm

Signed by:

Chairman

(Minute Number 202.)

Draft West Suffolk Annual Report 2015/16

(Report numbers: CAB/FH/16/024 and CAB/SE/16/025)

Amendments recommended by:

- **St Edmundsbury Borough Council Overview and Scrutiny Committee:**
  8 June 2016 (Report Number: OAS/SE/16/013); and
- **Forest Heath District Council Overview and Scrutiny Committee:**
  9 June 2016 (Report Number: OAS/FH/16/014)

- Page 6, in the infographic that states: 'We have invested £96,900 in small businesses across West Suffolk since our ***Small Business Grant*** schemes began', add the statistic: *'Since 2011, a total of £61,000 has been invested in Forest Heath, helping support businesses with a collective turnover of around £2.1 million a year'.*

- Page 9, third paragraph on Solar for Business, amend to read: '*This scheme also has an impact on our finances; during 2015/16 we invested £620,000 on 16 solar for businesses properties which are projected to return an average annual income for the councils of £82,900. This represents an annual return on investment of more than 10%. This scheme is part of the West Suffolk Community Energy Plan which plans to invest £1.62 million in energy efficiency schemes over the next 3 years. The council receives a return on their financial investment and it supports local business through lower energy bills, improving their building, saving money, cutting energy use and reducing CO2 emissions.'*
- Page 11, change the photograph of Mildenhall.

- Page 16, change second sentence under 'Organic Waste' to: *'Due to changes in funding arrangements we had to make changes to the way we provide this service and offer a new subscription for a garden waste collection service to those households.'*

- It was agreed that an executive summary of the Annual Report be prepared, which would be useful for Members to share with Parish Councillors.