

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Cabinet** held on
Tuesday 27 June 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:

Sarah Broughton

(Chairman of the Overview and Scrutiny
Committee)

Diane Hind

(Chairman of the Performance and Audit
Scrutiny Committee)

In attendance:

Susan Glossop

343. **Remembrance**

The Cabinet observed a minute's silence in remembrance of the victims of the recent Grenfell Tower fire and terrorist attack at Finsbury Park in London.

344. **Apologies for Absence**

No apologies for absence had been received.

345. **Minutes**

The minutes of the meetings held on 30 and 31 May 2017 were confirmed as correct records and signed by the Chairman.

346. **Open Forum**

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

347. **Public Participation**

There were no members of the public in attendance.

**348. Report of the Performance and Audit Scrutiny Committee:
25 May 2017**

The Cabinet received and noted Report No: CAB/SE/17/031, which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny 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 and Quarter 4 Performance Report 2016-2017;
- (4) Balanced Scorecards Indicators and Targets for 2017-2018;
- (5) West Suffolk Strategic Risk Register Quarterly Monitoring Report – March 2017;
- (6) Work Programme Update;
- (7) Ernst and Young – Certification of Claims and Returns Annual Report (2015-2016);
- (8) Ernst and Young – External Audit Plan and Fees 2016-2017 and 2017-2018 Indicative Fees; and
- (9) Financial Performance Report (Revenue and Capital) Outturn 2016-2017.

Councillor Sarah Broughton, Chairman of the Performance and Audit Scrutiny Committee (PASC) drew relevant issues to the attention of the Cabinet, including that the first six items listed above had been considered jointly with Forest Heath District Council's PASC during an informal meeting. She added that a representative of Ernst and Young, the Council's external auditors, had attended the meeting and had indicated that a reduction in fee of £6,100 was anticipated for the audit certification work that had been undertaken for the 2015/2016 year. In addition, Councillor Broughton informed that the outturn revenue and capital position for 2016/2017 showed an underspend of £160,000. This sum had been transferred to the Council's Invest to Save Reserve, which was in accordance with the resolution of full Council in February 2017.

The Cabinet was pleased to note the above and thanked Councillor Broughton for the work of her Committee regarding its role in helping to achieve this position.

349. Report of the Overview and Scrutiny Committee: 7 June 2017

The Cabinet received and noted Report No: CAB/SE/17/032, which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 7 June 2017:

- (1) Draft West Suffolk Annual Report 2016/2017;
- (2) Annual Presentation by the Leader of the Council on his Portfolio Holder responsibilities;
- (3) Decisions Plan: June 2017 to May 2018;
- (4) Work Programme and Re-appointments to Suffolk County Council Health Scrutiny Committee.

Councillor Diane Hind, Chairman of the Committee, drew relevant issues to the attention of Cabinet, including that a detailed discussion had been held on the performance of Suffolk County Council (SCC) as the Highway Authority. This had arisen as a result of concerns raised by residents and parish councils to Committee Members regarding the perceived lack of and standard of highway maintenance in certain areas. The Committee would be considering at its next meeting on 19 July 2017, whether to add this issue to its work programme for future scrutiny.

Councillor Hind was also pleased to report that following the Committee's recommendation and subsequent ratification by Council on 13 June 2017, Councillors Paul Hopfensperger and Margaret Marks had been re-appointed as the Borough Council's nominated representative and substitute respectively on SCC's Health Scrutiny Committee for 2017/2018.

350. Report of the West Suffolk Joint Growth Steering Group: 6 June 2017

The Cabinet received and noted Report No: CAB/SE/17/033, which informed the Cabinet of the following substantive items discussed by the West Suffolk Joint Growth Steering Group on 6 June 2017:

- (1) Road and Rail Infrastructure and 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; and
- (5) Work Programme 2017/2018 and Revised Terms of Reference.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Cabinet, including reminding Members that as part of its commitment to Growth moving forward and the Cabinet's amendments to the terms of reference for the West Suffolk Joint Growth Steering Group, it was important that the Cabinet was kept informed of progress made by this increasingly significant and evolving Group.

He added that the Group had received an extremely informative presentation by the Strategic Traffic Manager at Suffolk County Council (SCC) regarding projects that had been included in SCC's Road Investment Strategy 2 (RIS2) funding bid for the period 2020-2025, and drew attention to the actions arising from this from a West Suffolk Councils' perspective, as set out in the report. Councillor Pugh considered this presentation should be provided to all Members to keep them abreast of forthcoming and proposed revisions to such infrastructure, particularly across West Suffolk.

351. Draft West Suffolk Annual Report 2016/2017

The Cabinet considered Report No: CAB/SE/17/034, which sought approval for the draft West Suffolk Annual Report 2016/2017.

