

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Cabinet** held on
Wednesday 31 May 2017 at 5.10 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:

Diane Hind

(Chairman of the Overview and Scrutiny
Committee)

In attendance:

Carol Bull
Susan Glossop

Clive Pollington
David Roach

328. **Remembrance**

The Chairman stated that a minute's silence had been observed at the extraordinary meeting of Cabinet jointly held with Forest Heath District Council's Cabinet on 30 May 2017, in remembrance of those affected by the tragic events in Manchester as a result of an atrocious act of terrorism.

He wished to however, place on record at this meeting, that their thoughts and condolences were with all those involved.

329. **Apologies for Absence**

No apologies for absence had been received.

330. **Minutes**

The minutes of the meeting held on 28 March 2017 were confirmed as a correct record and signed by the Chairman.

331. **Open Forum**

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

332. Public Participation

There were no members of the public in attendance.

333. Report of the Overview and Scrutiny Committee: 19 April 2017

The Cabinet received and noted Report No: CAB/SE/17/023, which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 19 April 2017:

- (1) Annual Presentation by the Portfolio Holder for Families and Communities;
- (2) Monitoring Community Safety Activities including Western Suffolk Community Safety Partnership;
- (3) West Suffolk Housing Strategy: Update on Progress Against Action Points;
- (4) Review and Revision of the Constitution (Quarter 4);
- (5) Directed Surveillance Authorised Applications (Quarter 4); and
- (6) Work Programme Update, Formation of a West Suffolk Information Strategy Joint Task and Finish Group and Suggestion for Scrutiny.

Councillor Diane Hind, Chairman of the Committee, drew relevant issues to the attention of Cabinet.

Congratulations were given to Councillor Hind on her re-election as Chairman of the Committee, and also to Councillor Susan Glossop, who was in attendance, on her appointment as Vice-Chairman.

334. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 28 March 2017

The Cabinet received and noted Report No: CAB/SE/17/024, which informed the Cabinet of the following items discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 28 March 2017:

- (1) Performance Report;
- (2) Welfare Reform Update;
- (3) Transformation Programme Update;
- (4) Forthcoming Issues;
- (5) Exempt Item: Risk Based Verification Policy Review Report – March 2017; and
- (6) Exempt Item: Partnership Working through Section 101 Agreement.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Cabinet, including that the Joint Committee had decided not to pursue a proposal to deliver revenues and benefits services for another district council through a Section 101 Agreement. The Cabinet concurred with this decision, particularly in light of the challenges faced by the partnership regarding the introduction of Universal Credit and other welfare reforms.

A discussion was also held on progress regarding the trading arm of the Anglia Revenues and Benefits Partnership.

335. Restructure Proposal for the Housing Options and Homelessness Team

The Cabinet considered Report No: CAB/SE/17/025, which sought approval for additional staffing resources to enable a restructure of the Housing Options and Homelessness Team in order to meet the requirements of the new Homelessness Reduction Act and the impact of other welfare reforms.

Councillor Sara Mildmay-White, Portfolio Holder for Housing, drew relevant issues to the attention of Cabinet, including that the proposed restructure had been prompted by a number of factors, such as:

- (a) a number of staff changes and the urgent requirement to fill vacant posts;
- (b) the need to have a robust service which could respond to forthcoming significant legislative changes, particularly the Homelessness Reduction Act;
- (c) recognition that changes to Universal Credit (UC) would have a real impact on tenants and landlords across West Suffolk;
- (d) reduction in the number of Housing Related Support funded beds, anticipated changes to housing support funding from 2018 and continual changes to the welfare system;
- (e) a review of the councils' landlord liaison activities; and
- (f) feedback from the Housing Peer Review.

Section 1.2 of the report provided further details on the factors outlined above, as noted by the Cabinet.

Members then noted that the additional staffing costs to deliver the restructure across the two West Suffolk Councils was estimated at £230,354, which included all employer costs but was subject to final job evaluation of the posts. These costs would be funded from a new government Flexible Homelessness Support Grant, which was ringfenced for an initial two year period and during that time, may only be used to prevent or deal with homelessness. Section 3 of the report provided further details on the amounts awarded to St Edmundsbury and Forest Heath in 2017/18 and 2018/19, and how the grant was proposed to be used to fund the restructure.

