

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

Minutes of a meeting held on Tuesday 21 October 2014 at 5.00 pm in the Conference Chamber West (F1R09), West Suffolk House, Western Way, Bury St Edmunds

PRESENT: Councillor J H M Griffiths (Leader of the Council) (in the Chair)
Councillors Clements, Mrs Mildmay-White, Pugh, Ray,
Mrs Stamp and Stevens

BY INVITATION: Councillors Mrs Broughton (Chairman of the Performance and Audit Scrutiny Committee) and Houlder (Chairman of the Overview and Scrutiny Committee)

IN ATTENDANCE: Councillor Nettleton

53. Remembrance

The Cabinet observed a minute's silence in remembrance of the late Councillor Gordon Cox, a former Member of the Borough Council.

54. Apologies for absence

An apology for absence was received from Councillor Mrs Gower.

55. Minutes

The minutes of the meetings held on 2 September and 16 September 2014 (Extraordinary meeting) were confirmed as correct records and signed by the Chairman.

56. Declarations of Interests

Members' declarations of interests are recorded under the item to which the declaration relates.

57. Report of Overview and Scrutiny Committee: 3 September 2014 ***Decisions Plan Ref: N/A Cabinet Members: All Portfolios***

The Cabinet received and noted Report F145 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 3 September 2014:

- (1) Update on On-Street Parking in Skyliner Way, Bury St Edmunds;
- (2) Decisions Plan: September 2014 to May 2015; and
- (3) Work Programme Update

Councillor Houlder, Chairman of the Overview and Scrutiny Committee drew relevant issues to the attention of the Cabinet.

**58. Report of the Performance and Audit Scrutiny Committee:
24 September 2014**

Decisions Plan Ref: N/A

Cabinet Members: All Portfolios

The Cabinet received and noted Report F146 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 24 September 2014:

- (1) Ernst and Young Presentation of 2013/2014 ISA 260 Annual Governance Report to those Charged with Governance;
- (2) Local Code of Corporate Governance / Annual Governance Statement 2013/2014;
- (3) 2013/2014 Annual Statement of Accounts; and
- (4) Work Programme Update.

Councillor Mrs Broughton, Chairman of the Performance and Audit Scrutiny Committee drew relevant issues to the attention of the Cabinet including that the Annual Governance Statement 2013/2014 and the Annual Statement of Accounts 2013/2014 had both been approved for signing, in accordance with the powers delegated to the Committee under the Council's Constitution. This was duly noted by the Cabinet and the Finance Team was commended for their work in reaching this point.

Councillor Mrs Broughton also paid tribute to Councillor Cox, a former Member of the Performance and Audit Scrutiny Committee.

The Cabinet was then informed that a separate report relating to Item (2) above was included on the Cabinet agenda as this required separate consideration of the recommendation provided.

59. Recommendations of the Performance and Audit Scrutiny Committee: 24 September 2014: West Suffolk Local Code of Corporate Governance

Decisions Plan Ref: Oct14/12 Cabinet Member: Cllr David Ray

The Cabinet considered Report F147 (previously circulated) which sought approval for the West Suffolk Local Code of Corporate Governance.

Councillor Ray, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet including that the Local Code of Corporate Governance set out the principles of how the Council would ensure compliance with statutory requirements and best practice guidance on corporate governance. Whilst the adoption of a Local Code was not a statutory requirement in itself, it represented best practice and was a key element of the Council's overarching governance arrangements and its commitment to good corporate governance.

The Code was subject to annual review to ensure it remained up to date. Minor adjustments had been made to the document, at Appendix A to Report F135, to reflect it was now a joint West Suffolk Local Code of Corporate Governance between St Edmundsbury Borough and Forest Heath District Councils.



RECOMMENDED:

That the West Suffolk Local Code of Corporate Governance, attached as Appendix A to Report F135, be adopted.

60. A Housing and Health Charter for Suffolk

Decisions Plan Ref: Oct14/07 Cabinet Members: Cllrs Anne Gower and Sara Mildmay-White

The Cabinet considered Report F148 (previously circulated) which sought endorsement of the principles and commitments of a new Housing and Health Charter for Suffolk.

Councillor Mrs Mildmay-White, Portfolio Holder for Health and Communities, drew relevant issues to the attention of the Cabinet, including that the Suffolk Health and Wellbeing Board had commissioned the Suffolk Strategic Housing Partnership and the HWBB Programme Office to jointly produce a Housing and Health Charter. The Charter contained eight key commitments, which St Edmundsbury Borough Council, as a partner organisation was being asked to endorse, the key one of which was the development of a more integrated approach to the delivery of housing, health and social care.

