

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Cabinet** held on
Tuesday 18 October 2016 at **5.00 pm** in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman John Griffiths (Leader of the Council) (in the Chair)

Vice Chairman Sara Mildmay-White (Deputy Leader)

Robert Everitt
Ian Houlder
Alaric Pugh

Joanna Rayner
Peter Stevens

By Invitation:

Sarah Broughton

(Chairman of the Performance and Audit
Scrutiny Committee)

In attendance:

Tony Brown
Carol Bull
John Burns

Susan Glossop
Clive Pollington

249. **Apologies for Absence**

No apologies for absence had been received.

250. **Minutes**

The minutes of the meetings held on 6 and 20 September 2016 were confirmed as correct records and signed by the Chairman.

251. **Open Forum**

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

252. **Public Participation**

There were no members of the public in attendance.

253. Report of the Overview and Scrutiny Committee: 14 September 2016

The Cabinet received and noted Report No: CAB/SE/16/046, which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 14 September 2016:

- (1) Presentation by the Portfolio Holder for Planning and Growth;
- (2) Approach to Delivering a Sustainable Medium Term Financial Strategy 2016-2020 and Consideration of the Four-Year Settlement Offer from Central Government;
- (3) Final Report of the New Housing Development Sites Joint Task and Finish Group;
- (4) Decisions Plan: September 2016 to May 2017; and
- (5) Work Programme Update.

In the absence of the Chairman and Vice-Chairman of the Committee, the Democratic Services Officer (Scrutiny) drew relevant issues to the attention of Cabinet, including the following amendment to a typographical error contained in the recommendation to the Head of Service detailed in paragraph 1.2.8 of the report:

*The Committee **RECOMMENDS that the Head of ~~Operations~~ Planning and Growth be asked to progress with Suffolk County Council and the other Suffolk Authorities the introduction of standard conditions regarding highway adoption.***

In addition, Members noted that the recommendations emanating from Item (2) above had already been considered by Cabinet during its joint meeting with Forest Heath District Council's Cabinet on 20 September 2016, and had subsequently been approved by Council on 27 September 2016.

254. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 20 September 2016

The Cabinet received and noted Report No: CAB/SE/16/047, which informed the Cabinet of the following items discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 20 September 2016:

- (1) Performance Report;
- (2) Welfare Reform Update;
- (3) ARP Health and Safety Policy;
- (4) ARP Transformation Programme;
- (5) Forthcoming Issues; and
- (6) Exempt: Commercial and Partnership Update.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance drew relevant issues to the attention of Cabinet, including that the Joint Committee had commended the work of Martin Hosker, West Suffolk's Health and Safety Manager, for his guidance in the production of a new single Health and Safety Policy which would be applicable to all authorities within the Partnership.

**255. Report of the Performance and Audit Scrutiny Committee:
21 September 2016**

The Cabinet received and noted Report No: CAB/SE/16/048, which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 21 September 2016:

- (1) Ernst and Young – Presentation of 2015-2016 ISA 260 Annual Results Report to those Charged with Governance;
- (2) West Suffolk Annual Governance Statement 2015-2016;
- (3) 2015-2016 Annual Statement of Accounts;
- (4) Arrangements for Appointment of External Auditors;
- (5) Decision Relating to Complaint to the Local Government Ombudsman; and
- (6) Work Programme Update.

Councillor Sarah Broughton, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet, including that recommendations emanating from (4) above would be considered next on this Cabinet agenda.

Councillor Broughton explained to the Cabinet that Ernst and Young had been extremely impressed with the quality of St Edmundsbury Borough Council's accounts, and that they would be the first set of accounts audited by them to be signed off for 2015/2016. She congratulated the Head of Resources and Performance and the Finance team for their sterling efforts regarding this, a sentiment which was subsequently endorsed by the Cabinet.

**256. Recommendation of the Performance and Audit Scrutiny Committee:
21 September 2016: Arrangements for Appointment of External Auditors**

The Cabinet considered Report No: CAB/SE/16/049, which sought approval for a preferred option for making appropriate arrangements for the appointment of external auditors.