The Annual Report 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.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that a more modern approach to the presentation and format of the Annual Report had been taken this year, which was less resource intensive than the previous traditional type-set report. The creation of a new dedicated webpage highlighting the West Suffolk Councils' key achievements in different formats hoped to create further engagement with partners and stakeholders, together with providing the opportunity to give ongoing updates on successes and achievements throughout the year.

On 6 and 7 June 2017, the draft Report was presented to the respective Forest Heath District and St Edmundsbury Borough Councils' Overview and Scrutiny Committees for consideration, which resulted in a number of amendments being recommended, as set out in paragraph 1.1.3 of Report No: CAB/SE/17/034, and had been incorporated into the final draft as presented to Cabinet for approval.

A detailed discussion was held and whilst the Cabinet commended the content of the Report and supported the new approach regarding its presentation, Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, considered the following revisions should be made:

- That more emphasis should be placed on the importance of Growth moving forward to ensure an accurate reflection of the work undertaken in this key priority area during 2017/2018 and beyond was sufficiently captured in next year's Annual Report; and
- That '*Clare*' should not be removed from the list of 'centres of population' identified under the commitment to 'promoting physical activity' contained on Page 27 of the Annual Report, as proposed by the Overview and Scrutiny (O&S) Committee. The O&S Committee had considered that a holistic, place-based solution approach to promoting physical activity should remain focussed on the major centres of population, namely Brandon, Bury St Edmunds, Haverhill, Mildenhall and Newmarket. Councillor Pugh considered that the small town of Clare should remain within this list, as originally proposed, as Clare currently offered a wide range of physical health activities, the scale and important benefits of which should continue to be recognised and promoted accordingly.

Other Cabinet Members supported Councillor Pugh's proposed revisions above, and it was agreed that delegated authority should be given to the Assistant Director (Families and Communities) to finalise the wording for the Annual Report, in consultation with the Leader of the Council, Portfolio Holder for Planning and Growth and Chairman of Overview and Scrutiny Committee.

RESOLVED:

That:

- (1) delegated authority be given to the Assistant Director (Families and Communities), in consultation with SEBC's Leader of the Council, Portfolio Holder for Planning and Growth and Chairman of Overview

and Scrutiny Committee, to make minor amendments to the West Suffolk Annual Report 2016/2017 in connection with:

- (a) placing more emphasis on the importance of Growth moving forward; and
 - (b) reinstating 'Clare' under 'Promoting Physical Activity' (page 27) for the reasons set out in the minutes for the Cabinet meeting held on 27 June 2017; and
- (2) subject to (1) above, the West Suffolk Annual Report 2016/2017, as contained in Appendix A to Report No: CAB/SE/17/034, be approved.

352. **Bury St Edmunds Town Centre Masterplan Progress**

The Cabinet considered Report No: CAB/SE/17/035, which provided an update on progress on the emerging Bury St Edmunds Town Centre Masterplan.

The aim of the masterplan was to set guidelines for the future growth and development of Bury St Edmunds town centre and to provide the framework for individual development proposals to be assessed when they came forward.

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Cabinet, including that consultation had been undertaken between 27 February and 21 April 2017 on the proposed Issues and Options, which informed the development of the draft masterplan, and a further period of consultation would be carried out over summer 2017 on the draft itself.

A summary of the initial findings that emerged from the consultation on the Issues and Options were contained in Section 1.7 of the report, with details of the full responses contained in Appendix A.

The key messages emanating from the development of the masterplan were contained in Section 1.4 of the report, which centred around:

- (a) Ambition;
- (b) People;
- (c) Future Investment; and
- (d) Track Record.

Approval was then sought for delegated authority to be given to the Assistant Director (Growth), in consultation with the Portfolio Holder for Planning and Growth, to approve the draft Masterplan Report for public consultation. This action would be undertaken following consideration and endorsement given to go out to consultation on the draft by the Bury St Edmunds Town Centre Masterplan Working Group, which consisted of a number of partners and stakeholders, as set out in paragraph 1.2.3.

RESOLVED:

That:

- (1) the outcome of consultation into the Bury St Edmunds Town Centre Masterplan issues and options, as summarised in paragraphs 1.6 and 1.7 of Report No: CAB/SE/17/035, be noted; and
- (2) delegated authority be given to the Assistant Director (Growth), in consultation with the Portfolio Holder for Planning and Growth, to approve the draft Masterplan Report for public consultation.

353. **West Suffolk Community Energy Plan – Investing in New Opportunities**

The Cabinet considered Report No: CAB/SE/17/036, which sought approval for extending the scope to enable the Council to invest in a wider range of sustainable energy opportunities using already approved capital.

A minor amendment was sought to the recommendation, which should have stated:

'....., so that the Service Manager (Environmental Health), in consultation with the Portfolio Holder for Planning and **Growth Regulatory Services**.....'

