

Joint Executive (Cabinet) Committee

Minutes of a meeting of the **Joint Executive (Cabinet) Committee** held on **Tuesday 11 December 2018** at **6.00 pm** in the **Council Chamber, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, IP28 7EY**

Present: **Councillors**

Chairman James Waters (FHDC Leader of the Council)
Vice Chairman John Griffiths (SEBC Leader of the Council)

Forest Heath DC:

David Bowman
Ruth Bowman J.P.
Andy Drummond
Stephen Edwards
Lance Stanbury

St Edmundsbury BC:

Carol Bull
Robert Everitt
Susan Glossop
Ian Houlder
Sara Mildmay-White
Joanna Rayner
Peter Stevens

By Invitation:

Sarah Broughton (Chairman of SEBC Performance and Audit Scrutiny Committee)
Simon Cole (Chairman of FHDC Overview and Scrutiny Committee)
Diane Hind (Chairman of SEBC Overview and Scrutiny Committee)

75. **Apologies for Absence**

Apologies for absence had been received from Councillor Robin Millar.

76. **Minutes**

The minutes of the meeting held on 6 November 2018 were confirmed as a correct record and signed by the Chairman.

77. **Open Forum**

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

78. Public Participation

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

79. Reports of the Overview and Scrutiny Committees

80. St Edmundsbury Extraordinary Overview and Scrutiny Committee: 31 October 2018 (Report No: CAB/JT/18/047)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the St Edmundsbury Overview and Scrutiny Committee on 31 October 2018:

- (1) Suffolk County Council Highways Services – Progress Report

Councillor Diane Hind, Chairman of the Overview and Scrutiny Committee drew relevant issues to the attention of the Joint Committee.

81. St Edmundsbury Overview and Scrutiny Committee: 7 November 2018 (Report No: CAB/JT/18/048)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the St Edmundsbury Overview and Scrutiny Committee on 7 November 2018:

- (1) West Suffolk Housing Strategy and West Suffolk Tenancy Strategy.
- (2) Garden Waste Collection Service Review – Final Report.
- (3) Christmas Fayre Review – Final Report.
- (4) Local Air Quality Management – Vehicle Anti-Idling.
- (5) Annual Portfolio Holder report – Planning and Growth.
- (6) Work Programme.

In relation to Item (1) above, there was a separate report later on the agenda for consideration by the Joint Committee. In relation to Items (2) and (3) above, these had been considered by the Shadow Executive (Cabinet) on 27 November 2018.

Councillor Diane Hind, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Joint Committee and specifically wished to record her thanks and gratitude to both Officers and Cabinet Members who had attended the Overview and Scrutiny Committee meetings during the year.

82. Forest Heath Overview and Scrutiny Committee: 8 November 2018 (Report No: CAB/JT/18/049)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the Forest Heath Overview and Scrutiny Committee on 8 November 2018:

- (1) West Suffolk Housing Strategy and West Suffolk Tenancy Strategy.
- (2) Garden Waste Collection Service Review – Final Report.
- (3) Christmas Fayre Review – Final Report.
- (4) Universal Credit – Roll out in Forest Heath.

- (5) Annual Portfolio Holder Report – Operations.
- (6) Work Programme.

In relation to Item (1) above, there was a separate report later on the agenda for consideration by the Joint Committee. In relation to Items (2) and (3) above, these had been considered by the Shadow Executive (Cabinet) on 27 November 2018.

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Joint Committee.

83. Report of the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committee's: 28 November 2018 (Report No: CAB/JT/18/050)

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committee's on 28 November 2018:

- (1) Mid-Year Internal Audit Progress Report 2018-2019.
- (2) 2018-2019 Performance Report – Quarter 2.
- (3) West Suffolk Strategic Risk Register Quarterly Monitoring Report – September 2018.
- (4) Building Control Business Development Plan.
- (5) Work Programme Update.
- (6) Approach to Delivering a Sustainable West Suffolk Budget 2019-2020 and Medium Term Plan.
- (7) Mid-Year Treasury Management Report and Investment Activity (April – September 2018).

In relation to Item (6) above, this would be considered by the Shadow Executive (Cabinet) on 5 February 2019.

In relation to Item (7) above, separate reports for both Forest Heath and St Edmundsbury's Performance and Audit Scrutiny Committee's were included later on this agenda for consideration by the Joint Committee.

Councillor Sarah Broughton, Chairman of the SEBC's Performance and Audit Scrutiny Committee drew relevant issues to the attention of the Joint Committee.