Following the closure of the Audit Commission, and the end of the transitional arrangements, it was now the Council's statutory responsibility to appoint, by 31 December 2017, a local external auditor to audit its 2018/2019 accounts. In meeting this statutory responsibility the Council could choose one of the following options, each of which had been considered in detail by the Performance and Audit Scrutiny Committee, as highlighted at this Cabinet meeting by Councillor Ian Houlder, Portfolio Holder for Resources and Performance:

- Option 1: Establish a stand-alone Auditor Panel to make the appointment on behalf of the Council;
- Option 2: Commence work on exploring the establishment of local joint procurement arrangements with neighbouring authorities; or

Option 3: Use an existing independent panel of the Authority (this would only be applicable where a suitably constituted plan already existed).

Report No: PAS/SE/16/021 presented to the Performance and Audit Scrutiny Committee had set out in detail the advantages and disadvantages for each of the above three options; risk management; legal and financial implications.

Of these three options, the Cabinet supported the recommendations of the Committee and recommended that Option 3 be approved, as this was considered to provide better economies of scale in keeping audit fees down, with the added benefit of having a Suffolk-wide auditor.

RECOMMENDED TO COUNCIL:

That Option 3, to 'opt-in' to the sector led body (Public Sector Audit Appointments Limited (PSAA)) for the independent appointment of the Council's External Auditor, beginning with responsibilities for the financial year 2018-2019, as set out in Report No: PAS/SE/16/021, be approved.

257. Recommendation of the Grant Working Party: 5 September 2016 - Rural Initiatives Grant Scheme

The Cabinet considered Report No: CAB/SE/16/050, which on the recommendation of the Grant Working Party, sought approval for the maximum amount that may be applied for under the Rural Initiatives Grant Scheme (RIGS) be amended from £10,000 to £7,500.

RIGS was a one-off match-funding grant scheme which was available to match fund rural projects alongside other funding streams. Under the current criteria, grants of between £250 and £10,000 may be applied for, which must be used for a specific capital project and contribute to the Council's strategic priorities. Larger grants of over £4,000 were reserved for village halls and recreational facilities, but smaller grants could be used for a wide variety of other schemes which benefitted rural communities.

Councillor Robert Everitt, Portfolio Holder for Families and Communities drew relevant issues to the attention of Cabinet, including that a balance of £52,370.56 currently remained in the RIGS fund with a further budget allocation each year of the medium term budget period. By reducing the maximum amount that may be applied for under this scheme to £7,500, would enable the budget available to be allocated to a greater number of projects.

Match-funding for projects may therefore take longer to be sought; however, officers would continue to support parishes and community groups to access appropriate funding sources and dedicate sufficient time to ensuring other essential elements were in place for enabling the project to come to fruition.

RESOLVED:

That the criteria for the Rural Initiative Grant Scheme (RIGS) be amended so that the maximum amount that may be applied for under this scheme is reduced from £10,000 to £7,500, as detailed in section 1 of Report No: CAB/SE/16/050.

258. Recommendation of the Sustainable Development Working Party: 6 October 2016 - Article 4 Direction: Clare Conservation Area

The Cabinet considered Report No: CAB/SE/16/051, which sought confirmation of an Article 4 Direction for Clare Conservation Area, following consultation.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of the Cabinet, including that on 6 October 2016, the Sustainable Development Working Party had considered Report No: SDW/SE/16/008, which had contained the proposed Article 4 Direction at Appendix B, with the area in which it would cover, shown in Appendix A.

Having considered the results of the public consultation which was largely supportive of the proposal, the Cabinet considered the introduction of the Article 4 Direction in Clare Conservation Area was appropriate as it would restrict changes owners could make to the outside of their property without first obtaining planning permission in order to protect the special character of the conservation area.

RESOLVED:

That the Article 4 Direction, as contained in Appendix B to Report No: SDW/SE/16/008, to cover the Clare Conservation Area, as delineated on the map contained in Appendix A of that report, be confirmed.

259. Decisions Plan: 1 October 2016 to 31 May 2017

The Cabinet considered Report No: CAB/SE/16/052, which was the Cabinet Decisions Plan covering the period October 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.

260. Revenues Collection Performance and Write Offs

The Cabinet considered Report No: CAB/SE/16/053, which provided the collection data in respect of Council Tax and National Non-Domestic Rates and sought approval for the write-off of debts as contained in the Exempt Appendices.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including the current collection performance, as set out in Section 3 of the report.

