

Minutes of a meeting of the **Cabinet** held on
Tuesday 26 November 2019 at 6.15 pm in the **Council Chamber,**
District Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chair John Griffiths (Leader of the Council)

Vice Chair Sara Mildmay-White (Deputy Leader of the Council)

Sarah Broughton
Carol Bull
Andy Drummond
Robert Everitt

Susan Glossop
Joanna Rayner
David Roach
Peter Stevens

By invitation

David Nettleton (Chair of the Overview and Scrutiny Committee)
Jim Thorndyke (Chair of the Grants to External Organisations
Review Group)

In attendance:

Mike Chester
Brian Harvey
Andy Neal

Marion Rushbrook
Ian Shipp

59. **Apologies for Absence**

No apologies for absence were received.

60. **Minutes**

The minutes of the meetings held on 10 September 2019 and 8 October 2019 were confirmed as a correct record and signed by the Chair.

61. **Open Forum**

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

62. **Public Participation**

There were no members of the public in attendance on this occasion.

63. **Report of the Overview and Scrutiny Committee: 14 November 2019 (Report No: CAB/WS/19/039)**

The Cabinet received and noted this report, which informed Members of the following substantive items discussed by the Overview and Scrutiny Committee at their meeting held on 14 November 2019:

- (1) Draft West Suffolk Strategic Framework 2020-2024
- (2) Cross Authority Task and Finish Group – Citizens Advice
- (3) Suffolk County Council: Health Scrutiny Committee – 10 October 2019
- (4) Cabinet Decisions Plan (1 November 2019 to 31 May 2020)
- (5) Work Programme Update

Councillor David Nettleton, Chair of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet, including that a separate report containing the recommendations of the Overview and Scrutiny Committee was contained elsewhere on the Cabinet agenda in respect of Item (1) above.

64. **Draft West Suffolk Strategic Framework 2020 - 2024 (Report No: CAB/WS/19/040)**

The Cabinet received this report which was recommending to Council, the approval and adoption of the draft West Suffolk Strategic Framework.

At their meeting on 14 November 2019, the Overview and Scrutiny Committee had made a number of suggested amendments to the draft West Suffolk Strategic Framework and these were set out within paragraph 3.1 of Report No: CAB/WS/19/040.

However, the Overview and Scrutiny Committee had not had the opportunity to fully consider all of the amendments proposed by Members. The Cabinet was of the opinion that these required further consideration before a decision was made on whether to refer the Strategic Framework to Council for adoption.

RESOLVED:

The Cabinet agreed to defer the consideration of the draft West Suffolk Strategic Framework 2020-2024 to 14 January 2020, to allow for further consideration of amendments proposed during the Overview and Scrutiny Committee meeting held on 14 November 2019.

65. **Investing in Housing Development Sites and Approval of the Barley Homes Business Plan 2019 (Report No: CAB/WS/19/041)**

The Cabinet considered this report which set out:

- the current development proposals being put forward for Barley Homes;
- the longer-term approach to developing a 'pipeline' of developments for Barley Homes; and
- the seeking of Council's endorsement to the funding necessary to deliver these proposals.

In order to support the development of the Business Plan, the Cabinet noted that Officers had undertaken a wide range of work to evaluate potential development sites, considered the financial implications arising from the sites and considered the governance arrangements in place. This work had been set in the context of the Council's emerging Strategic Framework and the Medium Term Financial Strategy (MTFS).

Whilst the proposed Business Plan focused on bringing forward two new sites (in addition to the two sites currently under development), work had been undertaken to assess other future development opportunities for Barley Homes, referred to as the 'pipeline'.

The details of the sites were included in the Business Plan (Exempt Appendix A to Report No: CAB/WS/19/041) and were forecasted to deliver an additional (over and above the existing two Haverhill sites) 118 homes, 30% of which would be affordable, and all built to the Government's minimum size standard. These were to be delivered across two sites, one in Mildenhall and the other near Bury St Edmunds. In recommending these sites, the Cabinet noted that this would contribute to the geographical reach of Barley Homes, adding to the committed two sites in Haverhill. Combined, these would generate a steady build out rate, delivering 181 homes over a five year period, starting in Autumn 2019.

RECOMMENDED TO COUNCIL: (17 December 2019)

That:-

1. Taking into account the financial and risk implications set out in Report No: CAB/WS/19/041 and Exempt Appendix A, the Barley Homes Business Plan 2019 be agreed.
2. In order to bring the Barley Homes Business Plan 2019 into effect:
 - (a) A revenue budget of £350,000 be established to fund the Council's share of costs to progress planning applications for the Mildenhall site and also the development of future pipeline sites;
 - (b) A capital budget of £5m be established, funded from the Investing in our Growth Agenda, to support the issuing of equity and loan financing (to increase the existing £7.5m facility) to facilitate the development of the two additional sites identified in the Business Plan;
 - (c) It is noted that in order to facilitate the developments within the Business Plan, the Council will be required to acquire sites from partners and subsequently dispose of these to Barley Homes.

