

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK CABINET** held in the Britten room - Endeavour House, 8 Russell Road, Ipswich on Monday, 5 March 2018 at 2:30pm

PRESENT:

Councillor: Nick Gowrley – Chair
John Whitehead – Vice Chair

Councillors:	Gerard Brewster	David Burn
	Julie Flatman	Glen Horn
	Penny Otton	Andrew Stringer
	Jill Wilshaw	David Whybrow

In attendance:

Councillor Roy Barker
Councillor Rachel Eburne
Councillor Diana Kearsley
Councillor Suzie Morley
Councillor Keith Welham

Chief Executive (AC)
HRA Accountant (TA)
Assistant Director – Planning for Growth (TB)
Corporate Manager – Open for Business (LC)
Corporate Manager – Finance (ME)
Assistant Director – Housing (GF)
Assistant Director – Communities and Public Realm (JF)
Corporate Manager – Countryside and Public Realm (PG)
Corporate Business Co-ordinator (SM – notes)
Interim Strategic Director (KN)
Infrastructure Officer (NP)
Managing Director BMS Invest (LR)
Corporate Manager – Democratic Services (JR)
Corporate Manager – Homelessness Prevention (HS)
Assistant Director – Finance (KS)
Professional Lead – Key Sites and Infrastructure Manager (CT)
Investment and Development Consultant (IW)
Assistant Director – Law and Governance (EY)

91 **APOLOGIES FOR ABSENCE**

There were none.

92 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY COUNCILLORS**

92.1 Councillor Brewster, Councillor Horn, Councillor Whitehead and Councillor Whybrow declared non-pecuniary interests in Agenda Items 13 and 15, “MCa/17/55 – BMS Invest – Performance, Risk and Governance Update” and “MCa/17/57 – Appointment of Non-Executive Director” as Board Members.

92.2 Councillor Horn declared a non-pecuniary interest in Agenda Item 14, “MCa/17/56 – Local Tourism Strategy Review” as a Trustee of the Museum of East Anglian Life.

93 **MCA/17/49 - CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 5 FEBRUARY 2018**

The minutes of the meeting held on 5 February 2018 were confirmed as a correct record.

94 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

95 **QUESTIONS BY COUNCILLORS**

There were none.

96 **MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEE**

No matters had been referred by either the Overview and Scrutiny or Joint Audit and Standards Committees.

97 **MCA/17/50 - FORTHCOMING DECISIONS LIST**

The Forthcoming Decisions List was noted and the following comments made:

97.1 • That the National Planning Policy Framework (NPPF) draft revised consultation, of which responses were due by 10 May 2018, was included to ensure as many members as possible could respond.

97.2 • It was questioned as to whether the HQ Site regeneration proposal should be brought to Cabinet in the first instance and then onto Council. However, it was discussed and agreed it would go to Full Council for debate and then onto Cabinet for the final decision.

97.3 • Why CAB21, End of Year Risk Progress, was scheduled ahead of the budget as it should feed into the budget setting. However, it was agreed it made sense to review the risks beforehand.

98 **MCA/17/51 - COMMUNITY INFRASTRUCTURE LEVY (CIL) - EXPENDITURE FRAMEWORK**

98.1 Councillor Whybrow, the Cabinet Member with responsibility for Planning, introduced report MCA/17/51 and moved the recommendation, which included additional wording of “Officers to consider whether it would be beneficial to administer the

- 98.2 Section 106 monies and CIL within same team.” This was seconded by Councillor Flatman.
- 98.3 Councillor Whybrow gave thanks to both the Members and Officers involved.
- 98.4 A concern was raised as it was felt it was not a professional document, with no public speaking being allowed. As such it was questioned whether it would stand up in court due to lack of accountability.
- 98.5 Cabinet noted the template would be clear and robust and would be part of an ongoing review. They were therefore comfortable with supporting the recommendation. However, the final report, which would go before Full Council, required further information on the financial cap with a full explanation on the limitations.

By 9 votes to 1

It was RESOLVED:-

- (1) The detailed CIL Expenditure Framework (including details of implementation and review) forming Appendices A and E to report MCa/17/51 and the joint CIL Expenditure Framework Communications Strategy (Appendix B) be approved and refer the proposals to Full Council for final adoption. (Appendices C and D comprise the CIL “Regulation 123 lists” and were approved in January 2016 and accompany the other documents for reference purposes only).
- (2) That the Joint Member Panel (alongside Overview and Scrutiny) inform the Review of the CIL Expenditure Framework within the timescales contained in the Appendix E of report MCa/17/51.
- (3) Officers to consider whether it would be beneficial to administer the Section 106 monies and CIL within same team.

Reason for Decision: Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL in April 2016. There is no prescribed way for Councils to decide upon the spend of money collected through CIL so the Councils have to agree their own approach.

