

Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 20 June 2017 at **6.00 pm** at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman James Waters

David Bowman
Stephen Edwards
Lance Stanbury

By Invitation:

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

325. Apologies for Absence

Apologies for absence were received from Councillors Andy Drummond and Robin Millar.

326. Minutes

The minutes of the meetings held on 16 May 2017 and 30 May 2017 (Extraordinary Joint) were unanimously confirmed as a correct record and signed by the Chairman.

327. Open Forum

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

328. Public Participation

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

329. Report of the Performance and Audit Scrutiny Committee - 25 May 2017 (Report No: CAB/FH/17/027)

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee, presented this report which informed the Cabinet of the following items which had been discussed by the Committee on 25 May 2017:

- (1) Internal Audit Charter.
- (2) Internal Audit Annual Report (2016-2017) and Outline Internal Audit Plan (2017-2018).
- (3) Balanced Scorecards Report and Quarter 4 Performance 2016-2017.
- (4) Balanced Scorecard Indicators and Targets for 2017-2018.
- (5) West Suffolk Strategic Risk Register Quarterly Report – March 2017.
- (6) Work Programme Update.
- (7) Financial Performance Report (Revenue and Capital) Outturn 2016-2017.
- (8) Ernst and Young – Certification of Claims and Returns Annual Report (2015-2016).
- (9) Ernst and Young – External Audit Plan and Fees 2016-2017 and 2017-2018 Indicative Fees.

Councillor Busuttil also explained that, unfortunately, the meeting had been declared inquorate, with there only being two Members of the Committee in attendance. Therefore Items (1) and (2) listed above could not be formally considered and had, therefore, been adjourned and deferred to the next meeting of the Committee on 27 July 2017. Councillor Busuttil apologised to the Cabinet for this situation.

With the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/027, being the report of the Performance and Audit Scrutiny Committee, be noted.

330. Report of the Overview and Scrutiny Committee - 6 June 2017 (Report No: CAB/FH/17/028)

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 6 June 2017 and he also drew relevant issues to the attention of the Cabinet:

- (1) Presentation on Renewable Energy Provision for the Mildenhall Hub.
- (2) Work Programme and Re-Appointments to Task/Finish Groups/Suffolk County Council Health Scrutiny Committee.
- (3) Decisions Plan: June 2016 to May 2017.
- (4) Draft West Suffolk Annual Report (2016-2017).
- (5) Presentation by the Leader of the Council on his Portfolio Holder responsibilities.

With the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/028, being the report of the Overview and Scrutiny Committee, be noted.

331. Report of the West Suffolk Joint Growth Steering Group - 6 June 2017 (Report No: CAB/FH/17/029)

Councillor Lance Stanbury, Portfolio for Planning and Growth, presented this report which informed the Cabinet of the following items discussed by the Steering Group on 6 June 2017 and he also drew relevant issues to the attention of the Cabinet:

- (1) Road and Rail Infrastructure/Transport Infrastructure for West Suffolk.
- (2) Presentation from the Assistant Director (Growth) on Future Issues and Challenges.
- (3) Destination Management Organisation (DMO).
- (4) West Suffolk Community Energy Plan – Update.
- (5) Work Programme 2017/2018 and Revised Terms of Reference.
- (6) Dates of Future Meetings.

With the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/17/029, being the report of the West Suffolk Joint Growth Steering Group, be noted.

332. Mildenhall Hub - Investing in Renewable Energy Technologies (Report No: CAB/FH/17/030)

The Director presented this report which set out the principles and process for developing and adopting the previously agreed addendum to the main business case for the Mildenhall Hub in relation to investing in renewable energy technologies should planning consent be granted.

The final business case would be presented directly to Council on 26 July 2017, following further technical evaluation and clarity on the costs and benefits that could be delivered. Report No: CAB/FH/17/030 sought to clarify the preferred technologies in the light of work carried out to-date and the framework for the final business case. An outline of the proposed technologies being considered was also set out in paragraph 2.3 and Appendix 2 of the report.