66. **Recommendations of the Grants to External Organisations Review Group (Report No: CAB/WS/19/042)**

Councillor Jim Thorndyke, Chair of the Grants to External Organisations Review Group, was in attendance to present this report to Cabinet. It was explained that in June 2019, the Cabinet had agreed to establish a group (titled the West Suffolk Grants to External Organisations Review Group) to carry out a review of West Suffolk Council's Grants to External Organisations. The aim of the review was to ensure that locality budgets and grants made from 1 April 2020 and reliefs made from 1 April 2021 were aligned to the Council's strategic objectives and offered value for money.

The Review Group had agreed that a framework setting out West Suffolk's approach to grant funding and rate reliefs should be developed. The aim of the framework was to make clear what the Council sought to achieve by awarding grant funding and rate reliefs and to establish a set of principles that would guide the Council's approach to offering financial support. Therefore, this proposed framework was attached at Appendix A to Report No: CAB/WS/19/042.

The Review Group had also considered the effectiveness of grant schemes and had agreed changes to future criteria and applications to each of the funds within the scope of the review, as set out in paragraph 2.6 and in Appendices B and C to the report. The changes considered were informed by previous discussions held by the Review Group, feedback from the survey of applicants and recipients of grant funding and reliefs and feedback from the Councillor survey relating to Locality Budgets.

The Cabinet then considered each of the recommendations from the Review Group, as set out within Section 2 of the report.

RESOLVED:

That:-

1. A framework setting out West Suffolk's approach to grant funding and rate reliefs, attached as Appendix A to Report No: CAB/WS/19/042, be approved;
2. The changes to future criteria and applications to grant funding and rate reliefs, as set out at paragraphs 2.4 to 2.6 of Report No: CAB/WS/19/042 and at Appendices B and C, be approved; and
3. The changes made to the allocation of funding to each grant, as set out at paragraphs 2.7 to 2.8 of Report No: CAB/WS/19/042 be approved.

67. **Local Council Tax Reduction Scheme (LCTRS) for 2020-2021 (Report No: CAB/WS/19/043)**

The Cabinet considered this report which explained that each year the Council was required to consider whether to review its Local Council Tax Reduction

Scheme (LCTRS). This report advised Cabinet on the conclusion of the 2019 annual review of, and the resultant proposed changes, which had been consulted on, to the LCTRS to take effect from 1 April 2020.

Section 3 of Report No: CAB/WS/19/043 was recommending that a tolerance rule of +/-£15 be introduced into the West Suffolk Council scheme. This would have the effect of freezing a customer's assessment when a revised Universal Credit Data Sharing hub (UCDS) notification would otherwise trigger a reassessment. Changes in a customer's financial position of more than +/- £15 would be processed as usual, whereas changes within the tolerance level would not be updated, no correspondence issued to the customer and without amendment to Council Tax repayments.

The Cabinet noted that where customer's circumstances noticeably changed, the tolerance rule would not apply, given the change would be greater than £15 per week. In these circumstances, the customer's Council Tax Support would be immediately adjusted to provide extra benefit.

RECOMMENDED TO COUNCIL: (17 December 2019)

The West Suffolk Local Council Tax Reduction Scheme for 2020-2021, as attached at Appendix A to Report No: CAB/WS/19/043, be approved, taking into account the proposed changes outlined within the report and the consultation undertaken.

68. Council Tax Technical Changes - Including Empty Property Reliefs and Premiums Changes (Report No: CAB/WS/19/044)

The Cabinet considered this report which provided an overview of the current Council Tax technical changes for continuation from April 2020, alongside proposed changes to the long term empty property premium scheme from April 2020, in line with recent changes in legislation.

New legislation had come into effect from 1 April 2019 that provided local authorities with the ability to implement a scheme that enabled a 200% Council Tax charge on properties that had been empty for longer than two years. The charge rose to 400% Council Tax on properties that had been empty longer than 10 years from 1 April 2021.

Paragraph 2.1 of Report No: CAB/WS/19/044 set out the current scheme proposals for the Council Tax Technical Changes for West Suffolk Council for continuation from April 2020. Paragraphs 2.2 to 2.4 set out the proposals for the Long Term Empty Property Premium and paragraph 3 set out the classes of properties/exemptions that would not attract the Premium.

RECOMMENDED TO COUNCIL: (17 December 2019)

That:-

- (a) The continuation of the West Suffolk Council Tax Technical Changes set out in Section 2 of Report No: CAB/WS/19/044, be approved;

- (b) A Council Tax premium of 200% for properties that have been long term empty and unfurnished for five years and over from 1 April 2020, be approved;
- (c) A Council Tax premium of 300% for properties that have been long term empty and unfurnished 10 years and over from 1 April 2021, be approved; and
- (d) Properties that fall into the classes, set out in Section 3 of Report No: CAB/WS/19/044, will not attract the Long Term Empty Premium for the period(s) detailed.

69. **Council Tax Base for Tax Setting Purposes 2020/2021 (Report No: CAB/WS/19/045)**

The Cabinet considered this report which explained that the Council Tax base was the total taxable value, at a point in time, of all the domestic properties in the Council's area. It was a yearly calculation and represented the estimated number of chargeable dwellings after allowing for exemptions and discounts, projected changes in the property base and after applying an estimated collection rate.