Members were pleased to note that the restructure proposal would be funded from the new government grant, which led to a discussion on the responsibilities of landlords and letting agents regarding their respective roles in trying to mitigate homelessness.

RESOLVED:

That:

- (1) the additional statutory duties which will be in place as a result of the Homelessness Reduction Act, be noted;

- (2) the service be restructured and that an additional 6.8 FTE staff are required to meet the new statutory duties, as set out in Section 2.2 of Report No: CAB/SE/17/025; and
- (3) the funding of the additional posts be secured from the Flexible Homelessness Reduction Grant, as set out in Section 3.

336. Public Space Protection Orders

The Cabinet considered Report No: CAB/SE/17/026, which sought approval for the adoption of proposed Public Space Protection Orders (PSPO) in the borough.

On 7 February 2017, the Cabinet had considered recommendations of the Overview and Scrutiny Committee, which proposed the continuation of the Bury St Edmunds alcohol related PSPO with the addition of a condition in relation to street begging. This proposed extension to the PSPO was at the direct request of the local Police as well as responding to feedback received from local businesses in the town. The Cabinet had agreed that the additional condition relating to street begging should be included.

In addition, the Cabinet had considered the Committee's recommendations regarding the adoption of certain dog controls across St Edmundsbury, which included dog fouling and exclusion of dogs from certain specific children's play areas and fenced football pitch areas.

The Cabinet had been satisfied that, subject to the outcome of public consultation, the proposed changes to the PSPOs were acceptable and proportionate to mitigate potential nuisance or problems in an area that may be detrimental to the local community's quality of life.

As one of the Portfolio Holders responsible for this matter, Councillor Robert Everitt, Portfolio Holder for Families and Communities, drew relevant issues to the attention of Cabinet, including that the proposed PSPOs had now been subject to consultation. Members were now required to reconsider the proposals in light of the representations received and the responses given to those, as set out in the report, before making a decision on whether to formally adopt the PSPOs.

Councillor Joanna Rayner, Portfolio Holder for Leisure and Culture, and the other portfolio holder responsible for this matter, particularly expressed her support for the dog related orders, which allowed the Council to proactively implement enforcement measures and promote responsible dog ownership.

A discussion was held on the consultation process, which then led to Members expressing their support for the proposed PSPOs and agreeing to their formal adoption, as set out in the recommendations contained in the report.

RESOLVED:

That, as set out in Report No: CAB/SE/17/026:

- (1) the results of the consultations associated with the proposed Public Space Protection Orders (PSPO), be noted;
- (2) the inclusion of street begging in the Bury St Edmunds alcohol related PSPO, be approved;
- (3) the PSPO relating to dog fouling, be approved; and
- (4) the PSPO relating to banning dogs from certain specific children's play areas and certain specific fenced football pitch areas, be approved.

337. Annual Review and Appointment of the Cabinet's Working Parties, Joint Committees/Panels and Other Groups

The Cabinet considered Report No: CAB/SE/17/027, which presented the annual review and appointment of Cabinet Working Parties, Joint Committee/Panels and Other Groups: 2017/2018.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of the Cabinet, including that the Cabinet was required to review the membership and Terms of Reference of its Working Parties, Joint Committees/Panels and Other Groups for 2017/2018.

The existing Terms of Reference for the relevant bodies were attached as Appendix A to F inclusive.

No changes were recommended to the majority of the existing arrangements, with the exception of the following:

- (a) The Sustainable Development Working Party was proposed to be disbanded as its responsibilities would be incorporated into the work of the West Suffolk Joint Growth Steering Group, which would include the development of a new local plan for West Suffolk. Forest Heath District Council's equivalent Local Plan Working Group would be disbanded upon adoption of its local plan later this year.
- (b) The Terms of Reference for the West Suffolk Joint Growth Steering Group had been proposed to be widened to cover the consideration of a range of strategic matters that would contribute towards the growth of West Suffolk, as shown in Appendix C. As a non-decision making body, it would continue to make recommendations on such issues to Cabinet, as appropriate.
- (c) The West Suffolk Joint Emergency Planning Panel was proposed to be disbanded as its principal work was already covered by the Suffolk-wide Joint Emergency Planning Unit. Further details regarding this proposal was provided in 1.3.8 to 1.3.10 of the report.