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, explained that this had also been considered by the Committee at their meeting on 6 June 2017. The Committee was in general support for the renewable energy technologies being proposed within the scheme, but did have some reservations with regard to some of the figures presented with regard to the projected returns, particularly in relation to battery storage. Therefore, within the report which was to be presented to Council on 26 July 2017, Councillor Cole wished to ensure that the figures presented were more representative of the likely returns.

With the vote being unanimous, it was

RESOLVED:

That, on the basis set out in Report No: CAB/FH/17/030, a final business case for a renewable energy investment in the Mildenhall Hub Project, be presented to Council on 26 July 2017.

333. Leisure Opportunities in Newmarket (Report No: CAB/FH/17/031)

Councillor Lance Stanbury, Portfolio Holder for Planning and Growth presented this report which explained that, following on from the recommendations of the Forest Heath Retail and Leisure Study, this report informed Councillors of the findings of the feasibility study undertaken into the proposed leisure opportunities in Newmarket town centre and outlined the feasibility undertaken at potential sites. The detail of these potential sites were contained within the exempt Appendices to Report No: CAB/FH/17/031. Councillor Stanbury made specific reference to Section 2 of the report in relation to the staged approach which was being undertaken with this project and explained that throughout the process the Council would continue to engage with potential cinema operators to ensure market interest. Section 4 of the report also referred to the effect of the increased car parking demand within the town centre.

As well as considering the optimum location for a cinema and leisure offer, the project would also look at opportunities to enhance The Guineas. The Council must protect its investment in this site and ensure that any scheme that came forward, ultimately benefitted this development and the wider town centre offer. Therefore, to develop this opportunity further, shortlisted site schemes needed to be fully appraised and costed and, therefore, the Cabinet were also being requested to support the allocation of a budget facility of up to £50,000, to enable detailed feasibility to be undertaken to enable a preferred site to be selected.

Whilst considering this report, the Cabinet also wished to discuss the content of exempt Appendices 2 to 6 and as reference was to be made to specific detail, it was proposed, seconded and unanimously **RESOLVED** for these discussions to be held in private session (see Minute Number 343. below) and the press and public were then excluded from the meeting.

Following the conclusion of the discussions in the private session, the press and public were re-admitted to the meeting and with the vote being unanimous, it was

RESOLVED:

That:-

1. The assessment of a cinema and restaurant development for Newmarket, be supported, in principle.
2. A revenue budget facility of up to £50,000 be allocated and funded from the 'Investing in our Growth Agenda' Reserve, to enable detailed feasibility to be undertaken on preferred sites, to

improve cost confidence and enable the preferred site to be identified.

334. **Adoption of Public Space Protection Orders (Report No: CAB/FH/17/032)**

Councillor David Bowman, Portfolio Holder for Operations, presented this report which set out the responses which had been received to the consultation exercise, which had taken place from 20 February to 17 March 2017, in relation to the proposed adoption of Public Space Protection Orders (PSPOs).

Key stakeholders (Police, the Police and Crime Commissioner, Parish Councils, The Kennel Club, RSPCA and Forest Heath District Council Elected Members) had been consulted individually. Given the results of the public feedback (including from the key stakeholders), it was being recommended that the new Orders be adopted, as set out in Report No: CAB/FH/17/032.

In response to a query raised by Councillor Simon Cole at the meeting, Officers also confirmed that the Parish of Exning was included within these Orders.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The results of the consultations associated with the proposed Public Space Protection Order (PSPO), be noted.
2. The proposed new Public Space Protection Order (PSPO), attached as Appendix A to Report No: CAB/FH/17/032, be approved, in relation to:
 - Dog Fouling
 - Banning of dogs from certain specific children's play areas and certain specific fenced football pitch areas.

335. **Discretionary Rate Relief Following Revaluation - Development of a Local Scheme 2017/2018 (Report No: CAB/FH/17/033)**

The Cabinet Member for Resources and Performance presented this report which set out a proposed scheme for adoption for the granting of Discretionary Rate Relief for businesses facing the steepest increases in their Business Rates bills, as a result of the 2017 Business Rates Revaluation.