A detailed discussion was held which culminated in a requirement for the following comments to be fed back to the Health and Wellbeing Board, as requested in the first recommendation:

- (a) the content of the Charter was acceptable in principle but its influence in practical terms was questioned. Discussion was held on the relationship between planning, housing and health and whether a more joined up approach should be adopted for these areas to meet the needs of the ageing population. Particular reference was given to such an approach being taken in respect of the redevelopment of Havebury Housing Partnership's Erskine Lodge sheltered housing accommodation site in Great Whelnetham. Discussion led to the housing and health sectors taking proactive engagement with developers during the preparation of the masterplan stage of the planning process to consider future privately-owned housing accommodation for older people; and
- (b) some of the wording in the document was not considered to be written in Plain English which made it difficult for some readers to understand its meaning. Particular reference was given to Commitment No.2 contained in Section 8 of the Charter which appeared to contain 'health' dominated language.

RESOLVED: That

- (1) the content of the Housing and Health Charter for Suffolk be noted, and the comments made in connection with having a more joined up approach between planning, housing and health, as detailed further in the minutes of the Cabinet meeting, be fed back to the Suffolk Health and Wellbeing Board; and

- (2) the principles and commitments set out in the Housing and Health Charter for Suffolk, as contained in Appendix A to Report F148, be endorsed.

61. West Suffolk Street Naming and Numbering Procedure

Decisions Plan Ref: Oct14/09 Cabinet Member: Cllr Peter Stevens

The Cabinet considered Report F149 (previously circulated) which sought approval for the West Suffolk Street Naming and Numbering Procedure.

Councillor Stevens, Portfolio Holder with the responsibility for street naming and numbering, drew relevant issues to the attention of the Cabinet, including that the new West Suffolk Street Naming and Numbering Procedure provided a framework in which St Edmundsbury Borough and Forest Heath District Councils could operate their respective street naming and numbering function effectively for the benefit of its residents, businesses and visitors.

RESOLVED:

That the West Suffolk Street Naming and Numbering Procedure contained in Appendix 1 to Report F149, be approved.

62. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 11 September 2014

Decisions Plan Ref: ARP14/02 Cabinet Member: Cllr David Ray

The Cabinet considered Report F150 (previously circulated) which sought approval for two recommendations emanating from the meeting of the Anglia Revenues and Benefits Partnership Joint Committee held on 11 September 2014.

On 11 September 2014, the Anglia Revenues and Benefits Partnership Joint Committee considered the following substantive items of business:

- (1) Performance Report;
- (2) The Anglia Revenues Partnership (ARP) Service Delivery Plan;
- (3) Waveney and Suffolk Coastal District Councils;
- (4) Welfare Reform;
- (5) Forthcoming Issues;
- (6) Future of Counter Fraud Work of ARP; and
- (7) Enforcement Agency.

Councillor Ray, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including that the majority of the report was for information only and provided the decisions of the Joint Committee; however, decisions of the Cabinet were required on Items (3) and (7) above.

Waveney and Suffolk Coastal District Councils had a Section 113 agreement in place with the Anglia Revenues Partnership but did sit on the Joint Committee. By enabling these two councils to formally join the Partnership, they would have voting rights to influence decisions and equally were not constrained in making decisions independently that could affect all partners. Section 4.10 of the report outlined the main benefits for Waveney and Suffolk Coastal District Councils joining the Partnership, including that the seven Councils would continue to generate savings through the strength of the Partnership.

Some discussion was held on the membership of the Joint Committee and whether it should continue with each authority being represented by two full Members making a total of 14 Members, which could potentially make it unwieldy. This issue had been discussed at a previous meeting of the Joint Committee and should all partner authorities approve the recommendation to accept Waveney and Suffolk Coastal District Councils onto the Partnership, this was likely to be discussed further by the Joint Committee.

The Joint Committee's proposal to establish an in-house Enforcement Agency, as outlined in Appendix A to Report F150, would provide the potential to ensure that residents were treated fairly where enforcement was necessary, and fees kept as low as possible, whilst retaining the income generated by enforcement actions for the Council Tax payers of the partner authorities. A shared Enforcement Agency offered the potential of a shared income in excess of £150,000 per annum from bailiff fees.