Together with the other recommendations contained in the report, the Cabinet supported the above proposals. The Grant Working Party was

particularly acknowledged for its sterling work in considering applications for grant funding under the Rural Initiatives Grant Scheme and for bringing forward its recommendations to Cabinet for Community Chest funding each autumn. The late Councillor Angela Rushen was commended for her excellent chairmanship of this Working Party, a role she had successfully undertaken for a number of years.

Appointments and re-appointments of Members to the various bodies would be made under delegated authority on the basis of political balance requirements, where applicable.

RESOLVED:

That:

- (1) the Grant Working Party continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/SE/17/027.
- (2) Given the diminished workload of the Sustainable Development Working Party in 2016/2017 and the continuing significance of the West Suffolk Joint Growth Steering Group (WSJGSG) in the context of its close association with the West Suffolk strategic priorities, the Sustainable Development Working Party be disbanded, and its responsibilities set out in its Terms of Reference (ToR) at Appendix B, be incorporated into the ToR for the WSJGSG.
- (3) The West Suffolk Joint Growth Steering Group continues to operate in accordance with its amended Terms of Reference contained in Appendix C.
- (4)
 - (a) the West Suffolk Joint Emergency Planning Panel, be disbanded; but
 - (b) relevant updates be provided to all councillors on emergency planning matters via the intranet and email as required, and to use normal Cabinet or scrutiny mechanisms to input to, and adopt, any work by the Suffolk Joint Emergency Planning Policy Panel.
- (5)
 - (a) The West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices E and F respectively; and
 - (b) periodical meetings of the Joint Panels continue to be scheduled as and when required but with regard to the discussion outlined in Section 1.3.15.
- (6)
 - (a) The Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and substitute Members to the Grant Working Party, West Suffolk Joint Growth Steering Group, West Suffolk Joint

Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel for 2017/2018, on the nominations of Group Leaders; and

- (b) such re-appointments/appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/SE/17/027.
- (7) The Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, one full Cabinet Member and two substitute Cabinet Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2017/2018, on the nomination of the Leader of the Council.
- (8)
 - (a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2; and
 - (b) provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2017/2018.
- (9) The Members stated in Section 1.7.2 be re-appointed as observers to the respective outside bodies listed, and to NOTE the Leader or ex-officio appointments to the project or partnership groups listed in Section 1.7.3 and 1.7.4.

338. Decisions Plan: May 2017 to May 2018

The Cabinet considered Report No: CAB/SE/17/028, which was the executive Decisions Plan covering the period May 2017 to May 2018.

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

339. Revenues Collection Performance and Write Offs

The Cabinet considered Report No: CAB/SE/17/029, 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. He added that in the event that a written-off debt became recoverable, the amount would be written back on, and enforcement procedures would be re-established. For example, this might happen if someone had gone away with no trace, but was unexpectedly 'found' again through whatever route.

RESOLVED:

That the write-off of the amounts detailed in the exempt appendices to Report No: CAB/SE/17/029, be approved, as follows:

- (1) Exempt Appendix 1: Business Rates totalling £385,637.48; and
- (2) Exempt Appendix 2: Overpayment of Housing Benefit totalling £8,590.96.

340. Exclusion of Press and Public

See minute 341 below.

341. 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/17/029 under Agenda Item 11, however no reference was made to specific detail and therefore this item was not held in private session.

342. Exempt: Use of Chief Executive's Urgency Powers: Reporting of a Settlement (paras 1, 2 and 5)

The Cabinet received and noted an exempt narrative item, which was the reporting of a decision taken through exercising the Chief Executive's urgency powers, in respect of a settlement agreed in the Council's favour.

As required by the Constitution, the Cabinet was required to note the use of the Chief Executive's urgency powers, which had been exercised for the reasons set out in the exempt narrative item. No reference was made to specific detail and therefore this item was not held in private session.

Members noted that the settlement had been reached as a result of negotiation between the parties involved. Prior to the decision being taken, the Leader of the Council, and the Portfolio Holders for Resources and Performance, and Operations had been consulted and all had endorsed the decision being made. The matter had also been reported to the Chairman of the Overview and Scrutiny Committee prior to it being included on this Cabinet agenda.

The Cabinet commended the Service Manager (Strategic Property) for his work in negotiating a settlement that was of considerable benefit to the Council.

The meeting concluded at 5.41 pm

Signed by:

Chairman