The suggested Guidelines, as detailed in Appendix A to Report No: CAB/FH/17/033), set out the criteria to be taken into consideration in deciding whether rate relief should be given, the procedure for applications and an appeals process where there had been a refusal to grant relief. Awards of relief would be reviewed annually and the Guidelines would help to

determine which organisations should receive relief for the period commencing 1 April 2017.

It was also being proposed that delegated authority be given to the Assistant Director (Resources and Performance), in consultation with the Portfolio Holders for Planning and Growth and for Resources and Performance, to agree the scheme guidance for 2018/2019 onwards, in line with the funding available and any feedback from businesses from the 2017/2018 scheme. Any major and significant changes to the overall design of the local scheme would be considered by Cabinet.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The principles of the Scheme and the Guidelines, as set out in Appendix A to Report No: CAB/FH/17/033, be approved.
2. Delegated authority be given to the Assistant Director (Resources and Performance), in consultation with the Portfolio Holders for Planning and Growth and for Resources and Performance, to agree the Scheme guidance for 2018/19 onwards, in line with the funding available and any feedback from businesses from 2017/2018 Scheme.

336. West Suffolk Joint Pay Policy Statement 2017/2018 (Report No: CAB/FH/17/034)

Councillor Stephen Edwards, Portfolio Holder for Resources and Performance, presented this report which explained that Section 38/11 of the Localism Act 2011 required local authorities to produce a Pay Policy Statement annually.

An amended Appendix 1 to Report No: CAB/FH/17/035 was also circulated at the meeting, as the version within the agenda papers had contained some typographical errors.

Councillor Edwards explained that a Joint Pay Policy Statement for 2017/2018, as set out in the amended Appendix 1 to the report, reflected a shared workforce and the single Pay and Reward Strategy in place for St Edmundsbury Borough and Forest Heath District Councils. It also incorporated the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL: (26 July 2017)

That the West Suffolk Joint Pay Policy Statement for 2017/2018, as contained in Appendix 1 (*as amended*) to Report No: CAB/FH/17/034, be approved.

337. **Draft West Suffolk Annual Report 2016/2017 (Report No: CAB/FH/17/035)**

The Cabinet received this report which highlighted the key activities and developments that had been achieved over the financial year 2016-2017, with regard to the priorities set out in the West Suffolk Strategic Plan.

This year's Annual Report had been produced in a more modern approach/format. It was hoped that the new format would be more engaging and would provide the opportunity to produce updates on the achievements throughout the year. The Annual Report also contained a number of case studies and examples from West Suffolk to illustrate the achievements described.

On 6 and 7 June 2017 respectively, the draft Annual Report was presented to both the St Edmundsbury Borough and the Forest Heath District Councils' Overview and Scrutiny Committees, where a number of suggestions had been recommended to amend the document. These suggested amendments were tabled at the Cabinet meeting:

- Page 9, under the section 'supporting our markets' include the sentence: *'We are working with Suffolk County Council to improve the offer on the market in Newmarket and look forward to reporting on how this progresses later in the year.'*
- Page 21, under 'locality budgets' include the sentence: *'This webpage is regularly updated with information about the latest projects that we support.'*
- Page 27, under 'promoting physical activity' remove 'Clare'. Therefore the focus will remain on the largest population centres.
- Annex 1, 'Community Chest Funding' include the geographical area the organisation serves and the amount of funding allocated to each organisation.
- Furthermore, the Community Chest Funding list had changed because the one circulated to the Overview and Scrutiny Committees stated who had been allocated funding in 2016/17, whereas this new correct list stated who actually received funding in 2016/17. As a result the following amendments would be made to the Annual Report:
 - Page 21, remove the sentence: *'In this year there has been a particular focus on how organisations can support people to make positive choices and behaviour change to prevent ill health, supported with funds of £160,000 from Suffolk County Council's Public Health department.'* This was because the funding from Suffolk County Council would be available to support organisations focusing on making behaviour changes to prevent ill health in 2017/18.
 - Page 21, change £593,263 to £417,522.

With the vote being unanimous, it was

RESOLVED:

That the West Suffolk Annual Report 2016/2017, as contained in Appendix A to Report No: CAB/FH/17/035, be approved (as amended), to incorporate the revisions recommended by Forest Heath District and St Edmundsbury Borough Councils' Overview and Scrutiny Committee (as tabled at the Cabinet meeting held on 20 June 2017).