The Council Tax base was used in the calculation of Council Tax. Orders had been laid allowing West Suffolk to harmonise the Council Tax of Forest Heath and St Edmundsbury over a period not exceeding seven years. Because of this, it was necessary to calculate tax base figures for the areas formerly covered by Forest Heath District Council and St Edmundsbury Borough Council (the "predecessor areas").

RECOMMENDED TO COUNCIL: (17 December 2019)

That:-

- 1. The tax base for 2020/2021, for the whole of West Suffolk is 56,138.14 equivalent Band D dwellings and for each of the predecessor areas is: Forest Heath 18,879.62 and St Edmundsbury 37,258.52, as detailed in paragraph 4.3 of Report No: CAB/WS/19/045; and
- 2. The tax base for 2020/2021 for the different parts of its area, as defined by parish or special expense area boundaries, are as shown in Appendix 2 to Report No: CAB/WS/19/045.

70. **West Suffolk Medium Term Financial Strategy 2020-2024 (Report No: CAB/WS/19/046)**

The Cabinet considered this report which set out the Medium Term Financial Strategy (MTFS) context against which the 2020-2021 budget and medium term financial plans 2020-2024 were proposed to be developed between now and the formal Council Tax and budget adoption meeting of the Council in February 2020.

The MTFS 2020-2024 assessed and evaluated the final resources expected to have and the expenditure in order to deliver the Council's strategic priorities as set out in the Council's West Suffolk Strategic Framework (which would now be due for adoption in January/February 2020).

As part of good financial planning the West Suffolk Council in February 2020, would be asked to set a balanced budget for 2020-21 (its statutory obligation) alongside a medium term financial plan for the period 2021-2024.

Officers explained that this report had made reference to the West Suffolk Strategic Framework 2020-2024 (Report No: CAB/WS/19/040), which had been deferred earlier in the Cabinet meeting. However, the Cabinet noted that this deferral did not impinge on the approval of the West Suffolk Medium Term Financial Strategy 2020-2024 document.

RECOMMENDED TO COUNCIL: (17 December 2019)

That the West Suffolk Medium Term Financial Strategy, contained at Appendix A to Report No: CAB/WS/19/046, as its strategic financial framework from 1 April 2020, be adopted.

71. Use of Chief Executive Urgency Powers: Polling Place Outside of Polling District

The Cabinet noted that under Part 3; Section 5 - Scheme of Delegation to Officers, paragraph 14 of the Council's Constitution stated that:

Where, in the opinion of the Chief Executive, by reason of limitation of time or urgency, a decision is required on any matter, after such consultation as they consider necessary (or as is required by the Council's Budget and Policy Framework Procedure Rules in Part of the Constitution), they shall have power to make a decision provided that any such decision shall be reported to the next meeting of the Cabinet, appropriate Committee or Council.....

On 31 October 2019, the Chief Executive exercised his urgency powers and made a decision to move Newmarket East 1 Polling District to poll at King Edward VII Memorial Hall (in Newmarket West 1 Polling District) for the Parliamentary General Election on Thursday 12 December 2019. The reason for this was because the ordinary polling place at The Palace House Mews was not available and no other suitable alternative venues were available within the Polling District.

Alternative options considered were Palace House Cottage and The Palace House Coach Room. However these had been discounted due to ongoing construction. All Saints Church had also been discounted as Officers had been unable to make contact with the booking agent and the building had not previously been used as a polling station. This would, therefore, require inspections prior to agreement being made for it to be used as a polling station. Unfortunately, insufficient time was available to progress this option.

S18B(4)(d) of the Representation of the People Act 1983 provided that the polling place for a polling district must be an area in the district, unless

special circumstances made it desirable to designate an area wholly or partly outside the district. The decision to move a polling place must be made by the Council unless specific delegations were in place. The term 'special circumstances' was not defined but there was evidence of other councils using this provision when planning for the snap General Election in 2017.

The Assistant Director (HR, Legal and Democratic Services), Service Manager (Shared Legal), the Deputy Returning Officer and the Monitoring Officer were consulted on this matter prior to the decision being made.

Therefore, the Cabinet **NOTED** the use of the Chief Executive's Urgency Powers in respect of making the decision outlined above.

72. **Decisions Plan: 1 November 2019 to 31 May 2020 (Report No: Cab/WS/19/047)**

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 November 2019 to 31 May 2020.

Members took the opportunity to review the intended forthcoming decisions of the Cabinet. However, no further information or amendments were requested on this occasion.

73. **Exclusion of Press and Public**

It was proposed, seconded and

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.

74. **Investing in Housing Development Sites and Approval of the Barley Homes Business Plan: Appendix A (para 3) (Report No: CAB/WS/19/041)**

The Cabinet considered Exempt Appendix A to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

75. **Investing in our Commercial Asset Portfolio (para 3) (Report No: CAB/WS/19/048)**

In private session, the Cabinet were informed of the reasons as to why this item had now been **withdrawn** from the agenda.

The meeting concluded at 7.05 pm

Signed by:

Chair
