

Extraordinary (Informal Joint) Cabinet



Notes of informal discussions of the **SEBC/FHDC Cabinets** held on
Tuesday 9 January 2018 at 6.20 pm in the **Conference Chamber West,**
West Suffolk House, Bury St Edmunds, IP33 3YU

Present:

Councillors

St Edmundsbury Borough Council (SEBC)

John Griffiths (in the Chair for the informal discussions)

Carol Bull	Alaric Pugh
Robert Everitt	Joanna Rayner
Sara Mildmay-White	Peter Stevens
Ian Houlder	

Forest Heath District Council (FHDC)

James Waters

David Bowman	Robin Millar
Andy Drummond	Lance Stanbury
Stephen Edwards	

By invitation:

Sarah Broughton (SEBC)	Chairman of SEBC's Performance and Audit Scrutiny Committee
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Louis Busuttil (FHDC)	Chairman of FHDC's Performance and Audit Scrutiny Committee
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In attendance:

Susan Glossop (SEBC)	David Nettleton (SEBC)
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Prior to the formal meeting, informal discussions took place on the following substantive items:

- (1) Tackling Rogue Landlords: Civil Sanctions Policy; and
- (2) Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017.

All Members of Forest Heath District Council's Cabinet had been invited to attend St Edmundsbury Borough Council's Offices at West Suffolk House, Bury St Edmunds to enable joint informal discussions on the reports to take place between the two authorities, prior to seeking formal approval at their respective separate Cabinet meetings, immediately following the informal discussions.

The Chairman/Leader of St Edmundsbury Borough Council, welcomed all those present to West Suffolk House. The Service Manager (Democratic Services) and Monitoring Officer firstly advised on the format of the proceedings for the informal discussions and subsequent separate meetings of each authority.

Under their Constitutions, both Cabinets listed as standing agenda items: an 'Open Forum', which provided the opportunity for non-Cabinet Members to discuss issues with Cabinet and also 'Public Participation', which provided the opportunity for members of the public to speak. Therefore, as any matters arising from the discussions held during these agenda items may have some bearing on the decisions taking during the separate formal meetings, non-Cabinet Members and members of the public were invited to put their questions/statements prior to the start of the joint informal discussions.

1. Open Forum

No non-Cabinet Members in attendance wished to speak during the informal joint discussions.

2. Public Participation

There were no members of the public in attendance.

3. Tackling Rogue Landlords: Civil Sanctions Policy (Report Nos: CAB/SE/18/001 and CAB/FH/18/001)

The Cabinets considered the above report, which sought endorsement of a proposed approach to be taken for developing a new Civil Sanctions Policy.

Under the Housing and Planning Act 2016, new powers were available to councils for tackling rogue landlords. The new legislation helped regulate the worst unsafe properties and landlords in the private rented sector, which included providing a streamlined alternative to prosecution, albeit with the same level of evidence and an appeals process in place. Options included the imposition of civil penalty fines, rent repayment orders and banning orders for non-compliance with certain Housing Act 2004 offences, further details of which were contained in Appendix A attached to the report.

Councillor Sara Mildmay-White, West Suffolk's Lead Member for Housing, drew relevant issues to the attention of both Cabinets, including that the development of the new policy would assist with tackling the small number of rogue landlords in West Suffolk, improve the wellbeing of tenants and protect the interests of compliant landlords. An engagement process would shortly be undertaken on the draft policy with landlords, tenants, interested groups and other stakeholders, following which the final policy would be presented to each Cabinet for adoption (with new delegated powers to officers for

incorporation into their respective Constitutions being presented to each Council for approval).

The Cabinets fully endorsed the approach and the recommendation set out on page 1 of the report was unanimously supported by both Cabinets.

4. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017 (Report Nos: CAB/SE/18/002 and CAB/FH/18/002)

The Cabinets received and noted the above report, which informed Members of the following items discussed by the Anglia Revenues and Benefits Partnership Joint Committee on 5 December 2017:

- (1) Highlight Report, Balance Scorecard, Finance Report and 2018/2019 Budget;
- (2) Information about Directors of the ARP Trading Company and Operational Improvement Board Report;
- (3) Service Delivery Plan and Risk Register; and
- (4) Welfare Reform Update.

Councillors Stephen Edwards (FHDC) and Ian Houlder (SEBC), Portfolio Holders for Resources and Performance, drew relevant issues to the attention of the Cabinets, including that the Joint Committee had set its budget for the 2018/2019 year and approved a revised Service Delivery Plan and Risk Register.