338. West Suffolk Community Energy Plan - Investing in New Opportunities (Report No: CAB/FH/17/036)

Councillor Lance Stanbury, Portfolio Holder for Planning and Growth, presented this report which explained that since 2016, the opportunities to invest in energy-saving and generating technologies had continued to grow. Therefore, it was being proposed that the existing approved Officer/Member delegations be extended to authorise the current nominated capital allocation to be spent on any energy-related investment opportunities, where they were in line with the Council's agreed financial returns and strategic objectives. This would, therefore, allow investment in new technologies as they became commercially attractive.

By extending the scope of already allocated capital investment, the Council would be able to build upon the successes of its shared policy of encouraging sustainable energy solutions and, in particular, the West Suffolk Community Energy Plan.

With the vote being unanimous, it was

RESOLVED:

That, following the continued success of the Council's policy to invest and support sustainable energy solutions under the West Suffolk Community Energy Plan, the existing delegations be extended, so that the Service Manager (Environmental Health), in consultation with the Portfolio Holder for Planning and Growth, be allowed to authorise the current nominated capital allocation to be spent on any energy-related investment opportunities, where they are in line with the Council's agreed financial returns and strategic objectives.

339. Modern Slavery and Anti- Trafficking Statement (Report No: CAB/FH/17/037)

The Cabinet received this report which explained that the Modern Slavery Act 2015 was designed to tackle slavery in the UK and consolidated previous offences relating to trafficking and slavery. Section 54 of the Act required commercial organisations, with a turnover of more than £36m, to publish an annual "Slavery and Human Trafficking Statement". Organisations were required to set out the steps they had taken to ensure that slavery was not taking place in any part of the business or supply chain.

Section 54 of the Act also required the Council to consider modern slavery as part of its Procurement Strategy, ensuring that contractors and third parties had policies in place and adhered to the law and their responsibilities. In terms of best practice and with reference to Section 54, the West Suffolk Councils' would publish a Statement of the steps it had taken to ensure that slavery and human trafficking was not taking place in any of its supply chains, or in any part of its business. This proposed Statement was attached at Appendix 1 to Report No: CAB/FH/17/037.

With the vote being unanimous, it was

RESOLVED:

That the Modern Slavery and Anti-Trafficking Statement, as set out in Appendix 1 to Report No: CAB/FH/17/037, be endorsed and approved.

340. Decisions Plan: June 2017 to May 2018 (Report No: CAB/FH/17/038)

The Cabinet considered Report No: CAB/FH/17/037, which was the Cabinet Decisions Plan covering the period June 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.

341. Exclusion of the Press and Public

With the vote being unanimous, it was

RESOLVED:

That the press and public be excluded during the consideration of the following items 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 items, 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 each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

342. Financial Support for Newmarket Open Door - Supported and Temporary Accommodation (para 3) (Report No: CAB/FH/17/039)

The Cabinet received this report which set out a request for financial support from Newmarket Open Door to secure an existing property for the provision of supported and temporary accommodation.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The provision of financial support to Newmarket Open Door for the provision of supported and temporary accommodation, be approved, on the terms set out in Option 4 of Report No: CAB/FH/17/039.
2. The funding be allocated from the Council's capital programme allocation for affordable housing (with the residual balance being £355,000).
3. Delegated approval be given to the Assistant Director (Families and Communities), in consultation with the Portfolio Holder for Housing and with the Deputy Leader of Forest Heath District Council, to finalise the detail of the agreement.

343. Leisure Opportunities in Newmarket (Exempt Appendices 2 to 6 of Report No: CAB/FH/17/031) (para 3)

The Cabinet considered the exempt Appendices to Report No: CAB/FH/17/031, where reference was made to the specific detail contained within these.

Once the discussions were concluded in the private session on these Appendices, the meeting then moved back into the open session, where the press and public were re-admitted and the Cabinet then voted on the recommendations contained within the report (see Minute Number 333. above)

The Meeting concluded at 6.48 pm

Signed by:

Chairman