99 MCA/17/52 - FINANCIAL MONITORING 2017/18 - QUARTER 3

- 99.1 Councillor Whitehead, the Cabinet Member with responsibility for Finance, introduced report MCa/17/52 and moved the recommendation which was seconded by Councillor Horn.
- 99.2 Additional information on the HRA fund was tabled during the meeting. Due to the amended figures being a considerable sum Members did not feel they could vote on this part of the paper and as such moved and seconded an amendment and requested the HRA fund go to Overview and Scrutiny in order for them to investigate the cause of the variation.

By a unanimous vote

It was RESOLVED:-

- (1) That the potential or likely variations in relation to the General Fund, Housing Revenue Account and Capital Programme compared to the Budget be noted.
- (2) That, subject to any further budget variations that arise during the rest of the financial year, the following net transfers of £1,158k be noted:
 - (a) The balance of the General Fund surplus of £938k referred to in section 11.7 of the report be transferred to the Business Rates Equalisation reserve to support the 2017/18 deficit on the Business Rates Collection Fund which will materialise in 2018/19.
 - (b) Transfer of £78k, being the favourable variance for Planning legal costs to the earmarked reserve, referred to in section 11.8 of this report.
 - (c) Transfer of £175k, being the £75k favourable variance for Homelessness and the additional £100k contribution to the earmarked homelessness reserve, referred to in section 11.8 of this report.
- (3) That the causes of the variations between Quarter 2 and Quarter 3 within the HRA Strategic Priorities Reserve be investigated by the Overview and Scrutiny Committee.

Reason for Decisions:

To ensure that Members were kept informed of the current budgetary position for both the General Fund and HRA.

100 MCA/17/53 - PUBLIC REALM TRANSFORMATION PROJECT

- 100.1 Councillor Burn, the Cabinet Member with responsibility for Environment, introduced report MCA/17/53 and moved the recommendation, with an amendment, which was seconded by Councillor Otton.
- 100.2 Members agreed just having one group of members for a Task and Finish Panel was sensible.

By a unanimous vote.

It was RESOLVED:-

- (1) That the findings of the Public Realm Review be noted, including the overall conclusions that standards of street cleansing and grounds maintenance are generally good and that the in-house service in Mid Suffolk represents value for money.

- (2) To agree the priority actions for 2018/19, set out at paragraphs 13.1 – 13.4 of report MCA/17/53, to take forward public realm provision within Mid Suffolk.
- (3) To agree the principles for future Public Realm provision in Mid Suffolk, outlined at paragraph 12 of this report.
- (4) To agree to establish a Member Advisory Task and Finish Group to:
 - (a) Develop standards and performance measures for public realm services;
 - (b) Establish a policy for the adoption of open spaces and other public realm assets;
 - (c) Review and extend the policy on trees; and
 - (d) Develop a policy on public toilets.
- (5) To utilise the public realm principles and public realm policies in the development of both the emerging Environment Strategy and the emerging Communities Strategy.

Reason for Decisions:

To set out the Council's principles and plans for the future development of public realm services.

101 **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

By a unanimous vote

It was RESOLVED:

That pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during these items, it was likely there would be the disclosure to them of exempt information as indicated against each item. The authors of the reports proposed to be considered in Part II of the agenda were satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

102 **MCA/17/54 - INCREASE IN PROVISION OF TEMPORARY ACCOMMODATION UNITS**

By a unanimous vote.

It was RESOLVED:-

- (1) The recommendation as set out in the report MCA/17/54 be approved.

103 **MCA/17/55 - BMS INVEST - PERFORMANCE, RISK AND GOVERNANCE UPDATE**

By 8 votes to 2.

It was RESOLVED:-

- (1) The recommendation as set out in report MCA/17/55 be noted.

104 **MCA/17/56 - LOCAL TOURISM STRATEGY REVIEW**

Members made an amendment to the recommendation.

By 9 votes to 1

It was RESOLVED:-

- (1) That the recommendations set out in report MCA/17/56 be approved with a minor amendment.

105 **MCA/17/57 - APPOINTMENT OF NON-EXECUTIVE DIRECTOR**

By a unanimous vote.

It was RESOLVED:-

The recommendation as set out in the report MCA/17/57 be approved, and that the decision was taken on the grounds of urgency and as such cannot reasonably be deferred because previous delegation did not allow for additional capacity to be appointed to the Board, necessary at the initial stages. Under paragraph 17 of the Overview and Scrutiny Procedure Rules within Part 3 of the Council's Constitution **THIS DECISION IS EXEMPT FROM CALL-IN ON THE GROUNDS OF URGENCY.**

The business of the meeting was concluded at 4:20pm.

.....

Chair (date)