Both Members expressed their thanks to Jill Korwin, Director and the Anglia Revenues and Benefits Partnership (ARP) team for the manner in which the West Suffolk councils were mitigating the effects of being slightly below target for business rates collection, as set out in paragraph 1.1.10.

Councillor Edwards commended the success of the ARP Enforcement Agency and subsequently explained that in contrast to the information reported in paragraph 1.4.1 (a) of the report, the roll-out of the full Universal Credit service for Forest Heath District Council had now been delayed from September 2018 to December 2018.

The item was duly noted by both Cabinets.

(With the agreement of the Chairman, the following matter was considered at this point during the informal discussions.)

5. Review and Appointment of the Cabinet's Working Parties, Joint Panels and Other Groups (Report Nos: CAB/SE/18/004 and CAB/FH/18/005)

The Cabinets considered the above reports, which presented an interim review of each Cabinet's Working Parties, Joint Panels and Other Groups.

Whilst there remained differences between the two reports as each Cabinet appointed some Working Groups/Parties and implemented arrangements that were individual to the separate authorities, the Cabinets were asked whether

they wished to jointly discuss the common elements of the reports, namely the review undertaken on the following bodies:

- (a) Growth and Innovation Group (which had been proposed to replace the existing West Suffolk Joint Growth Steering Group);
- (b) Future Governance Steering Group;
- (c) West Suffolk Joint Health and Safety Panel;
- (d) West Suffolk Joint Staff Consultative Panel; and
- (e) Joint Member Development Group.

The Cabinets were content with the proposed joint arrangements set out in the reports and considered each paper in further detail during their separate formal meetings.

On the conclusion of the informal joint discussions at 6.35 pm, the Chairman then formally opened the meeting of St Edmundsbury Borough Council's Cabinet at 6.36 pm in the Conference Chamber West, which upon conclusion at 6.47 pm, was immediately followed by Forest Heath District Council's Cabinet, also in the Conference Chamber West.

Extraordinary Cabinet



Forest Heath
District Council

Minutes of an extraordinary meeting of the **Cabinet** held on
Tuesday 9 January 2018 at 6.47 pm in the **Conference Chamber West,**
West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU

Present: **Councillors**

Chairman James Waters (Leader of the Council)

Vice Chairman Robin Millar (Deputy Leader of the Council)

David Bowman
Andy Drummond

Stephen Edwards
Lance Stanbury

By Invitation:

Louis Busuttil

(Chairman of the Performance and
Audit Scrutiny Committee)

397. **Apologies for Absence**

There were no apologies for absence.

398. **Open Forum**

This item had already been considered during the informal discussions in relation to Items 4. and 5. on the agenda (Item 1 above refers).

No other non-Cabinet Members in attendance wished to speak on Items 6. to 8.

399. **Public Participation**

This item had already been considered during the informal discussions in relations to Items 4. and 5. on the agenda (Item 2 above refers).

No additional members of the public joined the meeting wishing to speak on Items 6. to 8.

400. **Tackling Rogue Landlords: Civil Sanctions Policy (Report No: CAB/FH/18/001)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/001, it was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the approach by which the Public Health and Housing Team wishes to develop the new Civil Sanctions Policy, be noted and endorsed, which will allow the West Suffolk Councils to implement the new measures and sanctions which will support existing enforcement work and pro-active inspection programmes.

401. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 5 December 2017 (Report No: CAB/FH/18/002)

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Cabinet on Report No: CAB/FH/18/002, it was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/18/002, being the report of the Anglia Revenues and Benefits Partnership Joint Committee, be noted.

402. Report of the Performance and Audit Scrutiny Committee: 29 November 2017 (Report No: CAB/FH/18/003)

Councillor Louis Busuttil, Chairman of the Performance and Audit Scrutiny Committee presented this report which informed the Cabinet of the following substantive items discussed by the Committee on 29 November 2017:

- (1) External Quality Assessment of Internal Audit against the Public Sector Internal Audit Standards.
- (2) Mid-year Internal Audit Progress Report 2017-2018.
- (3) Balanced Scorecard and Quarter 2 Performance Report 2017-2018.
- (4) West Suffolk Strategic Risk Register Monitoring Report – September 2017.
- (5) Work Programme Update.
- (6) Building Control – Improvement Plan.
- (7) Ernst and Young – Presentation of Annual Audit Letter 2016-2017.
- (8) Financial Performance Report (Revenue and Capital) – Quarter 2 2017-2018.
- (9) Delivering a Sustainable Medium Term Financial Strategy 2018-2021.
- (10) Mid-year Treasury Management Report and Investment Activity (April to September 2017).