84. Recommendations of the St Edmundsbury and Forest Heath Overview and Scrutiny Committees: 7 and 8 November 2018 - West Suffolk Housing Strategy and West Suffolk Tenancy Strategy 2018 - 2023 (Report No: CAB/JT/18/051)

The Joint Committee received this report which set out the recommendations from the SEBC/FHDC Overview and Scrutiny Committee's meetings held on 7 and 8 November 2018 in relation to the following documents:

(a) West Suffolk Housing Strategy (Appendix 1)

A review of West Suffolk's Housing Strategy was due in 2018. By adopting this new Strategy, priorities would be aligned for housing with the Strategic Framework 2018-2020 and responding to new legislation and additional duties such as the Homelessness Reduction Act 2017 and the revised National Planning Policy Framework 2018.

The formal consultation took place for a six week period between 9 October and 20 November 2018. This involved an online survey which was available on the Councils' website and which was also directly sent to Members, Parish Councils and a number of the Councils' partners. There were a total of 31 responses to the online consultation and three responses submitted by letter.

A number of themes emerged during the consultation, mainly around the following themes:

- The need for infrastructure and services to support growth.
- The need for social and affordable housing in the towns and rural areas which was appropriate for local needs.
- Providing accessible properties to meet the needs of vulnerable groups and those with additional needs.
- Providing sufficient housing in the right places to ensure that local people could find suitable employment.

The points raised during the consultation had been addressed through the robust Implementation Plan. The action in the Plan had also been further developed and refined during the consultation period.

Whilst discussing the Strategy, it was noted that some of the Forest Heath and St Edmundsbury figures on page 8 of the Housing Strategy's Evidence Base (Appendix B) had been transposed. Therefore, these figures would be corrected accordingly.

(b) West Suffolk Tenancy Strategy (Appendix 2)

A review of West Suffolk's Tenancy Strategy was due in 2018. The Localism Act 2011 required all local authorities to produce a Tenancy Strategy that outlined how councils and Registered Providers (RPs) approached issues which affected tenants living in their area. Through this Strategy the Councils' worked with RPs to provide good quality housing where successful tenancies could be sustained. The Strategy was intended to promote quality and fairness and to offer a guide to RPs who may manage stock within West Suffolk.

The formal consultation took place for a six week period between 9 October and 20 November 2018. This involved an online survey which was available on the Councils' website and which was also directly sent to a number of the Councils' partners. There were a total of 3 responses received (two from RPs and one from a resident).

There was general support for the principles set out in the Strategy, with all respondents agreeing that the maximum affordable rents being charged should be capped at the local housing allowance level. Officers were still in the process of collecting the necessary monitoring data from some of the RPs who did not respond to the consultation which would be added to the Strategy, once received and monitored on an annual basis.

RECOMMENDED TO SEBC AND FHDC COUNCILS:

(18 and 19 December 2018)

That the West Suffolk Housing Strategy 2018-2023, attached as Appendix 1 to Report No: CAB/JT/18/051, be adopted.

and

RESOLVED:

That the West Suffolk Tenancy Strategy 2018-2023, attached as Appendix 2 to Report No: CAB/JT/18/051, be adopted.

85. **Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 28 November 2018 - Treasury Management Report 2018/2019 Investment Activity (1 April to 30 September 2018) (Report No: CAB/JT/18/052)**

The Joint Committee received this report which provided information on the Council's Mid-Year Treasury Management Report and also summarised the investment activities for the period to 30 September 2018.

The total amount invested at 1 April 2018 was £16.005m and at 30 September 2018 was £19.800m. The increase in balances over the period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme.

The 2018/19 Annual Treasury Management and Investment Strategy (Report No: PAS/FH/18/009) set out the Council's projections for the current financial year. The budget for investment income in 2018/19 was £224,000, which was based on a 0.75% target average rate of return on investments.

As at the end of September 2018, interest actually earned during the first six months of the financial year amounted to £62,722 (average rate of return of 0.676%) against a profiled budget for the period of £112,000; a budgetary deficit of £49,278. The budgetary deficit was due to lower cash balances as a result of re-phasing of some income generating projects. These projects were budgeted to be funded through external borrowing which would have temporarily boosted the cash balances and resultant interest. In addition, investments were made on a shorter term basis for liquidity resulting in lower yields.

The report also included assumptions on borrowing for capital projects included within it. The borrowing was based around seven specific projects as

per their agreed business cases. The report included a summary of capital borrowing budget 2018-2019, and a summary of capital borrowing for quarter two. As at the end of Quarter Two, there had been no requirement to borrow externally over and above the £4.0m Barclays loan. Therefore the only interest payable for this quarter was the £169,000 relating to this.

RECOMMENDED TO FHDC COUNCIL: (19 December 2018)

That, subject to the approval of Council, the Mid-Year Treasury Management Report 2018-2019 and Investment Activity (1 April to 30 September 2018), being Report No: PAS/FH/18/040, be approved.

