

Extraordinary Cabinet



Forest Heath
District Council

Title of Report:	A Single Council for West Suffolk: Business Case	
Report No:	CAB/FH/17/045	
Report to and date/s:	Council	27 September 2017
	Extraordinary Cabinet	27 September 2017
Portfolio holder:	James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Ian Gallin Chief Executive Tel: 01284 757009 Email: ian.gallin@westsuffolk.gov.uk	
Purpose of report:	If, at the Council meeting on 27 September 2017, a decision is taken to submit the business case for a single West Suffolk Council to the Secretary of State for consideration, this report invites Cabinet to endorse the decision.	
Recommendation:	<p>It is <u>RECOMMENDED</u> that Cabinet:</p> <p>(1) Endorses the decision of the Council meeting of 27 September 2017 to submit the business case for a single Council for West Suffolk to the Secretary of State for consideration.</p> <p>(2) Delegates the Chief Executive, in consultation with the Leader of the Council, to make any minor amendments to the business case as requested by the Secretary of State to obtain his support to the proposal.</p>	

<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>(a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</p> <p>(i) be significant in terms of its effects on communities living or working in an area in the Borough/District; or</p> <p>(ii) result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme;</p> <p>(iii) comprise or include the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objections, the approval of a Minister of the Crown.</p> <p>(b) A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this [the] Constitution.</p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot usually be actioned until five clear working days of the publication of the decision have elapsed. However, on this occasion, the Chairman of the Overview and Scrutiny Committee has agreed this decision may be considered as urgent and therefore not subject to call-in procedures. (See Report No: COU/FH/17/026). This item is included on the Decisions Plan.</i></p>	
<p>Ward(s) affected:</p>	<p>All wards</p>
<p>Background papers:</p> <p><i>(all background papers are to be published on the website and a link included)</i></p>	<p>Draft Business Case, as considered by Council on 14 June 2017 and available at COU/FH/17/013):</p> <p>https://democracy.westsuffolk.gov.uk/documents/s20788/COU.FH.17.013%20West%20Suffolk%20Council%20Report.pdf</p> <p>Scoping Report to Joint informal Cabinet (CAB/FH/17/026) 30 May 2017</p> <p>https://democracy.westsuffolk.gov.uk/documents/g3746/Public%20reports%20pack%20Tuesday%2030-May-2017%2016.38%20Forest%20Heath%20Cabinet.pdf?T=10</p> <p>Council Report No: COU/FH/17/026 27 September 2017</p>
<p>Documents attached:</p>	<p>None</p>

- 1.1 Immediately prior to this meeting, Council will consider a business case to create a single Council for West Suffolk.
- 1.2 As members will be aware from previous considerations relating to Devolution, the determination of business cases to change the operation of local authorities under the Cities and Local Government Devolution Act 2016 are considered to be executive decisions, not Council decisions.
- 1.3 This position has been clarified and confirmed with Department of Communities and Local Government (DCLG) who will not accept the business case unless it is accompanied with an Executive decision; further, failure to do so could increase the risk of challenge. Thus, Cabinet is being required to independently assess the business case and determine whether they support and approve the submission of the Business Case for submission to the Secretary of State.
- 1.4 To expedite the Secretary of State's consideration, DCLG have indicated it would be helpful for delegated authority to be given to the making of minor amendments to the business case.