Councillor Busuttil drew relevant issues to the attention of the Cabinet, including that the Committee's recommendations relating to Items (9) and (10) above had been considered and approved by the Cabinet at its meeting on 12 December 2017. Councillor Busuttil also wished to commend the work of the Finance Team in achieving an unqualified opinion from the External Auditors on the Council's financial statements.

It was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the contents of Report No: CAB/FH/18/003, being the report of the Performance and Audit Scrutiny Committee, be noted.

403. Mildenhall Hub (Report No: CAB/FH/18/004)

The Cabinet received this report which provided an update on progress with the Mildenhall Hub project from the Council's perspective, as the project moved into its delivery stage, since receiving planning consent in November 2017. Based on the current timetable (as outlined in paragraph 1.5 of the report), the project was due for completion in early 2020.

In terms of funding and costs, even though there had been changes to the project over the last year, there was not a need, at this time, to amend the Council's agreed financial business case from February 2017. The projected net position was a small revenue surplus (essentially a break-even position) from a total capital budget of £22m.

It was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That the progress in delivering the Mildenhall Hub project and the new projected timetable, as outlined in Report No: CAB/FH/18/004, be noted.

404. Review and Appointment of the Cabinet's Working Groups/Joint Panels and Other Groups (Report No: CAB/FH/18/005)

The Cabinet considered this report which provided an interim review of the Cabinet's Working Group, Joint Panels and Other Groups.

As the Cabinet's Local Plan Working Group and, presently, the West Suffolk Joint Growth Steering Group, were constituted with having regard to the political balance of the Council, an interim review of the membership and Terms of Reference (ToR) of the Working Group, Joint Panels and other Groups had been undertaken, as a result of recent changes to the political composition of the Council.

This had also provided an opportunity to review and propose amendments to the ToR for the existing West Suffolk Joint Growth Steering Group and the Future Governance Steering Group.

Relevant issues were drawn to the attention of the Cabinet, including that approval of the majority of the recommendations meant no changes would be made to the existing arrangements.

However, it was being recommended that the West Suffolk Joint Growth Steering Group be replaced by the Growth and Innovation Group for the reasons set out in paragraphs 1.3.2 to 1.3.8 of the report. It was also being recommended that the ToR for the Future Governance Steering Group be amended to enable it to consider a wider range of technical issues to ensure

the appropriate governance was in place for the creation of the new single council for West Suffolk.

With the exception of the new Growth and Innovation Group, which was proposed not to have a defined membership, Table 1 contained in each Appendix, the existing membership for the various bodies and it was proposed these be re-appointed.

It was proposed, seconded and with the vote being unanimous, it was

RESOLVED:

That:-

1. The Local Plan Working Group continues to operate in accordance with its Terms of Reference, as detailed in Appendix A of Report No: CAB/FH/18/005.
2. The existing West Suffolk Joint Growth Steering Group be disbanded and replaced by the Growth and Innovation Group, in accordance with the new Terms of Reference contained in Appendix B of Report No: CAB/FH/18/005.
3. The Future Governance Steering Group continues to operate, in accordance with the amended Terms of Reference contained in Appendix C of Report No: CAB/FH/18/005.
4.
 - (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 D and E respectively of Report No: CAB/FH/18/005; 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 1.3.16 of Report No: CAB/FH/18/005.
5.
 - (a) The Cabinet's existing informal Working Group be retained as indicated in Section 1.4.2 of Report No: CAB/FH/18/005; 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 the remainder of 2017/2018.
6.
 - (a) Forest Heath District Council's membership (including substitutes) of the Local Plan Working Group, Future Governance Steering Group, West Suffolk Joint Health and Safety Panel, West Suffolk Joint Staff Consultative Panel and Joint Member Development Group, as set out in Table 1 of Appendices A, C, D, E and F respectively of Report No: CAB/FH/18/005, be re-appointed for the remainder of 2017/2018;

- (b) Should any future changes to membership of the bodies listed in (6)(a) above be required in the remainder of 2017/2018, the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to appoint on the nominations of Group Leaders; and
- (c) Such appointments be made on the basis of political balance requirements, where applicable and identified in Report No: CAB/FH/18/005.

The Meeting concluded at 6.50 pm

Signed by:

Chairman