RESOLVED: That

- (1) the majority of the content of Report F150, being the report of the Anglia Revenues and Benefits Joint Committee, be noted;
- (2) (a) Waveney District Council and Suffolk Coastal District Councils become full members of the Anglia Revenues Partnership;
- (b) the Operational Improvement Board be given delegated authority to negotiate a new Anglia Revenues Partnership agreement to include Waveney District and Suffolk Coastal District Councils as full members of the Anglia Revenues Partnership; and



RECOMMENDED:

- (3) ***That, one of the two Directors, in consultation with the Portfolio Holder for Resources and Performance, be given delegated authority to introduce a shared Enforcement Agency for the Anglia Revenues Partnership (St Edmundsbury Borough Council, Forest Heath District Council, Fenland District Council, Breckland Council and East Cambridgeshire District Council) Waveney District Council and Suffolk Coastal District Council through discussion via the ARP Operational Improvement Board, as outlined in Appendix A to Report F150, and detailed in the full business case appraisal presented to the Anglia Revenues and Benefits Partnership Joint Committee.***

63. West Suffolk Shop Front and Advertisement Design Guide: Consultation Draft

Decisions Plan Ref: N/A

Cabinet Member: Cllr Terry Clements

The Cabinet considered Report F151 (previously circulated) which sought approval for the draft West Suffolk Shop Front and Advertisement Design (SFDG) for consultation.

Councillor Clements, Portfolio Holder for Planning and Regulation, drew relevant issues to the attention of the Cabinet, including that the draft SFDG provided detailed guidance on the design of new and replacement shop fronts throughout West Suffolk. It covered matters such as general design principles; materials and colour; signage and lighting; blinds and canopies; and security measures and had been jointly produced with Forest Heath District Council (FHDC).

Members noted that the Joint Development Management Policies Local Plan Document policies had not yet been adopted and may be subject to change as a result of consultation on any post hearing modifications proposed by the Planning Inspector. This may result in subsequent changes to Section 2 of the SFDG.

The Cabinet supported the document and commended its comprehensive content. It looked forward to seeing how this document complemented the emerging guidance for the display and management of so-called A-Boards that would shortly be considered by the Overview and Scrutiny Committee.

A request was made for the SFDG to be considered by the Borough Council's Sustainable Development Working Party and FHDC's Local Plan Working Group as part of the consultation process and prior to its adoption.

RESOLVED:

That the draft West Suffolk Shop Front and Advertisement Design Guide, as contained in Appendix A to Report F151, be approved for public consultation.

(Councillor Houlder left the meeting during the consideration this item.)

64. Recommendations of the Sustainable Development Working Party: 9 October 2014: Castle Manor Academy, Haverhill – Draft Concept Statement

Decisions Plan Ref: Oct14/06 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report F152 (previously circulated) which sought approval for a recommendation emanating from the meeting of the Sustainable Development Working Party (SDWP) held on 9 October 2014.

Councillor Clements, Portfolio Holder for Planning and Regulation, drew relevant issues to the attention of the Cabinet, including that the SDWP had considered the draft Concept Statement for the Castle Manor Academy in Haverhill following consultation and had recommended its adoption as non-statutory planning guidance.

Once adopted, the Concept Statement would have the status of planning guidance in accordance with the rationale agreed by the Council in 2006. The document was intended to clarify the Borough Council's expectations for the site and provide a framework for the preparation of a more detailed masterplan for the Castle Manor Academy site.

The Cabinet acknowledged the officers' work in preparing the draft Concept Statement and the positive discussions held with interested parties, including the Haverhill Area Working Party, as part of the consultation process.



RECOMMENDED:

That the draft Concept Statement for the Castle Manor Academy, Haverhill, as set out in Appendix A to Report F144, be adopted as non-statutory planning guidance.

65. Recommendations of the West Suffolk Joint Staff Consultative Panel: 15 September 2014

Decisions Plan Ref: Oct14/08 and Oct14/10

Cabinet Member: Cllr Terry Clements

The Cabinet considered Report F153 (previously circulated) which sought approval for recommendations emanating from the meeting of the West Suffolk Joint Staff Consultative Panel held on 15 September 2014.

On 15 September 2014, the West Suffolk Joint Staff Consultative Panel considered the following substantive items:

- (1) West Suffolk Workforce Update – Presentation;
- (2) Workforce Strategy for West Suffolk 2014 – 2016;
- (3) West Suffolk Adoption Policy and Procedure, and West Suffolk Flexible Working Policy; and
- (4) Approval Request for West Suffolk Joint Staff Consultative Panel – Going Forward

Councillor Ray, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including that the West Suffolk Adoption Policy and Procedure, and West Suffolk Flexible Working Policy had been reviewed in accordance with current employment legislation and with ACAS best practice in mind. The proposed changes in the documents were due to changes in employment law and to align them with Forest Heath District Council as clear and accurate joint West Suffolk policies.

In addition, St Edmundsbury Borough and Forest Heath District Councils had an approved shared Strategic Plan and Medium Term Financial Strategy to support its delivery. The Workforce Strategy set out how the Councils would recruit and develop its workforce and work with its communities to make sure the Councils had the people, skills and behaviours required to make sure that the priorities in the West Suffolk Strategic Plan were delivered.