86. **Recommendations of the St Edmundsbury Performance and Audit Scrutiny Committee: 28 November 2018 - Treasury Management Report 2018/2019 - Investment Activity (1 April to 30 September 2018) (Report No: CAB/JT/18/053)**

The Joint Committee received this report which provided information on the Council's Mid-Year Treasury Management Report and also summarised the investment activities for the period to 30 September 2018.

The total amount invested at 1 April 2018 was £36.35m and at 30 September 2018 was £44.95m. The increase in balances over the period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme.

The 2018/19 Annual Treasury Management and Investment Strategy Statements (Report No: COU/SE/18/002 approved 20 February 2018) set out the Council's projections for the current financial year. The budget for investment income in 2018/19 was £308,000 which was based on a 0.70% target average rate of return on investments.

As at the end of September 2018, interest actually earned during the first six months of the financial year amounted to £155,169 (average rate of return of 0.688%) against a profiled budget for the period of £154,000 (average rate of return of 0.70%); a budgetary surplus of £1,169.

The report also included assumptions on borrowing for capital projects included within it. The borrowing was based around four specific projects as per their agreed business cases. The report included a summary of capital borrowing budget 2018-2019 and a summary of capital borrowing for Quarter Two – all of which was currently internally borrowed from the Council's overall cash balances. As at the end of Quarter Two, there had been no requirement to borrow externally, therefore there was no interest payable in this particular quarter.

RECOMMENDED TO SEBC COUNCIL: (18 December 2018)

That, subject to the approval of Council, the Mid-Year Treasury Management Report 2018-2019 and Investment Activity (1 April to 30 September 2018), being Report No: TMS/SE/18/004, be approved.

87. **West Suffolk Local Development Scheme (LDS) December 2018: Adoption (Report No: CAB/JT/18/054)**

The Joint Committee received this report which requested the adoption of a revised Local Development Scheme (LDS) (as set out in Working Paper 1) as a timetable for the preparation of the West Suffolk Local Plan.

A review of the existing Forest Heath and St Edmundsbury Local Plans was now required to meet the Councils' ambitions and to safeguard communities from speculative unsustainable growth/development in the wrong locations and without the necessary strategic infrastructure. The Local Plan would provide a positive, flexible and deliverable planning policy framework for West Suffolk.

Before starting work on the West Suffolk Local Plan, the Councils' had reviewed and updated the LDS, which set out what Development Plan documents were to be produced, their subject matter and broad timetable for their preparation including consultation, examination and adoption of the Plan in May 2023.

RECOMMENDED TO SEBC AND FHDC COUNCILS:

(18 and 19 December 2018)

That the West Suffolk Local Development Scheme (LDS), as set out in Working Paper 1 to Report No: CAB/JT/18/054, be adopted.

88. **West Suffolk Statement of Community Involvement (SCI) December 2018: Adoption (Report No: CAB/JT/18/055)**

The Joint Committee received this report which requested the adoption of a revised Statement of Community Involvement (SCI) (as set out in Working Paper 1) as a framework for involving the community in planning policy and development management processes in West Suffolk.

A review of the existing FHDC and SEBC Local Plan was now required to meet the Councils' ambitions and to safeguard communities from speculative unsustainable growth/development in the wrong locations and without the necessary strategic infrastructure. The Local Plan would provide a positive, flexible and deliverable planning policy framework for West Suffolk.

Before starting work on the West Suffolk Local Plan, the Councils' had reviewed and updated the SCI which explained how they would engage local communities and other interested parties in producing their Local Plan and determining planning applications. The SCI had also been updated as a result of a number of legislative changes through the Neighbourhood Planning Act 2017 and the National Planning Policy Framework (NPPF) 2018.

RECOMMENDED TO SEBC AND FHDC COUNCILS:

(18 and 19 December 2018)

That the West Suffolk Statement of Community Involvement (SCI), as set out in Working Paper 1 to Report No: CAB/JT/18/055, be adopted.

89. Exemption to Contract Procedure Rules: Sub Compact Street and Precinct Sweeper

Purchase of Citymaster 2200 Ex-Demonstrator Street and Precinct Sweeper

The Joint Committee received and noted this exemption to Section 4.3 of the West Suffolk Contract Procedure Rules which stated that: *Between £50,001 and the EU Threshold any exemption must be approved by the Officer and the relevant Assistant Director in consultation with the Assistant Director for Resources and Performance. The Officer must produce evidence to support the request for any exemption and the relevant Assistant Director shall prepare a report for the next Cabinet to support the action taken.* This exemption, which was exercised on 1 November 2018 and the reason for it (together with supporting evidence) had been be forwarded to the Assistant Director (Resources and Performance) for approval.