The Cabinet was pleased to note that following work undertaken by the West Suffolk councils (and others) with the Local Government Association (LGA) regarding changes to legislation to support the prevention of businesses building up thousands of pounds in unpaid business rates, the LGA had recently raised the profile of the issue through a press release which called for new legislation to stop phoenix companies from being created with no obligation to pay their old company's business rates debts. In addition to this, the LGA also called for changes to licensing powers which would allow the suspension of an existing premises licence or refusal of a new application if business rates remained unpaid. Updates on this matter would be provided to the Cabinet as and when further information became available.

RESOLVED:

That the write-off of the amounts detailed in the exempt appendices to Report No: CAB/SE/16/053, be approved, as follows:

- (1) Exempt Appendix 1: Council Tax totalling £8,407.88
- (2) Exempt Appendix 2: Business Rates totalling £31,655.66
- (3) Exempt Appendix 3: Overpayment of Housing Benefit totalling £6,725.44

261. Exclusion of Press and Public

At this point it was proposed, seconded and

RESOLVED:

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

262. Exempt Item: Enterprise Zones at Haverhill Research Park, Haverhill, and Suffolk Business Park, Bury St Edmunds (para 3)

The Cabinet considered Exempt Report No: CAB/SE/16/054 which sought approval for the terms of agreement to enable the two Enterprise Zones in St Edmundsbury to progress.

Whilst the Council had accepted the allocation of the Enterprise Zones (EZ) at eight hectares of land at Haverhill Research Park and 14 hectares of land at Suffolk Business Park (Cabinet Report No: CAB/SE/16/006 refers) the precise terms of how they would operate was still to be agreed.

EZ status was granted for an initial 25 year period and councils must work with Local Enterprise Partnerships (LEPs) to deliver EZs. The report set out

the benefits of EZ status, including up to 100% business rate discount worth up to £275,000 per business for a total of five years; and the streamlining of the planning process for EZs.

All business rates growth generated by the EZ over the 25 year period was returned to the Local Billing Authority (in this case, St Edmundsbury Borough Council); however there was an expectation that the LEP would be involved in determining how the business rates would be shared between local partners (such as the borough/district and county councils) and upon what they would be spent.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth drew relevant issues to the attention of the Cabinet. He explained the arrangements that needed to be agreed, as set out in the exempt report, which included:

- (a) Memoranda of Understanding between the Department for Local Government (DCLG), each LEP involved in the two EZs (Greater Cambridge Greater Peterborough (GCGP) for Haverhill Research Park and New Anglia LEP (NALEP) for Suffolk Business Park), and the Council, as contained in Appendices B and D;
- (b) business rates sharing proposals of both GCGP and NALEP, as contained in paragraphs 3.1 to 3.3 of the exempt report;
- (c) site development/infrastructure plans, working drafts of which were contained in Appendices B (Annex 1) and F, finalisation of which, and future plans, were proposed to be completed under delegated authority (subject to financial requirements which would require approval by Cabinet); and
- (d) governance and decision making processes proposed by GCGP and NALEP, as contained in Appendices B (Annexes 2a, 2b and 3) and G.

The Cabinet considered the merits of each EZ and the terms of the agreements, as proposed. The benefits were acknowledged and the potential for each EZ to attract quality businesses to the areas and jobs.

The role of GCGP was also discussed in general and how they, St Edmundsbury Borough and Suffolk County Councils needed to work together to enable future growth and better infrastructure in and around Haverhill.

RESOLVED:

That, in accordance with Report No: CAB/SE/16/006:

- (1) the Memoranda of Understanding between the Department for Communities and Local Government, the Local Enterprise Partnerships, and St Edmundsbury Borough Council (x2); and the local agreements between St Edmundsbury Borough Council, the Local Enterprise partnerships, and relevant partners (x2) as set out in Appendices A to E and G to Exempt Report No: CAB/SE/16/054, be agreed; and

- (2) delegated authority be given to the Head of Planning and Growth, in consultation with the Portfolio Holder for Planning and Growth, to agree, subject to any financial requirements which will require the approval of Cabinet, the final, and any future Site Development/Infrastructure Plans at Annex 1 of Appendix B and Appendix F to Exempt Report No: CAB/SE/16/054.

263. **Exempt Appendices: Revenues Collection Performance and Write-Offs (paras 1 and 2)**

The Cabinet considered Exempt Appendices 1 and 2 to Report No: CAB/SE/16/030 under Agenda Item 12 , however no reference was made to specific detail and therefore this item was not held in private session.

The meeting concluded at 5.35 pm

Signed by:

Chairman