Councillor Alaric Pugh, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Cabinet, including the scope of technologies currently approved and the opportunities now open to the Council to invest in further energy-saving and generating technologies, as detailed in Section 2 of the report.

The Cabinet acknowledged that it needed to build upon the successes of its policy of encouraging sustainable energy solutions as part of the West Suffolk Community Energy Plan and therefore supported the proposal to extend the existing approved delegations 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.

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, Cabinet approves that the existing delegations are extended, so that the Service Manager (Environmental Health), in consultation with the Portfolio Holder for Planning and Growth, is 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.

354. **Discretionary Rate Relief Following Revaluation – Development of a Local Scheme 2017/2018**

The Cabinet considered Report No: CAB/SE/17/037, which sought approval for granting discretionary rate relief for businesses facing the steepest increases in their business rates as a result of the 2017 business rates revaluation.

The suggested Guidelines, as detailed in Appendix A attached to the report, 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.

Councillor Ian Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including that subject to the proposals being approved, in order to provide clarification and certainty to businesses that may be eligible for the scheme, agreement be sought from the Chairman of the Overview and Scrutiny Committee for the matter to be treated as a matter of urgency and therefore be exempt from call-in. This would be in accordance with Section 14.4 of the Overview and Scrutiny Committee Procedure Rules of the Constitution.

The Cabinet acknowledged the proposals would assist with preventing hardship for businesses most affected by the 2017 business rates revaluation and agreed the proposed scheme would help ease this pressure. Seeking an exemption from call-in was also agreed to be a sensible approach.

RESOLVED:

That:

- (1) the principles of the proposed Discretionary Rate Relief Scheme 2017/2018 (following revaluation) and the guidelines as set out in Report No: CAB/SE/17/037 and its appendices, be approved; and
- (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 2018/2019 onwards, in line with the funding available and any feedback from businesses from the 2017/2018 scheme.

(Subsequent to the meeting, the provisions contained in Section 14.4 of the Overview and Scrutiny Committee Procedure Rules of the Constitution were applied, which states:

'A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or public interest.'

This decision was considered to be urgent and in accordance with the aforementioned rules. The Chairman of the Overview and Scrutiny Committee had both agreed that the decision proposed was reasonable in all the circumstances and to it being treated as a matter of urgency, and therefore being exempt from call-in. This matter would be reported to the next available meeting of Council, together with the reasons for the urgency.)

355. West Suffolk Joint Pay Policy Statement 2017/2018

The Cabinet considered Report No: CAB/SE/17/038, which presented the West Suffolk Joint Pay Policy Statement 2017/2018.

Section 38/11 of the Localism Act 2011 required local authorities to produce a Pay Policy Statement annually. Councillor Houlder, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet. He stated that a Joint Pay Policy Statement for 2017/2018, attached as Appendix 1 to the report had been produced, that 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.

RECOMMENDED TO COUNCIL:

That the West Suffolk Joint Pay Policy Statement 2017/2018, as contained in Appendix 1 to Report No: CAB/SE/17/038, be approved.

356. Modern Slavery and Anti-Trafficking Statement

The Cabinet considered Report No: CAB/SE/17/039, which sought approval and endorsement of a proposed Modern Slavery and Anti-Trafficking Statement.

Attached as Appendix 1 to the report was a proposed Statement made in pursuant to section 54 (1) of the Modern Slavery Act 2015, which set out the West Suffolk Councils' actions to understand the potential modern slavery risks related to their own activities; and to put steps in place to ensure no slavery or human trafficking existed within their own organisations and supply chains.

Modern Slavery was estimated to be one of the world's most profitable criminal activities. A 2014 assessment, conducted by the Home Office, estimated that there were between 10,000 and 13,000 victims in the UK. Sexual exploitation was the most common form of modern slavery currently reported by potential victims in the UK, followed by labour exploitation, forced criminal exploitation and domestic servitude.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that the Council was required 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. The West Suffolk Councils were committed to ensuring that suppliers adhered to the highest standards of ethics.

The Cabinet fully supported the proposed Statement and recognised the importance and commitment to ensuring slavery and human trafficking was not taking place within the organisation or its supply chains.

A discussion was held regarding the work undertaken with partners and stakeholders to prevent situations where slavery and human trafficking might occur. Training was available for staff to improve awareness and to inform of reporting procedures should such incidents be suspected, which was asked to be extended so that it could also be made available for Members.

RESOLVED:

That the Modern Slavery and Anti- Trafficking Statement 2017, set out in Appendix 1 of Report No: CAB/SE/17/039, be endorsed and approved.

357. Decisions Plan: June 2017 to May 2018

The Cabinet considered Report No: CAB/SE/17/040, which was the executive 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.

The meeting concluded at 5.44 pm

Signed by:

Chairman