It was explained that the West Suffolk Councils operated a Scarab Minor sweeper, which was due for renewal from the 2018/19 vehicle replacement fund. It was in need of immediate replacement and becoming increasingly uneconomical to repair. The value held in reserve for replacing this vehicle was £80,000. Hako Sweepers were offering an ex-demonstrator 2017 Registered Sweeper for £65,000 and delivery within two weeks. The new price for the model offered was £80,000.

This would be the fourth Hako on fleet and the second ex-demo. The Sweeper met the operational and technical requirements of the street cleansing service. The product customer support was good and our in-house vehicle workshops team were familiar with maintaining the product.

The purchase of the ex-demonstrator vehicle represented a saving equivalent to £15,000 and quick availability through a very short lead time. The opportunity represented good value for the authority and likely reduced costs compared to a standard procurement.

The total value of the exemption was £65,000 and was made under the following exemption criteria, as stated in Section 4.5 of the Contract Procedure Rules within the FHDC and SEBC Constitutions:

Exemption category	
The goods or services are supplied at a fixed price.	1 year old Ex-Demo Sweeper offered by Hako for £65,000. (full price for new equivalent £80,000)
Unforeseen works where delay will adversely impact on the service delivery for the Council(s).	Sweeper was due for replacement this financial year 2018/19. Required urgently to replace defective Sweeper, which was affecting Service Delivery.

90. **Forest Heath and St Edmundsbury Joint Executive (Cabinet) Committee Decisions Plan: 1 December 2018 to 31 March 2019 (Report No: CAB/JT/18/056)**

The Joint Committee received this report, which was the Forest Heath District Council's and the St Edmundsbury Borough Council's Joint Executive (Cabinet) Committee Decisions Plan covering the period 1 December 2018 to 31 March 2019.

Members took the opportunity to review the intended forthcoming decisions within the Plan. However, no further information or amendments were required on this occasion.

91. **Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (Report No: CAB/JT/18/057)**

The Joint Committee received this report which provided the collection data in respect of Council Tax and National Non-Domestic Rates (NNDR) for both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) and sought approval for the write-off of the amounts contained in the Exempt Appendices to this report.

Councillor Stephen Edwards, FHDC Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Joint Committee, including the current performance of each authority, as set out in Section 3 of the report.

Some Members of the Joint Committee expressed their concerns with regard to the length of some of the outstanding debt being requested for write-off. The Director explained, in general terms, the often complex nature of the cases, but did acknowledge that further work would be undertaken by Officers to see if, in the future, it would be possible to write-off debts earlier within the process.

RESOLVED:

That the write-off of the amounts detailed in the exempt Appendices to Report No: CAB/JT/18/057, be approved as follows:

1. Exempt Appendix 1: FHDC Council Tax totalling £48,553.67.
2. Exempt Appendix 2: FHDC Business Rates totalling £2,551.59.
3. Exempt Appendix 3: FHDC Housing Benefit Overpayment totalling £4,562.16.

92. **Exclusion of Public and Press**

As Report No: CAB/JT/18/058 needed to be considered by the Joint Committee in private session, it was proposed, seconded and

RESOLVED:

That 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.

93. **Exempt Appendices: Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (paras 1 and 2) (Exempt Appendices to Report No: CAB/JT/18/057)**

The Joint Committee considered the Exempt Appendices to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

94. **Investing in our Commercial Asset Portfolio (para 3) (Report No: CAB/JT/18/058)**

The Joint Committee received this report which advised of the opportunity to acquire a commercial property investment in Haverhill, using the Investing in Growth Fund. It was considered that this acquisition could assist in delivering both strategic place shaping and investment opportunities for the SEBC Council, helping to deliver on the Masterplan through re-development of the site.

RECOMMENDED TO SEBC COUNCIL: (18 December 2018)

That:-

1. The proposal to purchase the property for the sum, as set out within Report No: CAB/JT/18/058, (excluding VAT, fees and Stamp Duty Land Tax) funded from the Investing in Growth Agenda Fund, be approved.
2. The required capital budget be established, as set out in Report No: CAB/JT/18/058, to be made available to facilitate the purchase, including fees and Stamp Duty Land Tax, to be funded from the Investing in our Growth Agenda Fund.
3. The 'Options' due diligence costs be funded, as set out in Report No: CAB/JT/18/058 and the holding costs associated with the purchase at Recommendation 1. above, and as detailed in paragraph 3.7 of Report No: CAB/JT/18/058, from the Strategic Priorities and Medium Term Financial Strategy Reserve.
4. A further report, detailing options for the site to be submitted.
5. Should the purchase be made, the Council's Section 151 Officer to make the necessary changes to the Council's prudential indicators as a result of Recommendation 2. above.

The Meeting concluded at 6.52 pm

Signed by:

Chairman