The Cabinet supported all three documents and thanked the Head of Human Resources and Organisational Development for the work involved regarding their production. It was however, considered that there should be reference in the Workforce Strategy to working with councillors and the amendments provided in the resolution below were suggested and accepted. In addition, the officers identified that the values omitted from the introduction were required to be added, as shown in the resolution below.

RESOLVED: That

- (1) the Workforce Strategy for West Suffolk 2014-2016, contained in Appendix 1 to Report F153, be approved, subject to the following addition of the values, and

amendments, as shown in bold, italics under the relevant headings:

Introduction, third bullet point: *At the same time we are committed to being a fair and good Employer of Choice that values, recruits and supports people to be **Bold, Energetic, Responsible and Working Together...**;*

The Vision and Workforce Strategy, third paragraph:
*...We want everybody to feel involved in how we operate and how we deliver our services and to work together to deliver **what our councillors**, customers and residents need...;*

Our Workforce Strategy, 1. Skills and Behaviours, first bullet point:
*To have visionary and ambitious managers and leaders who can develop, motivate and lead our workforce, **and work with councillors within a political environment**, to deliver our services effectively in challenging times...;*
and

- (2) the West Suffolk Adoption Policy and Procedure, and West Suffolk Flexible Working Policy, contained in Appendices A and B to Report JSP14/009 respectively, be approved.

66. Haverhill Town Centre Masterplan: Issues and Options Consultation

Decisions Plan Ref: N/A **Cabinet Members:** *Cllrs Terry Clements and Anne Gower*

The Cabinet considered a narrative item which sought approval for appropriate delegations to be given to enable consultation on the Haverhill Town Centre Masterplan Issues and Options document to progress.

Councillor Clements, Portfolio Holder for Planning and Regulation, drew relevant issues to the attention of the Cabinet. He emphasised that so as not to cause delay to the consultation timetable set, the draft Haverhill Town Centre Masterplan Issues and Options consultation document should be considered by the Haverhill Area Working Party and, subject to the Working Party being satisfied with its content, the Head of Planning and Regulatory Services should be delegated authority to approve the document for consultation, in consultation with the relevant Portfolio Holders.

The Cabinet recognised the importance of keeping on track with the timetable and supported this approach.

RESOLVED:

That the Head of Planning and Regulatory Services be given delegated authority, in consultation with the Portfolio Holder for Planning and Regulatory Services and the Portfolio Holder with the responsibility for Haverhill, to approve the Haverhill Town Centre Masterplan Issues and Options document for consultation.

67. Revenues Collection Performance and Write-Offs

Decisions Plan Ref: Oct14/02 **Cabinet Member:** Cllr David Ray

The Cabinet considered Report F154 (previously circulated) which provided the collection data in respect of Council Tax and National Non-Domestic Rates and sought approval for the write-off of debts as contained in the Exempt Appendices.

As at 30 September 2014, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (as the billing Authority) was nearly £46.3 million per annum. The collection rate as at 30 September 2014 was 58.40% against a profiled target of 58.13%.

As at 30 September 2014, the total Council Tax billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (included the County, Police and Parish precept elements) was just under £53.1 million per annum. The collection rate as at 30 September 2014 was 58.27% against a profiled target of 58.74%

The Revenues Section collected outstanding debts in accordance with either statutory guidelines or Council agreed procedures. When all these procedures had been exhausted the outstanding debt was written off using the delegated authority of the Head of Resources and Performance (for debts up to £2,499.99) or by Cabinet (for debts over £2,500).

The specific reasons for recommending each write-off were included in Exempt Appendices 1, 2 and 3.

Councillor Ray, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including that it was anticipated that the Performance and Audit Scrutiny Committee would shortly be analysing the current procedures for debt recovery and write-offs and whether any changes to existing practices should be recommended.

RESOLVED:

That the write-off of the amounts detailed in the exempt appendices to Report F154, be approved, as follows:

Exempt Appendix 1: Council Tax totalling £2,506.34
Exempt Appendix 2: Business Rates totalling £51,974.06
Exempt Appendix 3: Housing Benefit overpayments totalling £4,189.44

(Subsequent to the meeting, both Chairmen of the Performance and Audit Scrutiny (PASC) and Overview and Scrutiny (OAS) Committees agreed that the proposed review of the procedures for debt recovery and write-offs should be undertaken by the OAS Committee rather than PASC.)

68. Exempt Appendices: Revenues Collection Performance and Write-Offs

Decisions Plan Ref: Oct14/02 **Cabinet Member:** Cllr David Ray

The Cabinet considered Exempt Appendices 1, 2 and 3 to Report F154 (previously circulated), however no reference was made to specific detail and therefore this item was not held in private session.

The meeting concluded at 5.58 pm

**J H M GRIFFITHS
CHAIRMAN**